

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2014-067

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Misconduct

SPD/RE Code: JKK / RE4

Authority of Discharge: COMDTINST M1000.4, ART 1.B.11

Date of Separation: 2014-11-10

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / No Change

New Authority: No Change

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Misconduct due to Involvement with Drugs. The applicant tested positive for THC in a random unit drug test. The Board has thoroughly reviewed the urinalysis documents and the chain of custody with the samples provided to a military medical center. Nothing executed by the urinalysis coordinator was abnormal or in error. The applicant's command determined this to be a drug incident. Pursuant to policy, the applicant was recommended for Discharge due to a drug incident.

The Board finds no issues with propriety or equity in this case. The applicant was notified of the intent to discharge, and the applicant was advised of the right to an attorney. The applicant made a statement and objected to the discharge. In the applicant's pre and post service statements, a claim was made on the grounds of Riboflavin (within a GNC product) causing a false-positive urinalysis result. Additionally, the applicant provided an unofficial hair follicle test that was printed off the hair confirm website used for anonymous and personal use. This is not admissible for UCMJ proceedings, nor does it formally refute the urinalysis results prompting the command's intent to Discharge for Involvement with Drugs.

Coast Guard policy prescribes no higher than a General, Under Honorable Conditions character of service for individuals separated as a result of violating the Coast Guard's drug policy. However, consistent with policy the Coast Guard has zero tolerance for drug abuse. The General, Under Honorable Conditions discharge is equitable.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication By Assistant Commandant for Human Resources: Concur with Board. No relief

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.