

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2015-011

Discharge Issued

Character: General

Narrative Reason: Misconduct

SPD/RE Code: JKK / RE4

Authority of Discharge: COMDTINST M1900.4D

Date of Separation: 2005-06-21

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.

Just prior to the Discharge, the applicant tested positive for illegal drug use in a random unit drug test. The Board has thoroughly reviewed the applicant's record and the supporting documents provided, before the Discharge and within the petition. The applicant provided an unofficial hair follicle test prior to the Discharge and was questioned by Coast Guard Investigative Service on the drug use. The Board concludes that the government is presumptively correct with no new evidence to refute the urinalysis results prompting the command's intent to Discharge for Involvement with Drugs.

The applicant made a statement on their behalf prior to the discharge. The Board has no issues with the propriety standard on this case. However, the Board does note a General Discharge was issued. Per previous policy issued in ALCOAST 562/08, a General discharge is no longer considered an official character of service. Therefore, the board recommends a partial upgrade to an Under Honorable Conditions character of service.

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. A partial upgrade to an Under Honorable Conditions for the applicant's character of service is equitable.

Propriety: Discharge was proper.

Equity: Discharge was equitable at the time issued . Post-policy below provides partial relief.

Final Adjudication by Assistant Commandant for Human Resources: Concur with Board. Applicant's Character of Service will be amended to Under Honorable Conditions based on ALCOAST 562/08. All other items stand as issued.

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.