

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2016-034

**Discharge Issued**

**Character:** Under Honorable Conditions (General)

**Narrative Reason:** Misconduct

**SPD/RE Code:** HKQ / RE4

**Authority of Discharge:** COMDTINST M1000.4 Art 1.B.17

**Date of Separation:** 2014-07-01

**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 due to Misconduct.

The Applicant was involved in an altercation in which they brandished a firearm and used it in a threatening manner, warranting their arrest. The applicant failed to report the full extent of the incident and arrest to their Command. The Applicant went to Captain's Mast pursuant to Article 15 of the UCMJ where they were charged with violating Article 128 (Assault-Aggravated) and Article 92 (Failure to Obey an Order or Regulation). Both of these offenses were dismissed due to civil punishment that was awarded to the Applicant.

The Applicant was informed by his Command that they have initiated action to separate him from the Coast Guard due to Misconduct, Commission of a Serious Offense. Initially, the Applicant requested an Administrative Separation Board but waived their right to appear before an Administrative Separation Board with the condition that he receive a characterization no lower than General (Under Honorable Conditions).

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.