

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2016-079

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: 2016-07-16

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.

The Board discussed the totality of the Applicant's record and the criminal charges incurred by the Applicant. The Board determined the standards in criminal cases used for discharge are based on the preponderance of the evidence. The Misdemeanor charge of Domestic Assault was held as valid as the Applicant was referred to Community Corrections Probation to complete Anger Management, Batterer's Intervention and Individual Counseling. The Applicant did not provide further evidence they completed the required programs mandated by Probation.

The Board found no issues with the standards and equity in this case and the Discharge Characterization of Under Honorable Conditions was valid.

After further review from CG-LGL, it was determined the correct Separation Code of JKQ is to be utilized due to their time in service was less than 8 years. The Separation Code of HKQ on his current Separation Authorization is for personnel with over 8 years that have waived a board upon separation.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Board Conclusion: The Board voted 5-0 to recommend 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.