

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2017-005

Discharge Issued

Character: Honorable

Narrative Reason: Misconduct

SPD/RE Code: JKQ / RE4

Authority of Discharge: COMDTINST M1900.4D

Date of Separation: 2017-01-17

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / No Change

New Authority: COMDTINST M1000.4 Art 1.B.17

Discharge Review Board Discussion and Decision:

DISCUSSION:

The Applicant was discharged. The Applicant's Character of Service is Honorable and the Narrative Reason for Separation is Misconduct.

The reason for their separation was due to a DUI crash where they were arrested by a local police department. During the arrest, the Applicant refused a lawful breath test requested by Law Enforcement. The applicant did not provide any further information or evidence which would substantiate a change in the Narrative Reason For Separation or their RE code.

In accordance with ALCOAST 146/14, paragraph 4.d.2, administrative discharge proceedings will be initiated for any member who refuses to take a blood alcohol test or breathalyzer by a recognized authority for suspicion of drunken or impaired operation of a vehicle, aircraft or vessel.

After further review from CG-LGL, it was determined the correct Separation Authority of COMDTINST M1000.4, Art. 1-B-17 should be used to properly align with the Military Separations Manual. COMDTINST M1900.4D which is utilized was cancelled prior to the previous member's discharge and should not have been used.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant for Human Resources: Concur with the 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.