

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2017-009

Discharge Issued

Character: Honorable

Narrative Reason: Unacceptable Conduct

SPD/RE Code: JNC / RE4

Authority of Discharge: COMDTINST M1000.6A Art 12.B.12

Date of Separation: 2002-03-06

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / N/A

New Authority: COMDTINST M1000.6 Art 12.A.11

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was separated from the service with a Narrative Reason for Separation on their DD Form 214 reads Unacceptable Conduct and contains a Reentry Code of RE4.

The basis of their separation arose from an Alcohol Incident that the applicant was involved, when they made an alcohol impaired decision to enter an enlisted berthing area and initiate intimate sexual behavior with an enlisted female crewmember.

The Presiding Officer discussed the law, 14 USC 281, which gives the Coast Guard authority to revoke the commission of any regular officer on active duty who, at the date of revocation, had had less than five years of continuous service as a commissioned officer in the Regular Coast Guard. The Personnel Manual COMDTINST M1000.6A Article 12.A.11, clearly states Officers whose commissions are revoked under this Article shall be discharged.

The Board has no issues on the propriety and equity standards of this separation. Due to administrative inconsistency, the Board recommends correcting the applicant's DD Form 214 blocks 25 and 27. The Separation Authority (block 25) is incorrect because it applies to enlisted personnel and should read COMDTINST M1000.6A Art 12.A.11. The Reentry (block 27) is also incorrect and should read N/A as per PSCINST 1900.1.

RECOMMENDATION: The Board members thoroughly reviewed the applicant's record of service and all available documentation and deemed that the applicant's character of service, reason for separation and reenlistment code are appropriate and should not be changed. The applicant has not substantiated any error or inequity.

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.