

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2017-044

Discharge Issued

Character: Other Than Honorable Conditions

Narrative Reason: Misconduct

SPD/RE Code: HKQ / RE4

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

Date of Separation: 2014-05-12

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 separated from the service after being tried by a General Court Martial.

The applicant was tried at a General Court-Martial and was convicted of one specification of sodomy, in violation of Article 125 and once specification of assault consummated by a battery, in violation of Article 128, both under the Uniformed Code of Military Justice. The military judge sentenced the applicant to confinement for thirteen months, reduction to E-1, and a bad-conduct discharge. The applicant's conviction(s) stem from their conduct when they were assigned as a supervisor at a U.S. Coast Guard unit.

The Board finds no issues with propriety or equity in this case.

RECOMMENDATION:

The Board members thoroughly reviewed the applicant's record of service and all available documentation. The Board 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.