

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2018-027

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: MISCONDUCT

SPD/RE Code: JKK / RE4

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

Date of Separation: 2014-05-21

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 Misconduct (Drugs) after serving a total of 05 Years, 02 Months and 05 Days on Active Duty.

There is not a Separation Authorization in Direct Access nor a Discharge Intent Package available. The DRB administration staff requested additional documentation a second time from PPC-BOPS-MR and from the SPO at his last place of duty without success. The only discharge documentation the Board had to examine was the DD-214 which was signed by the applicant in block 21a that documents his acknowledgement of the discharge that was approved.

The former member did not provide any additional documentation such as discharge documentation or an investigation to refute the claim of an unjust discharge.

The Board also discussed the reasoning for why the applicant would have taken a photo of the pill and what the intent may have been. Some reasons that were brought up are "Hey look what I got." or "Do you want one of these?" The argument of the Coast Guard having a valid case since the pills were prescribed by a military physician was also deliberated.

PROPRIETY:

The Board finds no issues with propriety in this case. The applicant was properly discharged under policy in effect at the time of discharge.

EQUITY:

Coast Guard policy prescribes no higher than a General, Under Honorable Conditions character of service for individuals separated as a result of violating the Coast Guard's drug policy. The Coast Guard has zero tolerance for drug abuse. The General, Under Honorable Conditions discharge is equitable.

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 based on the available evidence and should not be changed. There was a lack of discharge documentation and an investigation available to review in order to discount or uphold the discharge type that the former member received. The applicant has not substantiated any error or inequity.

Propriety: Discharge was proper. Equity: Discharge was equitable. Board Conclusion: 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.