

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2018-040

Discharge Issued

Character: Honorable

Narrative Reason: Unacceptable Conduct

SPD/RE Code: JNC / RE4

Authority of Discharge: COMDTINST M1000.4 Art 1.B.15

Date of Separation: 2015-05-11

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 Unsuitability after serving a total of 1 year, 4 months, and 6 days on active duty.

The Board thoroughly reviewed all documentation including the applicant's statement. The applicant's Character of Service is Honorable and the separation authority listed on the DD-214 is COMDTINST M1000.4 Article 1.B.15. The corresponding SPD code is JNC which prescribes a reentry code of RE4.

The former member was discharged for unsuitability (inaptitude) after receiving ten negative CG-3307's in less than a nine-month period, documenting subpar performance and failure to meet standards. The applicant's command noted that the former member received nearly continuous counseling over an 8month period without improvement. The Command noted that the applicant's inaptitude was not the result of an isolated incident but rather a culmination of events that included numerous counseling sessions and negative CG-3307's. The Command also noted that the applicant was placed on performance probation and was provided with a plan to correct the pattern of deficiencies. The Command stated that after 5 months, the applicant showed no tangible improvement and instead regressed in their qualifications. The applicant was not recommended for the Commandant's Second Chance Program.

The former member is requesting relief to their reentry code in order to reenlist in the military. The applicant states they received an Honorable discharge but an RE4. The applicant claims their conduct was not unacceptable during their time in service. The applicant states they were honored to serve their country and would like an upgrade so they may continue to do so.

The Board reviewed and discussed the applicant's service record claim that they should have received a different RE code for an honorable discharge. The applicant was separated in accordance with COMDTINST M1000.4 Article 1.B.15 which details the discharge process for members released for unsuitability by reason of inaptitude. Inaptitude applies to members described as unfit due to lack of general adaptability, want or readiness of skill, clumsiness, or inability to learn. As such, the applicant's discharge was proper as illustrated by the ten negative CG-3307s documenting an inability to learn and a lack of want or readiness of skill.

The Separation Program Designator (SPD) Handbook lists an SPD code of JNC for members discharged for unsuitability. The SPD Handbook prescribes an RE4 for member's discharged under JNC. This makes the applicant's RE4 the proper RE code for this discharge and therefore makes the applicant's claims of an improper RE code unsubstantiated.

The Board finds no error of fact, law, discretion, or policy in this discharge. There have been no relevant policy changes since the date of discharge that are unique to this case. The discharge of the applicant was justified and consistent with the standards of discipline. The Board finds no issues concerning the propriety or equity of the discharge.

RECOMMENDATION:

The Board members thoroughly reviewed the applicant's record of service and all available documentation. The Board deemed that the applicant's RE code is 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.