

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2018-043

**Discharge Issued**

**Character:** Under Honorable Conditions (General)

**Narrative Reason:** Unsatisfactory performance

**SPD/RE Code:** LHJ / N/A

**Authority of Discharge:** N/A

**Date of Separation:** 2016-05-16

**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 released from the Reserve Program Manager (RPA) Active duty position by CGPSC for Unsatisfactory Performance after serving a total of 08 Years, 06 Months and 21 Days on Active Duty.

The separation authority listed on the DD-214 is NIA. The SPD Code in block 26 is LHJ. The former member is requesting relief of the Character of Service.

The Board thoroughly reviewed all of the documentation including the application and attachments. The DD-214 was reviewed. These proceedings are for the former member release from active duty and block 24 Character of Service only. The Board Members reviewed and discussed the Memorandum from RDML Bell, and the manual for Military Separations, COMDTINST M1000.4 and is satisfied that the Under Honorable Conditions Character of service is within USCG policy.

As part of the applicant's acceptance of the Reserve Program Administrator (RPA) assignment, the Applicant signed an Active Duty Agreement pursuant to 10 USC 12311 and 12312. In accordance with 10 USC 12312, a member may not be released from active duty without an opportunity to be heard by a board of officers before the release. Accordingly, a Special Board convened under Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3, Art. 1.B.3.1., and recommended to the Commandant that the Applicant's RPA designator be removed. The Commandant approved the recommendation.

Without a RPA designator, the applicant was released to inactive duty (RELAD) pursuant to Military Separations, COMDTINST M1000.4, Art. 1.A.6.d., which states, "Officers whose RPA designation has been removed under Article 1.B.3.1. of reference (a), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series), will be released to inactive duty." CG PSC-OPM, in its role as separation authority under Military Separations, COMDTINST M1000.4, Art. 1.A.2.g., determined the appropriate character of service for the issuance of a DD Form 214. In its determination, it considered the findings of the Special Board which found that the applicant had met the analogous standards for separation described by Military Separations, COMDTINST M1000.4, Arts. 1.A.14.c.2.c., e., g., and h. Based on this recommendation, and the totality of the record to date, CG PSC-OPM applied a General Under Honorable Conditions characterization to the Applicant's active duty service; however, the Applicant only received a DD Form 214 worksheet and not a final DD Form 214. The Applicant pled guilty to lesser state charges, and received 5 years of felony probation.

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:**

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

**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 appropriate based on the available evidence 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.