

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2018-047

Discharge Issued

Character: General

Narrative Reason: Misconduct

SPD/RE Code: JKK / RE4

Authority of Discharge: COMDTINDT M10006.A.A.12.B.18

Date of Separation: 2004-11-26

DRB Decision

Character: Under Honorable Conditions (General)

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 03 Years, 00 Months and 24 Days on Active Duty.

The former member received the involvement with drugs for using a controlled substance - marijuana. IAW COMDTINST M1000.4 1.B.17.b (4) any member involved in a drug incident or illegal, wrongful, or improper sale, transfer, manufacture, or introduction onto a military installation of any drug, as defined in Chapter 7 of the Military Drug and Alcohol Policy, COMDTINST M1000.10 (series), will be processed for separation from the Coast Guard with no higher than a Under Honorable Conditions (General) discharge.

The verbiage "Under Honorable Conditions" is missing from the DD-214 which is possibly a clerical error that occurred while processing the paperwork. The SPD handbook prescribes an RE Code of RE-4 for an SPD Code of JKK. The PDR does not contain any of the separation paperwork, however there is a 3307 suspending a security clearance. There is not a separation authorization in Direct Access. The applicant is requesting relief in Block 24 to change the Character of Service from General to reflect Honorable in order to qualify for the Post 9/11 GI Bill.

The Coast Guard has zero tolerance for drug abuse. The General discharge is correct, but is not a valid character of service entry for Block 24 IAW DoDI 1336.01, Encl. 3, Para 3.h.2 which lists the only authorized entries for Block 24, to include "Under Honorable Conditions (General)" is an equitable discharge.

Since the Board noticed that the applicant was issued only a "General" Discharge in Block 24 of the DD-214 for character of service the Board recommends that this is administratively corrected to Under Honorable Conditions (General). Per ALCOAST 562/08 the DD Form 214 is issued in accordance with the guidance and instructions contained in this instruction and DoDI 1336.01 and General is not a valid character of service.

RECOMMENDATION:

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

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Board Conclusion: recommend no relief. The Board does recommend an administrative correction to Under

Honorable Conditions (General) IAW ALCOAST 562/08 and DoDI 1336.01.

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.