

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2018-048

Discharge Issued

Character: General

Narrative Reason: Misconduct

SPD/RE Code: BNC / N/A

Authority of Discharge: COMDTINST M1000.4 Art 1.A.2.D

Date of Separation: 2017-11-30

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 Unacceptable Conduct, Sexual Harassment - Alcohol Related while assigned TDY after serving a total of 05 Years, 06 Months and 15 Days on Active Duty.

There is a Separation Authorization, DD-214 and a 3307 documenting an Alcohol Incident.

The Board discussed the application and documentation that the former member provided after ample review. The Board cited that the former member was afforded the opportunity to consult with military legal counsel and understood that they would resign their commission in addition to the acknowledgement on an OER that their command was recommending the member for separation. They also discussed the Coast guard policy and its relation to this case for processing discharges of this type.

IAW Military Separations Manual, COMDTINST M1000.4, Article 1.A.2.D the Service generally grants a discharge under other than honorable conditions to officers separated for reasons other than dismissal pursuant to general court-martial sentence if the circumstances prompting separation are deemed counter to traditional naval concepts of "honor," in the following types of situations; for example:

(1) Acceptance of a resignation to escape dismissal, typically for the good of the Service and submitted in the form described in Article 1.A.5.c. of this Manual.

(2) Acceptance of a resignation for the good of the Service in lieu of trial by court-martial, submitted in the form described in Article 1.A.5.d. of this Manual.

(3) Acceptance of a resignation for the good of the Service. Submit this type of resignation in the form described in Article 1.A.5.c. of this Manual.

(4) Separation of officers for a civil authority conviction on criminal charges except for officers dropped from the rolls under Article 1.A.13. of this Manual.

(5) Officers dropped from the rolls do not receive a certificate of discharge.

(6) Separations for other reasons which would warrant a discharge under other than honorable conditions or a bad conduct discharge for enlisted members. The Board deemed that the applicant's reason for separation is appropriate and should not be changed. There was not any evidence provided to dispute that the Coast Guard had not executed a

proper discharge. The applicant has not substantiated any error or inequity.

RECOMMENDATION:

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.

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.