

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2019-039

**Discharge Issued**

**Character:** Uncharacterized

**Narrative Reason:** Fraudulent Entry

**SPD/RE Code:** JDA / RE4

**Authority of Discharge:** COMDTINST M1000.4 Art 1.C.10.A

**Date of Separation:** 2019-04-29

**DRB Decision**

**Character:** No Change

**Narrative Reason:** No Change

**SPD/RE Code:** No Change / No Change

**New Authority:** COMDTINST M1000.4 Art 1.B.17

**Discharge Review Board Discussion and Decision:**

**DISCUSSION:**

The applicant was discharged for Fraudulent Enlistment Into Military Service due to failure to divulge potentially disqualifying civil incidents.

The basis of the applicant's separation derived from an investigation from Coast Guard Investigative Services (CGIS), when the Applicant was suspected of wrongful use or possession of a controlled substance. During the investigation, CGIS performed a police records query on the Applicant. The database revealed the Applicant had several incidents with law enforcement agencies (local police departments) prior to their enlistment in the Coast Guard. The violations included drug/narcotic violation(s) and multiple trespassing violations. The applicant's Skype for Business logs also revealed messages stating "I smoked a lot of freaking weed before I joined the cg" and "today marks 2 years to the day that I last smoked weed, I left for boot camp 30 days later." During the applicant's interview with CGIS, the Applicant admitted to smoking marijuana more than twice in high school and falsified enlistment documents regarding marijuana usage, and that they had no intentions of telling the CG Recruiter the truth about their drug usage.

The Board thoroughly reviewed the application (with addendum and enclosures) and service records. After analyzing the applicant's enlistment documents, DD Form 1966 Record of Military Processing -Armed Forces of the United States, they answered yes to question 26 pertaining to drug use and explained in the remarks section that they used THC. The applicant denied ever asking anyone or being directed about how they should complete their paperwork. The records also indicate that the applicant was placed on performance probation.

The Board finds no issues with propriety or equity in this case. The applicant was notified of the intent to discharge, and the applicant was advised of their rights to an attorney, made a statement on their behalf and objected to discharge.

The Board notes that the Applicant received an Uncharacterized Discharge and his Narrative Reason for Separation reads Fraudulent Entry Into Military Service. The policy in the Military Separations, COMDTINST M1000.4 (series) Article 1.8.17.b.(5) reads "a member may be discharged for procuring a fraudulent enlistment, induction, or period of active service through any material misrepresentation, omission, or concealment which, if known at the time, might have resulted in rejection." This is standard procedure because the Applicant would have been rejected for 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 other than the administrative corrections based in the Military Separations COMDTINST M1000.4 (series).

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.