

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2019-043

**Discharge Issued**

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

**Narrative Reason:** Misconduct

**SPD/RE Code:** GKQ / RE4

**Authority of Discharge:** COMDTINST M1000.4 Art 1.B.17

**Date of Separation:** 2016-02-11

**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 Misconduct (Commission of a serious military or civilian offense) after serving a total of 19 Years, 02 Months and 26 Days on Active Duty by determination of an Administration Separation (ADSEP) Board.

The documents from the Administrative Separation Board's action as the final reviewing authority were available along with the separation authorization and PDR.

The Board opened up with the discussion of the ADSEP Board's final decision relating to the propriety and equity standards for the discharge type. The Board President requested input from one of the board members due to their previous experience as a subject matter expert processing discharges while assigned to PSC EPM-1. The Board member replied that the discharge was equitable based on the Instant Messenger transcripts and the junior paygrades of the members that the applicant communicated with which fall in line to prescribe a Misconduct Discharge. The substance of the conversations were sexual in nature with a history of more than 4 years which is documented in the transcripts provided.

The character of the member was also brought into question as to the type of treatment that the female members may have received in person while communicating with the former member. Additionally, the former member also requested the names of other "sexy girls" to contact from one of the females that they were already speaking to. Another Board member mentioned that the documentation available in the PDR supports a pattern of misconduct based on the applicant lying to the SPO and filing erroneous paperwork to collect a higher rate of BAH in addition to having a four-year pattern of stalking female members with the intention of establishing romantic relationships while they were married and with other married members.

The SPD Handbook only prescribes an RE Code of RE-4 for GKQ. IAW COMDTINST M1000.4 1 .b.17.a Commander (CG PSC) may direct a discharge for misconduct and the type of discharge (under other than honorable, general, or honorable) as warranted by the particular circumstances of the given case.

**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 processed under the policy that was in effect at the time of the discharge. Coast Guard policy prescribes no higher than an RE-4 reentry code for

a Separation Code of GKQ. Commander (CG PSC) may direct a discharge for misconduct and the type of discharge (Under Other Than Honorable, General/Under Honorable Conditions or an Honorable) as warranted by the particular circumstances or the given case. The Under Other than Honorable discharge is equitable.

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, reason for separation and reenlistment code are appropriate based on the available evidence 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.