

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2019-066

**Discharge Issued**

**Character:** Honorable

**Narrative Reason:** ALCOHOL REHABILITATION FAILURE

**SPD/RE Code:** JPD / RE4

**Authority of Discharge:** CG PERSONNEL COMMAND

**Date of Separation:** 2009-04-24

**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 Alcohol Abuse, Alcohol Rehabilitation Failure.

A pattern of misconduct is well documented via CG-3307's in the applicant-s personnel record:

- Failure to complete DCPQS within 6 months.
- First alcohol incident for arrest by local police for DUI with .19% BAC.
- Misuse of govt travel card leading to permanent termination.
- Formal counselling for being late to duty and noting that the situation causing the tardiness was something that should have been reported to the Command.
- Formal counselling for being late to muster. Arrived to cutter after liberty expired and slept through morning muster. Then during the workday caught sleeping in another individual's rack leading to a history of unacceptable performance.
- Successful completion of Substance Abuse Training for alcohol abuse.
- Restricted to the cutter during port call.
- Counseled for failure to return to cutter before expiration of liberty. Traveled away from the ship, but unable to pay for return taxi which required a member of another military service to cover the charges.
- The Liberty Risk Board added restrictions to unaccompanied liberty while in foreign port to include curfew, check in/out with OOD in person, and consuming no alcoholic beverages.

The applicant earned one Good Conduct and one LOA. The applicant notes NJP(s) in their application, however, there are no entries in Direct Access for any discipline actions and there are no CG-3307s to document the NJP.

Coast Guard members violating an alcohol rehabilitation aftercare plan are immediately processed for separation. Additionally, the Coast Guard has a legal, civil, and institutional responsibility that requires a firm stance on impaired driving. As a result, an alcohol or other intoxicants DUI must have well-defined consequences and serious career implications, which can result in separation.

Every driver has a responsibility to choose to drive sober. A BAC of .190 is an extreme level of intoxication which is known to result in severe disorientation, deterioration of motor skills, and blackouts. The Coast Guard has established a command climate that supports, encourages, and models the use of low-risk guidelines for alcohol consumption; is intolerant to alcohol misuse; establishes performance and discipline standards for alcohol incidents, and provides standards by which these incidents will be properly adjudicated.

The Board also discussed the failure of the second chance program in this case (two separate DUIs), that the pattern of misconduct from E4 through E6 showed increased irresponsibility and a rising adverse relationship with alcohol, multiple improvement opportunities offered by the Command with worsening results, and that in the intervening years post-service the applicant has continued to neglect the legal requirement to install the interlock system which has now exacerbated their situation.

The applicant's service record documents that they did not object to being discharged. Ultimately, the discharge issued met the standard and precedent for similar cases, was in accordance with prior and current separation policy, and was within the discretion of the separation authority. The Board finds the separation was both proper and equitable.

The applicant made a telephonic (voice only) appearance before the Board via MS Teams:

The applicant was duly sworn in and their official personnel record and previously supplied supporting documents were entered into evidence by the Board Recorder with no objection by the applicant. The Presiding Officer then gave the applicant an opportunity to make a sworn or unsworn statement and to present any additional evidence.

Applicant: With respect to my discharge, I wish I would have spoke on it before I got into trouble. I was dealing with my parents and my brother who was not coming home accordingly, and I had to go find him when I got into the situation, I just dealt with it on my own. And I just I just was so angry, so I didn't speak to my supervisors about what was going on and it really hurt me. But I learned a lot and I just wish that I could have had a better outcome.

Board Member: You talked about the difficulties - how did that play into the events leading to your discharge?

Applicant: Just dealing with the family issue of my brother not being there and me getting into the trouble. I just didn't really speak and that was the worst part - not speaking to my chiefs to let them know what was going on. And then, when they found out that I did have the DUI - I guess it was on records of the police district. Then they recommended me to the base that does the alcohol abuse. I really started regretting not saying nothing because I would rather just lose a chevron or two and stay in. And I had to deal with my dad having a stroke during that time as well, so it was a bunch of stuff. So, I just never spoke out on it and that was the difficult part, Sir.

Board Member: So, you describe a series of events that led to your discharge. Primarily, the DUIs. You had two separate alcohol incidents, and you were diagnosed as alcohol abusive. So, my question for you is, do you consume alcohol at this present time? And if yes, how often and has your alcohol use negatively affected one or more of your relationships or current work performance?

Applicant: Now? No. Because both of my parents died from alcohol abuse prior to me graduating college. My mother died from liver failure and kidney failure. And my dad passed right after that due to the same. I really just went cold-turkey, and I learned more just remembering all the things from the Norfolk base and I was trying to reach out to them, but I could never find nobody. So that's where the church came in. And that's what I've been up to since then: just church, family, work - that's what keeps me going.

Board Member: You said you attended AA, did you complete the prescribed AA program?

Applicant: Yes, on base. And then I'm dealing with the civilian side. I did complete it and I was in contact with them off and on. And then, last year they said they updated their systems, and my file was unable to be transferred over to that new system. So now I have to redo that whole class again and I have to pay them to get the records transferred from one location to another.

Board Member: I saw on your record that you were required to have an ignition interlock, is that still required, or no?

Applicant: Yeah, I have to pay \$300.00 for that. But when I talked to them in, they said that all I needed is the interlock system. But then as time went on, I kept asking them, cause my wife is the driver of the family. We only have one car - I don't drive, I take public transportation to and from work. She deals with the kids so she has the car. The \_\_\_\_\_ kept telling me yes, that's all you need. And then they said their system changed over and the last time I spoke with them we don't have any records of you going through this class. And we need you to either pay the \$300 or you gotta come to \_\_\_\_\_ to start it all over. And you still need to have the interlock, which is another \$300 and now that I'm double behind, I have to take the class over.

Board Member: You said you were looking for relief for the purpose of reenlistment. Have you spoken with recruiters about reenlisting?

Applicant: I was talking to a few Marines who were recruiting here in \_\_\_\_\_. I spoke with them on how to reenlist and how to change the RE4. Throughout the years I just kept going. A few people said try to go through a local politician. I tried that. Then I started reaching out to my old officers and they told me to just keep looking and try this, try that. I just came across you guys one day and I reached out and I got all the information to apply to the DRB.

Presiding Officer: Do you have any other questions for the board?

Applicant: No. I just want to say thank you guys just for the opportunity and stay safe with all the things going on out there.

Presiding Officer: If there are no questions from the board, this completes the proceeding. The board is now closed for deliberation. YN1, please close the connection with the applicant.

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 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.