

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2020-066

**Discharge Issued**

**Character:** General

**Narrative Reason:** Misconduct

**SPD/RE Code:** JKK / RE4

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

**Date of Separation:** 2014-08-15

**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 after serving a total of 3 Years, 8 Months, 17 Days on Active Duty.

The Board thoroughly reviewed all documentation available in the applicant's service record. The applicant's Character of Service is Under Honorable Conditions and the separation authority listed on the DD-214 is COMDTINST M1000.4 Article 1.B.17. The SPD handbook prescribes an RE Code of RE4 for an SPD Code of JKK.

The applicant states that they used marijuana and requested a drug screening from their command specifically for the purpose of getting discharged citing that they were under a lot of stress at the time. In the application the applicant states they are unable to own a firearm to protect their children from harm due to the type of discharge they received and request a second chance. The Board emphasized the lack of justification for using this method to circumvent a contractual obligation to the Coast Guard.

The Board reviewed the applicant's application and request for an upgrade to their discharge characterization, however noting that the request for a General discharge is the same as the already listed Under Honorable Conditions. Additionally, the Separation Authorization within the applicant's file specifically reads, Character of Service: General. Military Separation Manual COMDTINST M1000.4 Article 1.B.17.b.4.a prescribes no higher than a General, Under Honorable Conditions character of service for individuals separated as a result of violating the Coast Guard's drug policy. This was provided to the applicant, but the applicant appears to not understand the characterization without the word General beside it. Therefore, while no change is being granted to the status of the applicant's discharge type, a new DD Form 214 is recommended with a characterization of service to read: Under Honorable Conditions (General).

The Board finds no error of fact, law, policy, or discretion in this discharge. There have been no relevant policy changes since the date of discharge that are unique to this case. The discharge of the applicant was justified and consistent with the standards of discipline. The Board finds no issues concerning the propriety or equity of the discharge.

RECOMMENDATION: The Board thoroughly reviewed the applicant's record of service and all available documentation. The Board deemed that the applicant's reentry code is 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: The Board voted 3-0 for 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.