

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2021-001

**Discharge Issued**

**Character:** Uncharacterized

**Narrative Reason:** Entry Level Performance and Conduct

**SPD/RE Code:** JGA / RE3L

**Authority of Discharge:** COMDTINST M1000.4 ART

**Date of Separation:** 2012-12-07

**DRB Decision**

**Character:** No Change

**Narrative Reason:** No Change

**SPD/RE Code:** No Change / RE3L

**New Authority:** No Change

**Discharge Review Board Discussion and Decision:**

DISCUSSION:

The applicant was discharged for Entry Level Performance And Conduct.

Applicant claims civil rights/harassment on first full day of training because their supervisor yelled at them and asked if the applicant was a gang-member. The applicant was provided a civil rights representative and an attorney. Applicant contends they didn't feel safe and asked to leave training before there was an "accident". The applicant believes the discharge issued is reprisal for reporting harassment. The applicant withdrew the petition, then resubmitted, stating the Board was trying to hide the petition. After 4 days the applicant was unable to meet the minimum training requirements set forth. A CG-3307, signed by the applicant documents the discharge during the process of separation for Unsuitability Refusal To Train. This CG-3307 reflects that the applicant was counseled regarding reenlistment at the time of discharge.

An uncharacterized character of service is not derogatory in nature. COMDTINST M1000.4 CH 3 Art. 1.B.19, in accordance with 10 U.S.C. § 1169, prescribes this character for individuals who were separated while in an entry-level status (fewer than 180 days of active service) when there was no associated conduct to warrant a less desirable character of service.

An RE3L reentry code represents entry-level separation & must have waiver to reenlist. Due to the circumstances of the discharge and disqualification, a request for a waiver may be submitted as part of the request for reenlistment through a recruiter of the gaining service. This discharge was consistent with the procedural and substantive requirements of policy and was within the discretion of the separation authority. The Board finds the separation was both proper and 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 and 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.

