

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2022-009

**Discharge Issued**

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

**Narrative Reason:** Misconduct

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

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

**Date of Separation:** 2017-06-05

**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 former member was discharged for involvement with drugs following a port call in a foreign country.

During a Coast Guard Investigative Service (CGIS) investigation, the applicant voluntarily admitted to using marijuana. Following the admission of drug use, the applicant was processed for discharge.

The applicant was processed for discharge for misconduct due to illegal use of a controlled substance in accordance with COMDTINST M1000.4 Article 1.B.17. They were advised of the intent to discharge and advised of their right to seek counsel due to being considered for an Under Honorable Conditions Discharge. Commander, CG-PSC established under a preponderance of evidence that the applicant was involved in a drug incident and supported their finding with the voluntary admission of drug use and the results of the CGIS investigation. The maximum penalty for an involvement with drugs includes a punitive discharge. The applicant ultimately received a Under Honorable Conditions discharge with a narrative reason of Misconduct, an SPD code of JKK, and a reentry code of RE4.

The Board examined the applicant's separation under COMDTINST M1000.4 Article 1.B.17 for involvement with drugs and found no errors of fact, law, discretion, or procedure. Commander, PSC properly found under a preponderance of the evidence that the applicant had illegally used a controlled substance which carries, as a penalty, a punitive discharge. In accordance with COMDTINST M1000.4 Article 1.B.17(b)(4)(a), any member involved in a drug incident will be processed for separation with no higher than a general discharge (under honorable conditions).

The Board finds the applicant was properly awarded an Under Honorable Conditions characterization in accordance with COMDTINST M1000.4 Article 1.B.2(f). The Separation Program Designator (SPD) code, reentry code, and narrative were all properly awarded in accordance with the SPD Handbook. There have been no relevant policy changes made expressly retroactive to this type of discharge and the Applicant has not made any inequity claims.

**RECOMMENDATION:** The Board members thoroughly reviewed the applicant's record of service and all available documentation. The Board deemed that the applicant's discharge characterization and separation 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: 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.