

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD
Docket #: 2024-010

Discharge Issued

Character: Under Honorable Conditions (General)

Narrative Reason: Misconduct

SPD/RE Code: JKK / RE4

Authority of Discharge: KBK

Date of Separation: 2022-01-07

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / No Change

New Authority: COMDTINST M1000.4 Art 1.B.17

Discharge Review Board Discussion and Decision:

ISSUES: The applicant states on their application "I accept responsibility for my mistakes. I consumed an edible and self-reported my drug use to my chain of command because I was unhappy at my current duty station. My decision was short sighted and immature. I deeply regret my decision and should have sought a healthier solution to my dislike of duty station. Please see continuation sheet" in their continuation sheet, the applicant states quote "despite my admitted mistake, I served admirably. I take full responsibility for my actions and regret the decision I made during that time. I was extremely unhappy in _____ and should have handled the situation in a different manner." The former member makes no claims of inequity or impropriety.

DISCUSSION: The applicant was discharged for Misconduct after serving a total of 06 Years, 08 Months, and 24 Days on Active Duty. The Board thoroughly reviewed all documentation available in the member's service record. The applicant's Character of Service is Under Honorable Conditions and the separation authority listed on the DD-214 is KBK. The SPD handbook prescribes an RE Code of RE4 for an SPD Code of JKK.

The recommendation for discharge given to the former member states the discharge is based on the member's voluntary admission of illegally using marijuana to Command as well as a positive result for THC on a urinalysis drug screening. The applicant stated the drug use was intentional to expedite a discharge from the Coast Guard. The member was afforded and acknowledged their discharge rights including the opportunity to consult with a military lawyer choosing to waive their right to a statement on their behalf and stated they did not object to being discharged.

The former member served one month and 22 days in the US army, receiving an honorable discharge with an MBK separation code stating in their application they left the Army to join the Coast Guard. While serving in the Coast Guard the member received recognition including the Armed Forces Service Medal,

Coast Guard Meritorious Unit Commendation, Coast Guard Commandant Letter of Commendation, Humanitarian Service Medal, and The Coast Guard Good Conduct Medal. The applicant, aware of the Coast Guard's zero-tolerance policy, chose to self-report due to being unhappy with their current place of duty. The applicant seeks to appeal their current discharge characterization, admitting to the drug incident that led to their discharge but asks that the board consider the rest of their military record. The former member states they take full responsibility for their actions and regret the decision they made, noting that since leaving the Coast Guard they have held jobs at Target, the Hilton, and other employers as a behavioral health technician applicant, asking the board to consider their military recognition as well as their post military behavior and while not claiming inequity or impropriety, requests that their character of service be upgraded to Honorable, their narrative reason for separation be changed to Secretarial Authority as well as their reentry code and separation code be appropriately adjusted.

The Board reviewed the former member's application and request for an upgrade to their discharge characterization. The Coast Guard maintains a Zero Tolerance for Illicit Drug Use. As a Service with a law enforcement mission, it is imperative that we hold ourselves to the highest standards. Per Military Drug and Alcohol Policy, COMDTINST M1000.10, if, after an investigation, the commanding officer determines that a drug incident did occur, Commands will process the member for separation by reason of misconduct. The Command in this case processed the former member in accordance with policy and the Board noted during their discussion the lack of any evidence or claims of impropriety or inequity with this applicant's discharge.

Military Separation Manual COMDTINST M1000.4 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. Further, the Coast Guard does not have a policy that permits the upgrade in character of service due to post-service conduct. 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 members 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.

ADMINISTRATIVE CORRECTION: The Board does recommend an administrative correction to Block 25 of the DD-214 for separation authority to be administratively corrected from KBK to COMDTINST M1000.4, Art 1.B.17 which is the correct authority for a discharge by reason of misconduct.

² 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.