

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD
Docket #: 2024-045

Discharge Issued

Character: Uncharacterized

Narrative Reason: Entry Level Performance and Conduct

SPD/RE Code: JGA / RE3L

Authority of Discharge: COMDINST M1000.4 ART 1.B.15.B

Date of Separation: 2012-04-13

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:

ISSUES: The applicant makes no claims of impropriety or inequity in their application. They are requesting the upgrades to their DD-214 without specifying why or submitting evidence. Pursuant to 33 CFR §51.7(a), a discharge is presumed to be equitable unless the applicant submits sufficient evidence to establish that it is not, IAW 33 CFR §51.7(a)(1), (a)(2), and (a)(3). As a result, the Board has only examined whether there was an impropriety in separating the Applicant under COMDTINST M1000.4 Articles 1.B.15 and 1.B.19.

DISCUSSION: The Applicant was processed for discharge for Unsuitability owing to the Inaptitude / Refusal to Train IAW COMDTINST M1000.4 Art. 1.B.15. They were advised of the discharge process via memo and recommended for an Uncharacterized Discharge. Leadership, established under a preponderance of the evidence that the Applicant demonstrated poor proficiency, conduct, aptitude or unsuitability for further service. This was supported by applicant's refusal to train and desired exit from the Coast Guard being reverted one time and being very aggressive and disrespectful to Company Commanders. The applicant was seen by a Mental Health professional on one occasion and placed Fit for Full Duty following the session. The Applicant ultimately received an Uncharacterized discharge with a narrative reason of Entry Level Performance and Conduct, an SPD code of JGA, and a Reentry code of RE-3L.

The Board examined the Applicant's separation under COMDTINST M1000.4 Art. 1.B.15 for Unsuitability and found no errors of fact, law, discretion, or procedure. Leadership did establish under a preponderance of the evidence that the Applicant demonstrated poor proficiency, conduct, aptitude or unsuitability for further service. The Applicant was properly awarded an Uncharacterized Discharge characterization IAW Art. 1.B.19.a The Separation Program Designator (SPD) code, reentry code, and narrative were all properly awarded IAW the SPD Handbook and Art. 1.B.19.e. There have been no

relevant policy changes made expressly retroactive to this type of discharge, and the Applicant has not made any inequity claims.

The Board finds no error of fact, law, discretion, or policy 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 SPD and RE Code are proper and equitable and should not be changed. The applicant has not substantiated impropriety or inequity.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Board Conclusion: The Board voted 4-0 for NO RELIEF.

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.