

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD
Docket #: 2024-053

Discharge Issued

Character: Uncharacterized

Narrative Reason: Physical Standards

SPD/RE Code: JFT / RE3

Authority of Discharge: 1000.4 Art 1.B.19

Date of Separation: 2020-01-17

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 upgrade to their DD-214 because they now take medication and do not have visual hallucinations. 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 Art 1.B.19.

Discussion: The applicant was discharged for failing to meet the baseline physical fitness standards to begin the rigors of recruit training in accordance with COMDTINST M1000.4 Art. 1.B.19 after two failed attempts at the assessment. Commanding Officer (CO), who has the authority to award an uncharacterized discharge to recruits in an entry-level status who demonstrate unsuitability found by a preponderance of evidence, that the applicant's fitness level was incompatible with service in the United States Coast Guard in accordance with COMDTINST M1000.4 Art. 1.B.19 and met the applicability of and uncharacterized discharge. The findings were supported by two failed examinations. The applicant was made aware of the Coast Guard's intent to discharge via memo. The applicant was ultimately discharged with an uncharacterized discharge characterization, a JFT SPD code, corresponding Physical Standards narrative reason and a RE-3 reentry code.

In accordance with 10 U.S.C. § 1553, and as a result of the applicant's notation on their application referencing PTSD and other mental health as causal factors, a member who is a Licensed Clinical Psychologist providing clinical care and working within the scope of clinical privileges granted by Commandant (CG-11), was a present voting member during the board proceedings. Additionally, and pursuant to 10 USC 1553(d)(1)(b), the Board reviewed the case with liberal consideration acknowledging that a mental health condition, specifically related to schizophrenia may have contributed to the circumstances leading to the applicant's discharge under a lesser characterization.

Liberal consideration of a case permits the Coast Guard to waive the statute of limitations, reconsider past events even without new evidence, and carefully consider all evidence, including evidence from outside the applicant's service record and changes in performance or conduct commonly associated with the mental health condition or experience of military sexual trauma. Liberal consideration does not mandate an upgrade to an applicant's discharge.

The review of discharge pursuant to the Kurta Memo and its other applicable regulations and guidance involves the following four questions:

MEDICAL BOARD MEMBER OPINION

1. Did the veteran have a condition or experience that may excuse or mitigate the discharge?

NO. Applicant discharged for SPD code JFT, failure to meet physical fitness standards. Applicant asserts Schizophrenia mitigating the discharge though the two are unrelated in the case from a medical opinion. The applicant has provided no documentation to substantiate the diagnosis of schizophrenia pre, during or post service. Hampered by any substantiating evidence, medical officer agrees with discharge as rendered.

2. Did that condition exist/experience occur during military service?

NO. Schizophrenia asserted though with no relative nexus to service. Though absent, would be unlikely to change this opinion as if existed before service, would not warrant liberal consideration by policy, and very unlikely to have developed in 10 days of service and if developed post service would not be accepted to support the appeal.

3. Does that condition or experience actually excuse or mitigate the discharge?

NO- As noted above.

4. Does that condition or experience outweigh the discharge?

NO. Discharged as a result of failure to meet physical fitness standards

The Board examined the applicant's separation under COMDTINST M1000.4 Art. 1.B.19 for Physical Standards and found no errors of fact, law, discretion, or procedure. Commanding Officer did establish under a preponderance of the evidence that the applicant failed to meet physical fitness standards. 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. The applicant's statement that their diagnosis of schizophrenia two years post service and that they were experiencing symptoms of that during the run portion of their exam does not constitute an inequity or impropriety in their discharge. The applicant's RE3-G represents that the applicant is eligible for reenlistment except for a disqualifying factor interfering with performance of duty because the Coast Guard was only aware of their failure to pass a physical fitness exam. This information being withheld from the Coast Guard has created a more favorable discharge characterization as schizophrenia disqualifies service in the Coast Guard completely. 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 discharge characterization, authority, narrative, re-entry code, and SPD 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 5-0 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.