

GOOD ORDER AND DISCIPLINE

Third Quarter, Fiscal Year 2017

This publishes to the Coast Guard community a summary of disciplinary and administrative actions taken when Coast Guard military members or civilian employees failed to uphold the high ethical, moral, and professional standards we share as members of the Coast Guard. Even though the military and civilian systems are separate, with different procedures, rights, and purposes, the underlying values remain the same. Actions from both systems are included to inform the Coast Guard community of administrative and criminal enforcement actions.

The following brief descriptions of offenses committed and punishments awarded are the result of Coast Guard general, special, and summary courts-martial and selected military and civilian disciplinary actions taken service-wide during the third quarter of Fiscal Year 2017. General and special courts-martial findings of guilt are federal criminal convictions; other disciplinary actions are non-judicial or administrative in nature. When appropriate, actions taken as a result of civil rights complaints are also described. Details of the circumstances surrounding most actions are limited to keep this summary to a manageable size and to protect victim privacy. Direct comparison of cases should not be made because there are many variables involved in arriving at the resulting action. The circumstances surrounding each case are different, and disciplinary or remedial action taken is dependent upon the particular facts and varying degrees of extenuation and mitigation. In many cases, further separation or other administrative action may be pending.

Note: A court-martial sentence may be accompanied by other administrative action. A case falling under more than one of the categories below has been listed only once and placed under the category considered most severe in its consequences.

1. Commissioned Officers and Cadets.

a. Courts-martial.

- (1) A LT was found guilty of the following charges at a general court-martial proceeding: Article 92 (Violation of a Lawful General Order or Regulation), Article 128 (Assault Consummated by a Battery), and Article 133 (Conduct Unbecoming an Officer). The member was sentenced to 100 days confinement, forfeitures of \$2,500/month for four months, and a reprimand. The member was separated with an other than honorable discharge.

b. Military Administrative Action.

- (1) A CWO was removed from the PY16 CWO final eligibility list. The command recommended the removal as a result of the CWO creating a poor working environment.
- (2) An ENS was removed from the PY16 LTJG Selection List as a result of a prohibited relationship with an enlisted member.
- (3) A LTJG received a letter of reprimand after fraternizing with an enlisted member.
- (4) A LTJG was restricted for 30 days for inappropriate relationship with an enlisted member, false TMT entries, and adultery.
- (5) A LTJG received a letter of reprimand after having violated an order not to fraternize with enlisted persons.
- (6) A LT received a letter of reprimand and forfeiture of ½ of one month's pay (suspended) after being found drunk on duty.

c. Relief for Cause. None to report.

d. State / Federal Actions. None to report.

e. Non-Judicial Punishment. NJP was imposed six times, accounting for nine charges: Articles 92, 98, 107, 112, 121, 133, 134 of the UCMJ. The total punishments imposed included forfeitures of pay totaling in \$10,000, reprimand or admonishment, and 30 days of restriction.

2. Senior Enlisted.

a. Courts-martial.

- (1) An E-7 was found guilty by a summary court-martial of disobeying a lawful order, when the member took a government vehicle to an adult entertainment establishment after being ordered not to (Violation of Article 92, UCMJ.) The member was sentenced to a reduction in pay grade to E-6.

b. Military Administrative Action.

- (1) One senior enlisted member was discharged under other than honorable conditions for egregious misconduct.
- (2) Three senior enlisted members received administrative discharges for commission of a serious offense.

c. Relief for Cause.

- (1) An E-7 EPO was relieved for cause due to unsatisfactory conduct; alcohol incident.
- (2) An E-7 XPO was relieved for cause due to unsatisfactory conduct; alcohol incident.
- (3) An E-9 OIC was relieved for cause due to unsatisfactory conduct, command climate, and disregard of duty.

d. State / Federal Court Actions.

- (1) An E-7 was arrested and later convicted for sexual intercourse with a minor. Member was separated with an other than honorable discharge.

e. Non-Judicial Punishment. NJP was imposed seven times, accounting for 7 charges: Articles 91, 92, 93, 107, 132, 134 of the UCMJ. The combined total punishments include forfeitures of pay totaling in \$7,267; awarded reprimand or admonishment, and restriction imposed on 3 occasions resulting in a total of 140 days.

3. Junior Enlisted.

a. Courts-martial.

- (1) An E-6 was convicted by a general court-martial for possessing images of minors engaged in sexually explicit conduct. (Violation of Article 134, 128, and 111, UCMJ). The member was sentenced to a reduction in pay grade to E-1, confinement for 16 months, and a bad conduct discharge.
- (2) An E-5 was convicted by a special court-martial of unlawfully touching another member of the USCG on the leg, ribs, upper torso, and hips. (Violations of Article 128, UCMJ). The member was sentenced to a reduction in pay grade to E-1, eight months confinement, and a bad conduct discharge.
- (3) An E-4 was convicted by a special court-martial of engaging in sexually intimate behavior on board a USCG vessel, making false official statements and drunk and disorderly conduct. (Violations of Articles, 134, 107, and 92, UCMJ). The member was sentenced to a reduction in pay grade to E-2 and 60 days of confinement.
- (4) An E-3 was convicted by a general court-martial for viewing images of minors engaging in sexually explicit conduct on numerous occasions. (Violation of Article 134, UCMJ). The member was sentenced to a reduction

in pay grade to E-1, confinement for 30 months, and a bad conduct discharge.

- (5) An E-3 was found guilty by a summary court-martial of making a false official statement and stealing a bracelet from a USCG member. (Violation of Articles 107 and 121, UCMJ). The member was sentenced to a reduction in pay grade to E-1 and restriction for 45 days.
- b. Military Administrative Action. 91 members received administrative discharges. Three members were discharged under other than honorable conditions in lieu of trial by court-martial. Six for patterns of misconduct, 47 commission of serious offense, 33 for involvement with drugs, and one for fraudulent enlistment.
- c. Relief for Cause.
 - (1) An E-6 was relieved for cause due to unsatisfactory conduct; DUI.
 - (2) An E-6 was relieved for cause due to unsatisfactory performance; loss of confidence in performance and disregard for duty.
- d. State / Federal Court Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed 154 times, accounting for 40 charges, covering a wide range of UCMJ offenses. The total punishments included: forfeitures of pay totaling \$33,416; reprimand or admonishment; 2,540 days of restriction imposed 94 times, 74 reductions in rank, and 2,227 days of extra duty imposed in 99 cases.

4. Reserve Personnel.

- a. Reserve Officer Disciplinary/Administrative Action(s)
 - (1) None to report.
- b. Reserve Senior Enlisted Disciplinary/Administrative Action(s)
 - (1) None to report.
- c. Reserve Junior Enlisted Disciplinary/Administrative Action(s)
 - (1) NJP was imposed 7 times, accounting for 5 charges, Articles 86, 92, 108, and 134 of the UCMJ.
 - (2) Four junior enlisted members were charged with commission of a serious offense and two junior enlisted members were charged with involvement with drugs. Members were administratively separated for misconduct.

5. Civilian Personnel.

- a. Disciplinary/Administrative Actions.
 - (1) A GS-14 was suspended for failure to follow procedures.
 - (2) A GS-13 received a Letter of Reprimand for making sarcastic and disrespectful comments.
 - (3) A GS-13 received a Letter of Reprimand for disrespectful communication with the chain of command.
 - (4) A GS-13 received a seven day suspension for failure to complete assigned work in a timely manner.
 - (5) A GS-13 was terminated for unsatisfactory performance during probationary period.
 - (6) A GS-12 was removed for improperly authorizing a contract and for failure to maintain a condition of employment.
 - (7) A GS-12 was removed for failing to improve in performance during a performance probationary period.
 - (8) A GS-12 was removed for failure to perform duties.
 - (9) A GS-11 was terminated during a probationary period.
 - (10) A GS-11 was suspended for failing to complete an assignment in a timely manner, failing to complete an assignment correctly, and a lack of candor.
 - (11) A GS-11 received a Letter of Reprimand for conduct unbecoming a federal employee.
 - (12) A GS-11 received a Letter of Reprimand for failing to attend a required training course necessary to maintain individual currency in position qualifications.
 - (13) A GS-10 was suspended for AWOL, failure to follow leave requesting and documentation procedures, and failing to report for mandatory overtime.
 - (14) A GS-09 was suspended for AWOL and failing to follow leave requesting procedures.

- (15) A GS-09 received a 14-day suspension for failure to follow leave requesting procedures; unauthorized absence.
- (16) A GS-08 was suspended for failing to follow procedures.
- (17) A GS-07 received a five day suspension for exercising poor judgment in a supervisory role.
- (18) A GS-07 was removed for off-duty possession of illegal drugs; on-duty failure of drug test.
- (19) A GS-06 received a seven day suspension for possession of a controlled substance.
- (20) A GS-06 was suspended for providing incorrect information on an official document and failure to pay just debts in a timely manner.
- (21) A GS-05 was terminated during a probationary period related to conduct and performance.
- (22) A WG-10 was suspended for unprofessional conduct by using inappropriate language in the work place.
- (23) A WG-10 received a Letter of Reprimand for failing to follow instructions / directions.
- (24) A WG-10 received a Letter of Reprimand for failing to follow leave procedures and unexcused tardiness.
- (25) A WG-10 received a Letter of Reprimand for inappropriate language and failing to follow instruction.
- (26) A WG-10 was suspended for poor work quality resulting in production delays.
- (27) A WG-09 was suspended for sleeping on duty, failure to follow leave requesting procedures, and AWOL.
- (28) A WG-09 was suspended for unexcused tardiness, failure to follow established leave procedures, and AWOL.
- (29) A WG-09 was suspended for unexcused tardiness, failure to follow established leave procedures, and AWOL.
- (30) A WG-09 received a two day suspension for unauthorized absence.

- (31) A WG-08 was reprimanded for use of profanity in the workspace.
- (32) A WG-06 was removed for unauthorized absence from an overtime assignment; sleeping on duty; and additional unauthorized absence.
- (33) A WG-03 was reprimanded for inappropriate conduct.
- (34) A WL-10 was removed due to an arrest for felony possession of illegal drugs.
- (35) A WS-10 was suspended for failing to exercise appropriate judgment in the performance of duties.
- (36) A WS-11 was reprimanded for unauthorized absence.
- (37) A WS-10 was reprimanded for inappropriate conduct.

b. Special Convictions/Line of Duty Determinations. None to report.

All NJP Offenses for FY17 Quarter 3

Article	Description	Counts
80	Attempts	1
81	Conspiracy	3
86	Unauthorized absence – from unit	16
86.1	Unauthorized absence – fail to go	4
87	Missing movement - through neglect	1
89	Disrespect to superior officer	3
91.1	Disobedience, lawful order, warrant or petty officer	2
91.2	Contempt toward warrant officer or petty officer	1
92	Violation, lawful general order or regulation	25
92.1	Failure to obey lawful general order or regulation	124
92.2	Failure to obey any other lawful order	8
92.3	Dereliction in performance of duty	24
93	Cruelty or maltreatment	6
97	Unlawful detention	1
98.1	Failure to enforce or comply with rules under UCMJ	2
100.7	Attempted Subordinate compelling surrender	1
107	Signing false record, etc.	1
107.1	False official statement	36
108.2	Damaging, etc. military property	9
109	Wasting, etc. other property	2
109.7	Attempted wasting, etc., other property	1
111	Operating a vehicle while drunk	2
111.1	Operating vehicle reckless manner	4
112	Drunk on Duty	3

112.1	Wrongful use of a controlled substance	5
112.2	Wrongful distribution of controlled substance	2
113.1	Sentinel or lookout asleep	6
115	Malingering	1
117.7	Attempted Using provoking, etc., words or gestures	1
121.2	Wrongful appropriation	2
121.3	Indecent exposure	1
128	Assault, simple	6
128.1	Assault consummated by battery	7
132.3	Other fraud under Article 132	2
133	Conduct unbecoming officer and gentleman/lady	2
134	Other offenses charged under Article 134 not covered	20
134.01	Adultery or fornication	5
134.15	Disorder, disorderly	8
134.18	Drunk and disorderly	9
134.26	Indecent or lewd act	1
134.28	Indecent language	4
134.38	Perjury, statutory or subornation of	1
134.41	Sales to, or purchase of liquor by minor	1
134.44	Threats	3
134.47	Unlawful entry	1