

GOOD ORDER AND DISCIPLINE

Fourth 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 fourth 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: Articles 92, 128, and 133, UCMJ. This member was found guilty for wrongfully engaging in intimate behavior onboard a CG vessel, unlawfully grabbing a shipmate by the belt in attempt to bring this person to a stateroom, and offering alcohol to Coast Guard members who had not attained the legal drinking age. The member was sentenced to 100 days of confinement, a forfeiture of \$2,500/month for four months, and a letter of reprimand.

- (2) A LT was found guilty of the following charge at a general court-martial proceeding: Article 107, UCMJ. This member was found guilty for falsifying information when applying for an identification card, DD-1172-2. The member was sentenced to 30 days confinement and forfeiture of \$1,000/month for 12 months.

b. Military Administrative Action.

- (1) A LT resigned in lieu of involuntary board action after receiving a second alcohol incident. The member was separated with a characterization of service under honorable conditions.

c. Relief for Cause. None to report.

d. State / Federal Actions. None to report.

- e. Non-Judicial Punishment. NJP was imposed 7 times, accounting for a total of fifteen charges: Articles 91, 92, 107, 111, 133, and 134 of the UCMJ. The total sum of punishments included 90 days of restriction, \$7,002 forfeitures in pay, and two letters of reprimand.

2. Senior Enlisted.

a. Courts-martial.

- (1) An E-7 was found guilty of the following charges at a special court-martial: Articles 92, 107, 120a, 127, 128, and 134, UCMJ. This member was found guilty for failure to obey a written order when directed not to initiate contact or come within a specified distance of an individual; making false statements to a Coast Guard special agent, stalking, extortion, assault consummated by battery, and obstructing justice. The member was sentenced to reduction to pay grade E-1, confinement for a period of 1 year, and a Bad Conduct Discharge.
- (2) An E-7 was found guilty of the following charge at a special court-martial: Article 93, UCMJ. This member was found guilty for maltreatment to a junior petty officer. The maltreatment included inappropriate touching (pinching, slapping, hitting, pulling on uniform, and pushing food onto an individual). This member was sentenced to a reduction to pay grade E-6 and awarded a punitive letter of reprimand.
- (3) An E-7 was found guilty of the following charge at a summary court-martial: Article 92, UCMJ. This member was found guilty for dereliction of duty by not returning the issued airport security badge prior to a PCS transfer. The member used the badge in a personal capacity to circumvent airport security. The member was sentenced to reduction to pay grade E-6.

- b. Military Administrative Action. Two senior enlisted members were processed for discharge; one for commission of serious offense and one for involvement with drugs.
- c. Relief for Cause:
 - (1) An E-8 OIC was relieved for cause due to loss of confidence- falsified record in AOPS/TMT.
 - (2) An E-7 EPO was relieved for cause due to having unsatisfactory conduct-inappropriate relationship.
- d. State / Federal Court Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed two times, accounting for a total of five charges: Articles 92 and 107 of the UCMJ. The total punishments included 60 days of restriction, two letters of reprimand, and \$2,522 forfeitures in pay.

3. Junior Enlisted.

- a. Courts-martial.
 - (1) An E-6 was found guilty of the following charge at a special court-martial: Article 128, UCMJ. This member was found guilty for assault consummated by a battery towards a spouse. The member was sentenced to reduction in pay grade to E-3 and 45 days of confinement.
 - (2) An E-6 was found guilty of the following charges at a summary court-martial proceeding: Articles 93 and 128, UCMJ. This member was found guilty for maltreatment and assault consummated by battery by making deliberate offensive comments towards a subordinate, and touching another Coast Guard member without consent. The member was sentenced to a forfeiture of \$2,500 and a letter of reprimand.
 - (3) An E-4 was found guilty of the following charge at a general court-martial proceeding: Article 134, UCMJ. This member was found guilty for making false statements to a detective while under investigation and for willfully allowing another unauthorized person use of a personal military identification card. The member was sentenced to a reduction in pay grade to E-1 and a Bad Conduct discharge.

b. Military Administrative Action. Eighty junior enlisted members received administrative discharges: fifty-one for commission of a serious offense, four for pattern of misconduct, twenty-one for involvement of drugs, and one for fraudulent enlistment. Of these eighty discharges, three resulted in a characterization of under other than honorable discharges; see below:

(1) An E-3 violated Art. 134 on 2 or more occasions. The member threatened to expose sexual images of another and used indecent language towards another. This member was administratively separated receiving an Other than Honorable Conditions discharge.

(2) See paragraphs 3.d.1. and 3.d.2. below.

c. Relief for Cause.

(1) An E-6 XPO was relieved for cause due to loss of confidence; inability to serve in command cadre position.

(2) An E-6 EPO was relieved for cause due to having unsatisfactory conduct; sexual harassment.

(3) An E-6 XPO was relieved for cause due to having unsatisfactory performance and conduct; inability to maintain required competencies and falsification of official records.

(4) An E-6 XPO was relieved for cause due to having loss of confidence; inability to serve in command cadre position.

d. State / Federal Court Actions.

(1) An E-3 violated Article 112a, UCMJ, for possession, trafficking, and delivery of methylenedioxymethamphetamine (MDMA) cocaine, psilocybin mushrooms, and ecstasy. This member was administratively separated receiving an Other than Honorable Conditions discharge pending civil convictions.

(2) An E-5 violated Articles 86, 111, 112, and 119, UCMJ. While on duty, this member was found operating a motor vehicle under the influence of alcohol. This member committed vehicular manslaughter, and was found absent from place of duty for over 30 days. This member is pending civil conviction.

e. Non-Judicial Punishment. NJP was imposed 180 times, accounting for a total of 279 charges, covering a wide range of UCMJ offenses. The total sum of punishments included 3,919 days of restriction, \$55, 086 in forfeitures of pay, three letters of reprimand, and 3,138 days of extra duty.

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) Two junior enlisted members were administratively discharged due to misconduct; involvement with drugs.
 - (2) One junior enlisted member was administratively discharged due to misconduct; commission of serious offense.

5. Civilian Personnel.

- a. Disciplinary/Administrative Actions.
 - (1) A GS-14 received a 7-day suspension for AWOL and failure to follow instructions.
 - (2) A GS-13 received a 5-day suspension for disruptive behavior.
 - (3) A GS-12 received a Letter of Reprimand for inappropriate conduct.
 - (4) A GS-12 received a Letter of Reprimand for failure to follow leave requesting procedures.
 - (5) A GS-11 received a 5-day suspension for AWOL; failure to carry out instructions, and misrepresentation.
 - (6) A GS-11 received a 14-day suspension for AWOL; failure to follow instructions.
 - (7) A GS-11 received a 14-day suspension for failure to safeguard government property; unprofessional conduct.
 - (8) A GS-07 received a Letter of Reprimand for inappropriate conduct towards coworkers.
 - (9) A GS-07 was removed for failure to maintain a regular work schedule.

- (10) A GS-07 was removed for poor performance.
- (11) A GS-05 was terminated during a probationary period related to conduct and performance.
- (12) A WG-11 received a Letter of Reprimand for failure to follow leave requesting procedures and AWOL.
- (13) A WG-10 received a 3-day suspension for failure to observe safety regulations and careless workmanship.
- (14) A WG-10 received a 2 day suspension for failure to follow instructions; AWOL.
- (15) A WG-10 received a Letter of Reprimand for loafing on duty.
- (16) A WG-10 received a 1-day suspension for inappropriate conduct.
- (17) A WG-10 received a 3-day suspension for failure to follow leave procedures.
- (18) A WG-10 received a Letter of Reprimand for failure to follow instructions.
- (19) A WG-09 received a 14-day suspension for being under the influence of alcohol while on duty.
- (20) A WG-08 was removed for failure to follow leave requesting procedures and excessive AWOL.
- (21) A WG-07 received a received a Letter of Reprimand for failure to follow instructions and careless workmanship.
- (22) A WG-05 received a 3-day suspension for failure to follow instructions; AWOL.
- (23) A WG-05 received a termination of appointment during a trial period for unsatisfactory performance and misconduct related to excessive tardiness.
- (24) A WG-03 received a termination of appointment during the probationary period for unsatisfactory performance and misconduct.
- (25) A WL-10 received a 5-day suspension for AWOL and failure to follow leave procedures.

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

All NJP Offenses for FY17 Quarter 4

Article	Description	Counts
80	Attempts	1
82	Solicitation	1
86	Unauthorized Absence - from unit	20
86.1	Unauthorized Absence - fail to go	4
89	Disrespect to superior officer	2
90	Striking, etc. superior	2
91.1	Disobedience, lawful order, warrant or petty officer	3
91.2	Contempt toward warrant officer or petty officer	1
91.7	Attempted Striking, etc., warrant or petty officer	1
92	Violation, lawful general order or regulation	19
92.1	Failure to obey lawful general order or regulation	68
92.2	Failure to obey any other lawful order	11
92.3	Dereliction in performance of duty	15
107.1	False official statement	38
108.2	Damaging, etc., military property	1
111	Operating vehicle while drunk	10
111.1	Operating vehicle reckless manner	2
111.7	Attempted Operating vehicle while drunk	1
112	Drunk on Duty	3
112.1	Wrongful use of controlled substance	12
112.4	Other drug offenses	1
113.1	Sentinel or lookout asleep	4
115	Malingering	2
121.1	Larceny, value less than \$50	3
121.2	Wrongful appropriation	1
121.6	Larceny, value more than \$50 - military property	1
121.8	Larceny, value more than \$50 – property other than military	1
123	Forgery	3
128	Assault, simple	7
128.1	Assault consummated by battery	3
132	False statement, etc., on claim, etc.	1
133	Conduct unbecoming officer and gentleman/lady	3
134	Other offenses charged under Art 134 not covered	27
134.01	Adultery or fornication	6
134.13	Discharging firearm	1
134.15	Disorder, disorderly	3
134.17	Drunk	4
134.18	Drunk and disorderly	6
134.20	False pass or permit	3
134.28	Indecent language	2
134.44	Threats	2