

## GOOD ORDER AND DISCIPLINE

First Quarter, Fiscal Year 2018

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 first quarter of Fiscal Year 2018. 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. None to report.
- b. Military Administrative Action.
  - (1) A LT resigned in lieu of involuntary board action after receiving an alcohol incident and an investigation into alleged sexual harassment. The member was separated with a characterization of service under honorable conditions.
  - (2) A LT resigned in lieu of involuntary special board action after an investigation discovered the member had used marijuana while at a Coast Guard funded graduate school program. The member was separated with a general characterization of service.

c. Relief for Cause.

- (1) A LT was relieved for cause and resigned in lieu of involuntary special board action after an Admiral's mast found the member guilty of fraternization with an enlisted member at the same unit. The member was separated with half separation pay and an honorable characterization of service.

d. State / Federal Actions. None to report.

- e. Non-Judicial Punishment. NJP was imposed 4 times, accounting for a total of ten charges: Articles 86, 92, 95, 107, 109, 128, 133, and 134 of the UCMJ. The total sum of punishments included 45 days of restriction and two letters of reprimand.

**2. Senior Enlisted.**

a. Courts-martial. None to report.

- b. Military Administrative Action. One senior enlisted member was processed for discharge; commission of serious offense.

c. Relief for Cause:

- (1) An E-8 OIC was relieved for cause due to unsatisfactory performance; inability to maintain required competencies.
- (2) An E-8 EPO was relieved for cause due to unsatisfactory performance and conduct; engineering materiel condition and personal misconduct.
- (3) An E-7 OIC was relieved for cause due to misconduct.

d. State / Federal Court Actions. None to report.

- e. Non-Judicial Punishment. NJP was imposed 1 time, accounting for two charges, Article 92 and 107, UCMJ offenses. The total punishments included one letter of reprimand.

**3. Junior Enlisted.**

a. Courts-martial.

- (1) An E-6 was found guilty of the following charge at a special court-martial: Article 120, UCMJ. This member was found guilty for touching another Coast Guard member on the buttocks with the intent to arouse or sexually

gratify. The member was sentenced to 45 days confinement, reduction to the pay grade of E-1, and a bad-conduct discharge.

- (2) An E-5 was found guilty of the following charge at a summary court-martial proceeding: Article 93, UCMJ. This member was found guilty for maltreatment and cruelty towards a subordinate by repeatedly touching, excessive hugging, lunging towards with intent for one to flinch, placing hands around the neck, leg rubbing, and placing someone in a headlock. The member was sentenced to 30 days of restriction.
  - (3) An E-5 was found guilty of the following charges at a special court-martial proceeding: Article 107 and 134, UCMJ. This member was found guilty for completing the BAH/Dependency Data form and signing the statement, acknowledging false marital status information and for not notifying the command of dependency changes. This member was also found guilty for failure to pay debt owed to the Coast Guard Exchange System for a period of six months, in the amount of \$1,109.91. The member was sentenced to a reduction in pay grade to E-2.
  - (4) An E-5 was found guilty of the following charge at a special court-martial: Article 128, UCMJ. This member was found guilty for unlawfully touching other shipmates shoulder, breast, and waist. The member was sentenced to 30 days confinement and reduction in pay grade to E-3.
  - (5) An E-4 was found guilty of the following charge at a summary court-martial: Article 120, UCMJ. This member was found guilty for touching and forcing this member's own pelvis onto other shipmates leg, buttocks, and genitals; through the clothing, without consent with the intent to abuse, humiliate, and degrade. The member was sentenced to 30 days confinement, forfeiture of \$700.00, and reduction in pay grade to E-2.
  - (6) An E-3 was found guilty of the following charge at a special court-martial: Article 134, UCMJ. This member was found guilty for communicating in writing indecent language, suggesting prostitution and making a threat to injure a reputation by exposing sexual images of someone else to friends and family. The member was sentenced to six months confinement and reduction in pay grade to E-1.
- b. Military Administrative Action. Sixty-seven enlisted members received administrative discharges: thirty-four for commission of a serious offense, eight for pattern of misconduct, and twenty-five for involvement with drugs. Three junior enlisted members were discharged under other than honorable conditions.
- (1) An E-6 violated Article 92 and 107, UCMJ. This member willfully failed to abide the Coast Guard recruiting standards by acting unprofessionally and disrespectfully towards a Coast Guard recruit applicant. This member was

also found to have made false statements to a Coast Guard Special Agent regarding inappropriate actions towards multiple female Coast Guard recruit applicants. This member was discharged under other than honorable conditions.

- (2) An E-4 violated Article 120, UCMJ. This member wrongfully committed sexual assault through unwanted physical contact to several members at the unit. This member was discharged under other than honorable conditions.
- (3) An E-2 violated Article 112a, UCMJ. This member introduced cocaine, a controlled substance, onto a Coast Guard military installation. This member was discharged under other than honorable conditions.

c. Relief for Cause.

- (1) An E-6 EPO was relieved for cause due to unsatisfactory conduct; sexual harassment and inappropriate behavior.

d. State / Federal Court Actions. None to report.

e. Non-Judicial Punishment. NJP was imposed 128 times, accounting for a total of 43 charges, covering a wide range of UCMJ offenses. The sum total of punishments included 2,278 days of restriction, \$30,919 in forfeitures of pay, two letters of reprimand, and 1,867 days of extra duty.

#### **4. Reserve Personnel.**

- a. Reserve Officer Disciplinary/Administrative Action. None to report.
- b. Reserve Senior Enlisted Disciplinary/Administrative Action. None to report.
- c. Reserve Junior Enlisted Disciplinary/Administrative Action.

- (1) 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 Letter of Reprimand for failure to notify of changes to a telework agreement.
  - (2) A GS-13 received a 14-day suspension for failure to complete assignments as instructed.

- (3) A GS-12 was removed for failure to maintain conditions of employment.
- (4) A GS-12 received a Letter of Reprimand for failure to pay debts in a timely manner.
- (5) A GS-09 received a Letter of Reprimand for arriving to work impaired.
- (6) A GS-07 received a 14-day suspension for Lack of Candor.
- (7) A GS-07 received a Letter of Reprimand for failure to follow leave requesting procedures; AWOL.
- (8) A GS-07 received a 05-day suspension for failure to follow directions; failure to follow a letter of requirement (leave restriction); failure to submit leave requests in a timely manner.
- (9) A GS-06 received a 07-day suspension for inappropriate comments of a sexual nature.
- (10) A WS-10 received a Letter of Reprimand for unauthorized use of tobacco in a government building.
- (11) A WG-11 was removed for declination of directed reassignment.
- (12) A WG-11 received a termination of appointment during the probationary period for failure to perform; conduct issues.
- (13) A WG-11 received a 02-day suspension for failure to follow a letter of requirement; leave restriction.
- (14) A WG-10 was removed for failure to wear safety equipment as required.
- (15) A WG-08 was removed for physical inability to perform essential duties of position.
- (16) A WG-08 was removed for medical inability to perform essential functions of position
- (17) A WG-08 received a termination of appointment during a trial period for failure to perform assignments.
- (18) A WG-05 received a 01-day suspension for failure to follow leave procedures; AWOL.
- (19) A WG-05 received a 07-day suspension for tardiness; AWOL.

(20) A WG-05 received a 05-day suspension for failure to follow the command instruction policy.

(21) A WG-05 received a 14-day suspension for unauthorized possession, removal, and sale of government recycling property.

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

All NJP Offenses for FY18 Quarter 1

Article	Description	Counts
80	Attempts	1
81	Conspiracy	3
86	Unauthorized Absence - from unit	13
86.1	Unauthorized absence - fail to go, etc.	5
87	Missing movement - through neglect	2
89	Disrespect to superior officer	2
90.1	Willful disobedience lawful order superior officer	1
91.1	Disobedience, lawful order, warrant or petty officer	14
91.2	Contempt toward warrant officer or petty officer	2
92	Violation, lawful general order or regulation	21
92.1	Failure to obey lawful general order or regulation	62
92.2	Failure to obey any other lawful order	6
92.3	Dereliction in performance of duty	14
93	Cruelty or maltreatment	3
95	Resisting apprehension	2
107	Signing false record, etc.	3
107.1	False official statement	24
108.2	Damaging, etc., military property	1
109	Wasting, etc., other property	5
111	Operating vehicle while drunk	6
111.1	Operating vehicle reckless manner	2
112	Drunk on Duty	6
112.1	Wrongful use of controlled substance	3
113.1	Sentinel or lookout asleep	1
113.2	Sentinel or lookout leaving post	1
117	Using provoking, etc., words or gestures	2
120.2	Aggravated sexual assault	1
120.7	Abusive sexual contact	1
121	Larceny, value more than \$50	1
121.1	Larceny, value less than \$50	2
128	Assault, simple	5
128.1	Assault consummated by battery	7
132.3	Other fraud under Article 132	3
133	Conduct unbecoming officer and gentleman/lady	2

133.8	Conspiracy to Conduct unbecoming officer and gentleman/lady	1
134	Other offenses charged under Article 134 not covered	27
134.1	Adultery or fornication	7
134.2	Altered ID card, etc.	1
134.13	Discharging firearm	1
134.17	Drunk	4
134.18	Drunk and disorderly	19
134.23	Impersonating officer	1
134.26	Indecent or lewd act	1
134.44	Threats	1
134.45	Unauthorized insignia, etc.	1