

GOOD ORDER AND DISCIPLINE

Second 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 second 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 LCDR was removed from the PY17 CDR Selection List after being relieved of primary duties for perpetuating a negative command climate.
- (2) A LTJG's commission was revoked after a pattern of poor and declining performance, in addition to non-compliance with Coast Guard weight and body-fat standards.

- 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 a total of ten charges: Articles 86, 92, 107, 128, 133, and 134 of the UCMJ. The total sum of punishments included 90 days of restriction, \$5,345 forfeitures in pay, and two letters of reprimand.

2. Senior Enlisted.

- a. Courts-martial. None to report.
- b. Military Administrative Action. None to report.
- c. Relief for Cause:
 - (1) An E-9 OIC was relieved for cause due to unsatisfactory conduct; falsified a record in AOPS/TMT.
 - (2) An E-8 EPO was relieved for cause due to unsatisfactory performance; engineering material condition and personal competence.
 - (3) An E-8 CSEL was relieved for cause due to unsatisfactory conduct; alcohol incident resulting in misconduct.
 - (4) An E-7 XPO was relieved for cause due to unsatisfactory conduct; hazing and bullying.
 - (5) An E-7 EPO was relieved for cause due to unsatisfactory performance; inability to lead engineering department and professional competence.
- d. State / Federal Court Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed five times, accounting for seven charges: Articles 92 and 93, UCMJ. The sum total of punishments included 110 days of restriction and \$5,148 in forfeitures of pay.

3. Junior Enlisted.

- a. Courts-martial.
 - (1) An E-6 was found guilty of the following charges at a special court-martial proceeding: Articles 92 and 107, UCMJ. This member was found guilty of acting unprofessionally and disrespectfully towards a Coast Guard recruiting applicant, making false official statements to a Coast Guard Special Agent

about an inappropriate relationship, and meeting female applicants outside the office. The member was sentenced to six months of 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 92, UCMJ. This member was found guilty of wrongful use of government property to exchange sexually explicit communications over Microsoft Office Communicator and wrongful engagement in sexual intercourse with another Coast Guard member at the same unit. The member was sentenced to 30 days restriction and reduction to the pay grade of E-4.
- (3) An E-4 was found guilty of the following charges at a general court-martial proceeding: Articles 107 and 120, UCMJ. This member was found guilty of committing a sexual act causing bodily harm upon someone when the person was incapable of consent due to alcohol impairment. This member was also found guilty of making false statements to a Coast Guard Special Agent. The member was sentenced to four years confinement, reduction to the pay grade of E-1, and a dishonorable discharge.
- (4) An E-3 was found guilty of the following charge at a special court-martial proceeding: Article 112a, UCMJ. This member was found guilty of wrongfully introducing cocaine onto an installation under the control of the Armed Forces. The member was sentenced to 90 days confinement, reduction to the pay grade of E-1, and a bad-conduct discharge.
- (5) An E-3 was found guilty of the following charge at a special court-martial proceeding: Article 90, UCMJ. This member was found guilty of willfully violating a lawful order to remain at least 1,000 feet away from a specified location and not to initiate communication with a named protected person. The member was sentenced to 30 days confinement, reduction to the pay grade of E-1, and a bad-conduct discharge.
- (6) An E-2 was found guilty of the following charges at a special court-martial proceeding: Articles 107 and 112a, UCMJ. This member was found guilty of making a false official statement to a Coast Guard Special Agent after denying to having ever used illegal drugs. This member was also found guilty of wrongful possession and use of Lysergic Acid Diethylamide, a controlled substance. The member was sentenced to 75 days confinement and reduction to the pay grade of E-1.
- (7) An E-2 was found guilty of the following charges at special court-martial proceeding: Articles 107 and 112a, UCMJ. This member was found guilty of making a false official statement to a Coast Guard Special Agent after denying to having used Lysergic Acid Diethylamide. This member was also found guilty of wrongful use of Lysergic Acid Diethylamide, a controlled

substance. The member was sentenced to 30 days confinement and reduction to the pay grade of E-1.

- b. **Military Administrative Action.** Eighty-one enlisted members received administrative discharges: forty-four for commission of a serious offense, ten for pattern of misconduct, and twenty-seven for involvement with drugs. Three junior enlisted members were discharged under other than honorable conditions.

- (1) An E-4 was charged with violation of Article 128, UCMJ. This member assaulted an E-3 by unlawfully holding member's arms above the head and unlawfully kissing member's face, neck, shoulder, arm, stomach, and inner thigh. This member was discharged under other than honorable conditions.
 - (2) An E-5 was charged with violation of Article 80, UCMJ. This member attempted to knowingly make a recording of an E-6 in a private area without having consent under the circumstances in which there was a reasonable expectation of privacy. This member was discharged under other than honorable conditions.

- (3) See paragraph 3.d.(1) below.

- c. **Relief for Cause.**

- (1) An E-6 EPO was relieved for cause due to unsatisfactory performance; engineering material condition and professional competence.

- d. **State / Federal Court Actions.**

- (1) An E-6 was arrested and charged with distribution of images of minors engaged in sexually explicit conduct. The member was prosecuted in state court and received a discharge under other than honorable conditions.

- e. **Non-Judicial Punishment.** NJP was imposed 142 times, accounting for a total of 287 charges, covering a wide range of UCMJ offenses. The sum total of punishments included 2,709 days of restriction, \$16,592 in forfeitures of pay, two letters of reprimand, and 2,154 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) An E-5 violated Articles 92 and 128, UCMJ. This member was arrested for domestic violence and did not report it. The member received a derogatory dismissal from the Coast Guard "A" school due to repeated arrests for the same offense and received an other than honorable discharge.
- (2) An E-5 violated Article 93, 107, and 134, UCMJ. This member was found guilty of bullying, hazing, and making a false official statement. This member was administratively separated receiving an honorable discharge in lieu of an administrative separation board.
- (3) An E-5 violated Article 134, UCMJ. This member received and possessed child pornography images on a personal computer. This member received an other than honorable discharge.

5. Civilian Personnel.

a. Disciplinary/Administrative Actions.

- (1) A GS-14 received a 5-day suspension for misuse of government computer.
- (2) A GS-14 received a Letter of Reprimand for misuse of government credit card; failure to follow instructions.
- (3) A GS-13 received a 7-day suspension for misuse of government charge card.
- (4) A GS-12 was removed for AWOL; Failure to accurately report time and attendance.
- (5) A GS-12 received a Letter of Reprimand for committing a prohibited personnel practice.
- (6) A GS-12 received a Letter of Reprimand for disrespectful conduct.
- (7) A GS-12 received a Letter of Reprimand for failure to follow instructions.
- (8) A GS-12 was removed for unbecoming conduct.
- (9) A GS-11 received a Letter of Reprimand for failure or delay in carrying out orders, work assignments or instructions.
- (10) A GS-11 received an indefinite suspension for failure to maintain security clearance.
- (11) A GS-11 was removed for off-duty misconduct.

- (12) A GS-09 received a letter of reprimand for failure or delay in carrying out orders, work assignments, or instructions.
- (13) A GS-09 received a Letter of Reprimand for disrespectful conduct.
- (14) A GS-07 was removed for unacceptable performance.
- (15) A GS-05 received a Letter of Reprimand for inappropriate conduct.
- (16) A GS-05 was terminated for unacceptable performance and failure or delay in carrying out orders, work assignments, or instructions.
- (17) A WS-11 received a 1-day suspension for conduct unbecoming of a supervisor.
- (18) A WG-11 received a termination during the probationary period.
- (19) A WG-10 received a reprimand for failure or delay in carrying out orders, work assignments or instructions.
- (20) A WG-10 received a 7-day suspension for unprofessional conduct and workplace disruption.
- (21) A WG-10 received a Letter of Reprimand for absence without leave.
- (22) A WG-10 was removed for absence without leave.
- (23) A WG-09 was removed due to inability to perform the essential functions of the position.
- (24) A WG-09 received a reprimand for failure to follow instruction.
- (25) A WG-08 was removed for absence without leave.
- (26) A WG-06 received a Letter of Reprimand for disrespectful conduct.
- (27) A WG-05 received a 5-day suspension for failure to follow leave instructions; absence without leave.
- (28) A WG-05 received a 2-day suspension for failure to follow policy-smoking in a non-designated smoking area.
- (29) A WD-06 was removed due to inability to perform the essential functions of the position.

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

All NJP Offenses for FY18 Quarter 2

Article	Description	Counts
80	Attempts	1
81	Conspiracy	1
86	Unauthorized Absence - from unit	12
86.1	Unauthorized absence - fail to go, etc.	7
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	4
91.2	Contempt toward warrant officer or petty officer	2
92	Violation, lawful general order or regulation	18
92.1	Failure to obey lawful general order or regulation	74
92.2	Failure to obey any other lawful order	8
92.3	Dereliction in performance of duty	15
93	Cruelty or maltreatment	4
107.1	False official statement	29
108.0	Selling or disposing of military property	1
108.2	Damaging, etc., military property	4
109	Wasting, etc., other property	12
111	Operating vehicle while drunk	5
111.1	Operating vehicle reckless manner	5
112	Drunk on Duty	3
112.1	Wrongful use of controlled substance	7
113.1	Sentinel or lookout asleep	1
113.2	Sentinel or lookout leaving post	1
120.7	Abusive sexual contact	1
121	Larceny, value more than \$50	3
121.1	Larceny, value less than \$50	2
121.2	Wrongful appropriation	3
128	Assault, simple	6
128.1	Assault consummated by battery	5
132.0	False statement, etc., on claim etc.	1
133	Conduct unbecoming officer and gentleman/lady	1
134	Other offenses charged under Art 134 not covered	36
134.1	Adultery or fornication	2
134.5	Assault, other under Art. 134	1
134.14	Disloyal statement	1
134.15	Disorder, disorderly	2
134.18	Drunk and disorderly	7
134.28	Indecent language	2
134.29	Leaving scene of accident	1
134.47	Unlawful entry	11