

## GOOD ORDER AND DISCIPLINE

Third 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 third 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: An O-1 had their commission revoked after they were relieved of their primary duties for engaging in a long-term, prohibited relationship with an enlisted member from their same unit.
- 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 seven charges: Articles 92, 107, 109, 133 & 134 of the UCMJ. The total sum of punishments included forty-five days of restriction, \$1,000 in forfeitures of pay, and four letters of reprimand.

## **2. Senior Enlisted.**

- a. **Courts-martial:** An E-7 was found guilty of the following charges at a summary court-martial proceeding: Articles 89, 90, 91 & 117 of the UCMJ. This member was found guilty of disrespect toward a Rear Admiral and a Chief Warrant Officer and willful disobedience of a Captain. The member was also found guilty of insubordinate conduct toward a Senior Chief and provoking and reproachful language to a Master Chief. The member was sentenced to thirty days restriction, forfeiture of \$3,000 pay & a reprimand.
- b. **Military Administrative Action:** One senior enlisted member received an Administrative discharge for the commission of a serious offense.
- c. **Relief for Cause:**
  - (1) An E-8 OIC was relieved for cause due to unsatisfactory performance; poor command climate, good order & discipline issues, and poor judgment.
  - (2) An E-8 EPO was relieved for cause due to unsatisfactory conduct; alcohol related fighting with subordinates.
  - (3) An E-7 OIC was relieved for cause due to unsatisfactory conduct; alcohol incident.
  - (4) An E-7 OIC was relieved for cause due to unsatisfactory performance; poor command climate.
  - (5) An E-7 XPO was relieved for cause due to unsatisfactory conduct; relationship with a subordinate's spouse, good order & discipline issues, and poor judgment.
  - (6) An E-7 XPO was relieved for cause due to unsatisfactory performance; gun-decking qualifications and false official statements.
  - (7) An E-7 EPO was relieved for cause due to unsatisfactory conduct; inappropriate behavior and maltreatment of subordinates.
  - (8) An E-7 EPO was relieved for cause due to unsatisfactory performance; failed to pass a physical fitness test.
- d. **State / Federal Court Actions.** None to report.

- e. **Non-Judicial Punishment.** NJP was imposed six times, accounting for ten charges: Articles 93, 111, 112, 117 & 134 of the UCMJ. The total sum of punishments included ninety-six days of restriction and one letter of reprimand.

### **3. Junior Enlisted.**

- a. **Courts-martial.**

- (1) An E-6 was found guilty of the following charge at a summary court-martial proceeding: Article 128 of the UCMJ. This member was found guilty of unlawfully and offensively touching a civilian without consent. The member was reduced to the pay grade of E-5.
- (2) An E-5 was found guilty of the following charges at a summary court-martial proceeding: Article 80 & 120c of the UCMJ. This member was found guilty of recording and attempting to record the private areas of a co-worker on divers occasions without the co-worker's consent. The member was sentenced to thirty days restriction and reduction to the pay grade of E-4.
- (3) An E-2 was found guilty of the following charges at a special court-martial proceeding: Articles 107 & 112a of the UCMJ. This member was found guilty of making a false official statement to a Coast Guard Investigative Service Special Agent for denying 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 sixty days restriction, sixty days hard labor without confinement, and reduction to the pay grade of E-1.
- (4) An E-2 was found guilty of the following charge at a special court-martial proceeding: Article 112a of the UCMJ. This member was found guilty of wrongful possession and use of Lysergic Acid Diethylamide, a controlled substance. The member was sentenced to sixty days confinement and reduction to the pay grade of E-1.
- (5) An E-2 was found guilty of the following charges at a special court-martial proceeding: Article 112a & 134 of the UCMJ. This member was found guilty of wrongful use of marijuana and wrongfully introducing marijuana onto an armed forces installation. The member was also found guilty of breaking unit restriction on numerous occasions. The member was sentenced to confinement for twenty-five days and a reduction to the pay grade of E-1.

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

- (1) An E-6 was charged with violations of Articles 121 & 132 of the UCMJ. Between 2016 and 2017, the member was paid and withheld approximately \$55,000 from the Government, to which the member were not entitled.
- (2) An E-5 was charged with violation of Article 120 of the UCMJ. In 2017, member was arrested in Florida and charged with lewd and lascivious molestation of a child less than twelve years old.
- (3) See paragraph 3.d.(1).

- c. Relief for Cause. None to report.
- d. State / Federal Court Actions: An E-5 was arrested and charged with murder in the first degree, armed assault with intent to commit murder, and assault & battery on a police officer. The member was prosecuted in state court, received a sentence to life in prison, and was discharged under other than honorable conditions.
- e. Non-Judicial Punishment. NJP was imposed 131 times, accounting for 268 charges, covering a wide range of UCMJ offenses. The total sum of punishments included 2,099 days of restriction, \$18,392 in forfeitures of pay, and 2,248 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. Four enlisted members received administrative discharges: Three for the commission of a serious offense and one for involvement with drugs.
- d. Non-Judicial Punishment. NJP was imposed seven times, accounting for twelve charges, covering a wide range of UCMJ offenses.

#### **5. Civilian Personnel.**

- a. Disciplinary/Administrative Actions.
  - (1) A GS-13 received a reprimand for failure to follow instructions.
  - (2) A GS-12 received a reprimand for misuse of a government credit card.
  - (3) A GS-12 received a reprimand for making inappropriate comments.

- (4) A GS-12 received a reprimand for being absent without leave and failure to follow leave instructions.
- (5) A GS-12 received a reprimand for unprofessional behavior towards a supervisor.
- (6) A GS-12 received a reprimand for inappropriate/unprofessional conduct.
- (7) A GS-11 received a two-day suspension for failure to complete work assignments in a timely manner.
- (8) A GS-09 received a reprimand for being absent without leave.
- (9) A GS-09 was removed for failure to maintain a regular work schedule.
- (10) A GS-06 was removed for being absent without leave and failure to follow leave instructions.
- (11) A WG-10 was removed for being absent without leave and failure to follow instructions.
- (12) A WG-10 received a fourteen-day suspension for failure to follow instructions.
- (13) A WG-08 was terminated for unsatisfactory performance while in a probationary status.
- (14) A WG-06 was terminated for conduct and performance while in a probationary status.
- (15) A WG-03 was terminated for misconduct during their trial period.
- (16) A WG-03 was demoted for poor performance.
- (17) A WG-03 was terminated for failure to follow instructions while in a probationary status.
- (18) A WG-03 was terminated for misconduct while in a probationary status.

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

All NJP Offenses for FY18 Quarter 3

Article	Description	Counts
80	Attempts	1
81	Conspiracy	4
86	Unauthorized Absence - from unit	14
86.1	Unauthorized absence - fail to go, etc.	6
89	Disrespect to superior officer	1
90.1	Willful disobedience lawful order superior officer	1
91.1	Disobedience, lawful order, warrant or petty officer	4
92	Violation, lawful general order or regulation	21
92.1	Failure to obey lawful general order or regulation	45
92.2	Failure to obey any other lawful order	12
92.3	Dereliction in performance of duty	16
93	Cruelty or maltreatment	4
107.1	False official statement	33
108.2	Damaging, etc., military property	4
109	Wasting, etc., other property	2
111	Operating vehicle while drunk	9
111.1	Operating vehicle reckless manner	3
112	Drunk on Duty	5
112.1	Wrongful use of controlled substance	8
112.2	Wrongful distribution of controlled substance	1
113.1	Sentinel or lookout asleep	2
117	Using provoking words or gestures	3
120.7	Abusive sexual contact	1
123.2	Making check without sufficient funds	1
128.1	Assault consummated by battery	3
133	Conduct unbecoming officer and gentleman/lady	2
134	Other offenses charged under Art 134 not covered	28
134.1	Adultery or fornication	1
134.5	Assault, other under Art. 134	2
134.12	Destroying, altering public record	1
134.15	Disorder, disorderly	2
134.17	Drunk	2
134.18	Drunk and disorderly	6
134.19	Failure to pay debts	1
134.2	False pass or permit	1
134.28	Indecent language	6
134.29	Leaving scene of accident	1
134.3	Misbehavior as sentry	1
134.44	Threats	1