

GOOD ORDER AND DISCIPLINE

Fourth 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 fourth 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 unless otherwise noted.

1. Commissioned Officers and Cadets.

- a. Courts-martial. None to report.
- b. Military Administrative Action: An O-3 resigned in lieu of trial by court-martial after they were charged with violating Article 120 (Abusive Sexual Contact), Article 133 (Conduct Unbecoming), and Article 134 (Drunk and Disorderly Conduct) of the UCMJ. The member was separated with a general characterization of service.
- c. Relief for Cause. None to report.
- d. State / Federal Actions. None to report.

- e. Non-Judicial Punishment. NJP was imposed five times, accounting for a total of eleven charges: Articles 92, 107, 111, 128, 133 & 134 of the UCMJ. The total sum of punishments included sixty days of restriction, \$8,696 in forfeitures of pay, and three 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 92, 128, & 134 of the UCMJ. This member was found guilty of wrongfully possessing alcohol onboard a Coast Guard cutter, unlawfully kissing a shipmate on the neck & drunk and disorderly conduct. The member was reduced to the pay grade of E-6.
- b. Military Administrative Action: One senior enlisted member received an administrative discharge for the commission of a serious offense.
- c. Relief for Cause: An E-7 EPO was relieved for cause due to unsatisfactory conduct related to alcohol use.
- d. State / Federal Court Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed eight times, accounting for fifteen charges: Articles 86, 92, 107 & 134 of the UCMJ. The total sum of punishments included twenty-eight days extra duty, 164 days of restriction, \$5,945 forfeitures of pay, and 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 proceeding: Article 121 of the UCMJ. This member was found guilty of stealing groceries from a Coast Guard unit. The member was sentenced to reduction to the pay grade of E-4, fine of \$1,500, and thirty days restriction.
 - (2) An E-6 was found guilty of the following charges at a special court-martial proceeding: Article 121 & 132 of the UCMJ. This member was found guilty of filing a false and fraudulent claim for Family Separation Allowance. The member was sentenced to thirty days confinement and reduction to the pay grade of E-4.
 - (3) An E-5 was found guilty of the following charges at a special court-martial proceeding: Articles 92, 107 & 134 of the UCMJ. This member was found guilty of dereliction of duty for not notifying his command of two separate arrests for operating a motor vehicle under the influence. He was also found guilty of making false official statements to his supervisor over a six-month

period and wrongfully and willfully impersonating a commissioned officer. The member was sentenced to 120 days confinement and reduction to the pay grade of E-1.

- (4) An E-4 was found guilty of the following charge at a general court-martial proceeding: Article 128 of the UCMJ. This member was found guilty of unlawfully touching a shipmate on the chest and groin. The member was sentenced to thirty days confinement and reduction to the pay grade of E-2.
 - (5) An E-4 was found guilty of the following charges at a general court-martial proceeding: Articles 80 & 92 of the UCMJ. This member was found guilty of wrongfully attempting to and intentionally viewing sexually explicit or predominantly sexually oriented images on a Coast Guard workstation on divers occasions. The member was sentenced to confinement for ninety days, reduction to the pay grade of E-1, and a Bad Conduct Discharge.
- b. Military Administrative Action. Sixty-seven enlisted members received administrative discharges: thirty-nine for commission of a serious offense, five for pattern of misconduct, and twenty-three for involvement with drugs. Five junior enlisted members were discharged under other than honorable conditions:
- (1) Pursuant to a pre-trial agreement, an E-6 was discharged under other than honorable conditions in lieu of trial by court-martial for violations of Article 120 (Abusive Sexual Contact) and Article 120c (Indecent Exposure) of the UCMJ.
 - (2) An E-6 was found guilty of the following charges at a special court-martial proceeding: Article 121 & 132 of the UCMJ. This member was found guilty of filing a false and fraudulent claim for Family Separation Allowance. The member was sentenced to thirty days confinement and reduction to the pay grade of E-4. See paragraph 3.a.(2).
 - (3) An E-4 was charged and convicted of Assault with Significant Bodily Harm, a federal felony offense, in Washington, D.C. In January 2018, the member assaulted their partner in a hotel room. See paragraph 3.d.(1).
 - (4) An E-3 was charged by the State of Florida for possession of marijuana, felony transmission of child pornography, and sexual cyber harassment. See paragraph 3.d.(2).
 - (5) An E-2 was arrested in the State of Mississippi for committing a sexual assault at a campground while on terminal leave. The member was discharged for committing a serious offense in violation of Article 120 (Sexual Assault) of the UCMJ. See paragraph 3.d.(3).

- c. Relief for Cause. None to report.
- d. State / Federal Court Actions:
 - (1) An E-4 was charged and convicted of Assault with Significant Bodily Harm, a federal felony offense, in Washington, D.C. In January 2018, the member assaulted their partner in a hotel room.
 - (2) An E-3 was charged by the State of Florida for possession of marijuana, felony transmission of child pornography, and sexual cyber harassment. The member was separated under other than honorable conditions.
 - (3) An E-2 was arrested in the State of Mississippi for committing a sexual assault at a campground while on terminal leave. The member was discharged for committing a serious offense in violation of Article 120 (Sexual Assault) of the UCMJ.
- e. Non-Judicial Punishment. NJP was imposed ninety-eight times, accounting for 200 charges, covering a wide range of UCMJ offenses. The total sum of punishments included 1,535 days of restriction, \$15,329 in forfeitures of pay, and 1,333 days of extra duty.

4. Reserve Personnel.

- a. Reserve Officer Disciplinary/Administrative Action. None to report.
- b. Reserve Senior Enlisted Disciplinary/Administrative Action. One senior enlisted member received an administrative discharge for the commission of a serious offense.
- c. Reserve Junior Enlisted Disciplinary/Administrative Action. Six enlisted members received administrative discharges: Three for the commission of a serious offense and three for involvement with drugs. Two enlisted members were discharged under other than honorable conditions:
 - (1) An E-5 violated Articles 92 & 112 of the UCMJ, due to the illegal use of a controlled substance.
 - (2) An E-4 violated Articles 86, 123, & 134 of the UCMJ. The member was arrested for operating a vehicle under the influence of alcohol.
- d. Non-Judicial Punishment. NJP was imposed two times, accounting for three charges: Articles 111, 112 & 134 of the UCMJ.

5. Civilian Personnel.

a. Disciplinary/Administrative Actions.

- (1) A GS-15 was demoted due to performance.
- (2) A GS-14 received a ten-day suspension for violating the Hatch Act.
- (3) A GS-13 received a reprimand for disrespectful conduct.
- (4) A GS-13 received a reprimand for failure to show proper identification.
- (5) A GS-13 received a reprimand for disrespectful conduct.
- (6) A GS-12 received a reprimand for failure or delay in carrying out orders, work assignments or instructions.
- (7) A GS-12 received a six-day suspension for disrespectful conduct.
- (8) A GS-11 received a reprimand for being absent without leave and failure to follow leave instructions.
- (9) A GS-11 received a five-day suspension for inappropriate conduct.
- (10) A GS-09 received an indefinite suspension for failure to maintain a condition of employment.
- (11) A GS-05 was terminated for disrespectful conduct while still in a probationary status.
- (12) A GS-05 received a reprimand for unexcused tardiness and unprofessionalism.
- (13) A WS-11 received a reprimand for failure or delay in carrying out orders, work assignments or instructions.
- (14) A WG-11 received a two-day suspension for disorderly conduct.
- (15) A WG-11 received a reprimand for reckless operation of a motor vehicle causing damage to government property.
- (16) A WG-10 received a ten-day suspension for being absent without leave.
- (17) A WG-10 received a fourteen-day suspension for careless workmanship and failure to use protective clothing or equipment.
- (18) A WG-10 received a six-day suspension for careless workmanship resulting in delay in production and/or spoilage or waste of materials.

- (19) A WG-10 received a reprimand for failure to follow instructions, misuse of a government vehicle, reckless driving or improper operation of a motor vehicle causing personal injury to self or others or damage to government property.
- (20) A WG-05 received a ten-day suspension for failure to timely pay a government travel card.
- (21) A WG-01 was terminated for being absent without leave, failure to follow leave procedures, and tardiness during a probationary period.

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

All NJP Offenses for the Fourth Quarter, Fiscal Year 2018

Article	Description	Counts
80	Attempts	2
86	Unauthorized absence – from unit	8
86.1	Unauthorized absence – fail to go, etc.	2
86.2	Unauthorized absence – go from place, etc.	1
87.0	Missing movement – through neglect	1
89	Disrespect to superior officer	1
90.1	Willful disobedience lawful order superior officer	1
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	49
92.2	Failure to obey any other lawful order	9
92.3	Dereliction in performance of duty	9
93	Cruelty or maltreatment	2
102	Forcing safeguard	1
107	Signing false record, etc.	2
107.1	False official statement	20
108.2	Damaging military property	5
109	Wasting, etc., other property	2
111	Operating vehicle while drunk	4
111.1	Operating vehicle reckless manner	2
112	Drunk on Duty	1
112.1	Wrongful use of controlled substance	3
113.1	Sentinel or lookout asleep	2
113.2	Sentinel or lookout leaving post	1
117	Using provoking words or gestures	1
117.7	Attempted using provoking, etc., words or gestures	1
120.7	Abusive sexual contact	1

120c	Other sexual misconduct	2
121	Larceny, value more than \$50	5
121.1	Larceny, value less than \$50	2
121.2	Wrongful appropriation	5
128	Assault, simple	3
128.1	Assault consummated by battery	1
132.3	Other fraud under Article 132	1
133	Conduct unbecoming officer and gentleman/lady	1
134	Other offenses charged under Art 134 not covered	28
134.1	Adultery or fornication	1
134.14	Disloyal statement	1
134.15	Disorder, disorderly	2
134.17	Drunk	2
134.18	Drunk and disorderly	12
134.26	Indecent or lewd act	1
134.28	Indecent language	2
134.47	Unlawful entry	1