

GOOD ORDER AND DISCIPLINE

Second Quarter, Fiscal Year 2019

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 2019. 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:
 - (1) An O-3 resigned in lieu of Special Board Action after receiving a documented alcohol incident for driving under the influence. The member was involved in a car accident, fled the scene and was later arrested and charged with a Driving Under the Influence (DUI). The member failed to report the incident to their unit command. The command later discovered the incident when the victim of the accident notified them.

- (2) An O-2 resigned in lieu of Special Board Action after the member had continued a prohibited relationship with a married direct subordinate after a no-contact order was given.
 - (3) A W-4 retired in lieu of Special Board Action after receiving a documented alcohol incident for driving under the influence. The member was charged with Driving While Intoxicated (DWI) after the member was pulled over by police and registered a .14 blood alcohol concentration (BAC) on a breathalyzer.
 - (4) A W-3 retired in lieu of Special Board Action after receiving a documented alcohol incident for having been arrested for Driving Under the Influence (DUI). The police pulled the member over for speeding and the member registered a .17 (BAC) on a breathalyzer.
- c. Relief for Cause. An O-3 was removed from the O-4 promotion list after they were relieved for cause due to sub-standard performance.
 - d. State / Federal Actions. None to report.
 - e. Non-Judicial Punishment. NJP was imposed nine times, accounting for sixteen charges for various violations of Articles 86, 90, 92, 107, 111, 128, 133 & 134 of the Uniform Code of Military Justice (UCMJ). The total sum of punishments included ninety-seven days of restriction and eight 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-8 EPO of a Fast Response Cutter was relieved for unsatisfactory conduct related to sexual misconduct.
 - (2) An E-7 XPO of a Station was relieved for unsatisfactory conduct related to child pornography and solicitation of a minor.
 - (3) An E-7 EPO of an 87' patrol boat was relieved for unsatisfactory conduct related to an alcohol incident.
 - (4) An E-6 EPO of a Station was relieved for unsatisfactory performance related to their leadership, administrative, and engineering failures.

- d. State / Federal Court Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed five times, accounting for nine charges covering Articles 86, 92, 93, 108, 128, 134 of the UCMJ. The total sum of punishments included \$8,596 in forfeiture of pay, eighty days of restriction and two letters of reprimand.

3. Junior Enlisted.

- a. Courts-martial: An E-4 was found guilty of the following charges at a general court-martial proceeding: Article 120b & 134 of the UCMJ. The member was found guilty of committing sexual acts upon a child and possession of child pornography. The member was sentenced to reduction to the pay grade of E-1, confinement for fifty months, and a dishonorable discharge.
- b. Military Administrative Action. Five junior enlisted members received administrative discharges: Twenty-five for commission of a serious offense, five for pattern of misconduct, thirty-nine for involvement with drugs, four for fraudulent enlistment, two for trial by court-martial, and two for the good of the service. Four junior enlisted members were discharged under other than honorable conditions:
 - (1) An E-6 violated Articles 128 & 134 of the UCMJ at or near Slidell, LA on or about September 2018. The member caused bodily harm to their spouse and did so with unlawful violence with a force likely to produce death or grievous bodily harm and endangered their child's welfare.
 - (2) An E-5 violated Articles 134, 128, 112a, & 107 of the UCMJ at or near Oahu, HI on or about January 2018. The member wrongfully used marijuana, solicited another to distribute marijuana, unlawfully struck an individual with the intent to cause harm, and falsified an official statement to a CGIS agent.
 - (3) An E-5 violated Articles 123 & 121 of the UCMJ at or near Hampton Bays, NY on or about January 2018. The member stole over \$2,000 from a credit union and attempted to defraud a credit union by forging their name on a check.
 - (4) An E-3 violated Article 120 of the UCMJ at or near Tulls Bay, NC and Chesapeake, VA on or about May 2017 and January 2018. The member engaged in sexual misconduct with a minor under the age of 16 years-old.
- c. Relief for Cause. None to report.
- d. State / Federal Court Actions. None to report.

- e. Non-Judicial Punishment. NJP was imposed 120 times, accounting for 218 charges, covering a wide range of UCMJ offenses. The total sum of punishments included 2,312 days of restriction, \$32,954 in forfeitures of pay, 1,905 days of extra duty, and nine letters of reprimand.

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 junior enlisted members received administrative discharges: two for Driving Under the Influence (DUI), one for involvement with drugs, and one for fraudulent enlistment.
- d. Non-Judicial Punishment. NJP was imposed three times, accounting for three charges: Articles 92 & 111 of the UCMJ.

5. Civilian Personnel.

- a. Disciplinary/Administrative Actions.
 - (1) An AD-00 was terminated for discriminatory behavior.
 - (2) A GS-13 received a 5-day suspension for misuse of a government travel card and failure to obtain travel authorization.
 - (3) A GS-12 received a reprimand for disrespectful conduct.
 - (4) A GS-11 received a 14-day suspension for inappropriate conduct and failure to complete work assignments.
 - (5) A GS-11 received a 7-day suspension for conduct unbecoming a supervisor.
 - (6) A GS-11 received a 2-day suspension for failure to follow instructions and inappropriate conduct.
 - (7) A GS-06 received a 3-day suspension for failure to/delay in carrying out work assignments.
 - (8) A GS-05 was terminated during their probationary period for attendance issues, failure to complete work assignments, and unacceptable performance.
 - (9) A WS-15 received a 1-day suspension for inappropriate conduct.

- (10) A WS-09 received a 14-day suspension for conduct unbecoming a supervisor and failure to follow orders.
- (11) A WG-11 received a 5-day suspension for disrespectful conduct and failure to pay just debt.
- (12) A WG-10 was demoted for unacceptable performance.
- (13) A WG-10 was demoted for unacceptable performance.
- (14) A WG-09 received a reprimand for failure to follow leave instructions.
- (15) A WG-09 was removed for non-compliance with Last Chance Agreement.
- (16) A WG-08 received a reprimand for absence without leave and failure to follow leave instructions.
- (17) A WG-08 was removed for unacceptable performance.
- (18) A WG-06 received a reprimand for failure to follow instructions.
- (19) A WG-05 was terminated during their probationary period for tardiness, absence without leave, and failure to follow leave instructions.
- (20) A WG-05 received a reprimand for absence without leave and failure to follow leave instructions.
- (21) A WG-05 was removed for absence without leave and failure to follow leave instructions.
- (22) A WG-05 received a 14-day suspension for absence without leave and failure to follow leave instructions.

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

All NJP Offenses for the Second Quarter, Fiscal Year 2019

Article	Description	Counts
78	Accessory after the fact	1
80	Attempts	2
86	Unauthorized absence – from unit	16
86.1	Unauthorized absence – fail to go, etc.	6
86.6	Accessory to unauthorized absence	1
90.1	Willful disobedience lawful order superior officer	2
91.1	Disobedience, lawful order, warrant or petty officer	2
91.2	Contempt towards warrant officer or petty officer	1

92	Violation, lawful general order or regulation	19
92.1	Failure to obey lawful general order or regulation	48
92.2	Failure to obey any other lawful order	15
92.3	Dereliction in performance of duty	8
93	Cruelty or maltreatment	3
107	Signing false record, etc.	1
107.1	False official statement	28
108.2	Damaging military property	2
109	Wasting, etc. other property	1
111	Operating vehicle while drunk	8
111.1	Operating vehicle reckless manner	4
112	Drunk on Duty	5
112.1	Wrongful use of controlled substance	17
112.3	Wrongful introduction of controlled substance	1
113	Sentinel or lookout drunk	1
113.1	Sentinel or lookout asleep	4
117	Using provoking words or gestures	2
121	Larceny, value more than \$50	1
121.1	Larceny, value less than \$50	1
128	Assault, simple	1
128.1	Assault consummated by battery	6
133	Conduct unbecoming officer and gentleman/lady	2
134	Other offenses charged under Art 134 not covered	8
134.1	Adultery or fornication	6
134.14	Disloyal statement	1
134.15	Disorder, disorderly	1
134.17	Drunk	6
134.18	Drunk and disorderly	13
134.28	Indecent language	1
134.44	Threats	1