

GOOD ORDER AND DISCIPLINE

Third 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 third 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: An O-3 resigned in lieu of Special Board Action after receiving a drug incident.
- c. Relief for Cause. None to report.
- d. State / Federal Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed eight times, accounting for fourteen charges for various violations of Articles 86, 92, 107, 121, 133 & 134 of the Uniform Code of Military Justice (UCMJ). The total sum of punishments included one hundred sixty-two days of restriction and nine letters of reprimand.

2. Senior Enlisted.

- a. Courts-martial: An E-7 was found guilty of the following charges at a summary court-martial: Articles 128 & 134 of the UCMJ. The member was found guilty of unlawfully causing bodily harm to another by striking them in their face with a closed fist at a public bar. The member was sentenced to reduction to the pay grade of E-6 (suspended for 6 months).
- b. Military Administrative Action: Four senior enlisted members received administrative discharges for the commission of a serious offense. One senior enlisted member was discharged under other than honorable conditions for receipt and possession of child pornography (see para. 2.d).
- c. Relief for Cause:
 - (1) An E-8 Officer in Charge of an 87' cutter was relieved for unsatisfactory conduct related to command climate.
 - (2) An E-7 Officer in Charge of a station was relieved for unsatisfactory performance related to command climate.
 - (3) An E-7 Executive Petty Officer of a station was relieved for unsatisfactory conduct related to command climate.
- d. State / Federal Court Actions. An E-7 was convicted by Pinellas County Florida authorities of indecent viewing and possession of child pornography.
- e. Non-Judicial Punishment. NJP was imposed five times, accounting for eight charges for various violations of Articles 89, 92, 107, & 134 of the UCMJ. The total sum of punishments included \$14,974 in forfeiture of pay, one hundred fifty-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 special court-martial: Article 128 of the UCMJ. The member was found guilty of unlawfully kissing a junior member on the lips. The member was sentenced to confinement for forty-five days and reduction to the pay grade of E-2.
 - (2) An E-6 was found guilty of the following charge at a special court-martial: Article 93 of the UCMJ. On numerous occasions, the member maltreated a person subject to his orders by kissing them and using

deliberate and repeated offensive comments of a sexual nature. The member was sentenced to a reduction to the pay grade of E-5 and restriction to the limits of his unit.

- (3) An E-4 was found guilty of the following charges at a general court-martial: Articles 120, 120c, & 134 of the UCMJ. The member was found guilty of committing a sexual act upon a shipmate without their consent and wrongfully and knowingly photographing the private areas of that shipmate. The member was also found guilty of committing indecent conduct by showing the photographs to numerous individuals. 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 charges at a summary court-martial: Articles 86 & 91 of the UCMJ. The member was absent from their unit for two days and used disrespectful language toward a noncommissioned Chief Petty Officer. The member was sentenced to thirty days confinement.
 - (5) An E-3 was found guilty of the following charges at a summary court-martial: Articles 117a & 134 of the UCMJ. The member was found guilty of knowingly and wrongfully distributing a visual image of sexually explicit conduct of an acquaintance without consent. The member was sentenced to thirty days confinement.
 - (6) An E-3 was found guilty of the following charges at a special court-martial: Articles 112a & 128 of the UCMJ. The member was found guilty of wrongfully using and distributing marijuana. The member was also found guilty of unlawfully pulling the hair, grabbing the throat, and biting the neck of an unwilling civilian. The member was sentenced to nine months confinement, reduction to the pay grade of E-1, and a Bad Conduct Discharge.
 - (7) An E-3 was found guilty of the following charge at a summary court-martial: Article 128 of the UCMJ. The member was found guilty of unlawfully touching the front and back pelvic area and the upper thigh area of a civilian. The member was sentenced to thirty days confinement and reduction to the pay grade of E-1.
- b. Military Administrative Action. One hundred seven junior enlisted members received administrative discharges: Two for civil convictions, forty-eight for commission of a serious offense, five for pattern of misconduct, forty-five for involvement with drugs, one for fraudulent enlistment, five for trial by court-martial, and one for the good of the service.

- c. Relief for Cause: Two E-6 Executive Petty Officers were relieved for unsatisfactory performance related to sexual misconduct.
- d. State / Federal Court Actions. None to report.
- e. Non-Judicial Punishment. NJP was imposed 130 times, accounting for 238 charges, covering a wide range of UCMJ offenses. The total sum of punishments included 2,769 days of restriction, \$28,667 in forfeitures of pay, 2,079 days of extra duty, and ten 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. Five junior enlisted members received administrative discharges: two for Driving Under the Influence (DUI), one for assault and battery on a petty officer, and two for non-participation of nine times or more.
- d. Non-Judicial Punishment. NJP was imposed eight times, accounting for fifteen charges: Articles 86, 92, 107, 121, 128, 133 & 134 of the UCMJ.

5. Civilian Personnel.

- a. Disciplinary/Administrative Actions.
 - (1) A GS-14 was removed for being absent without leave and failure to follow instructions.
 - (2) A GS-14 was terminated during a probationary period for using or being under the influence of alcohol while on duty on a military installation.
 - (3) A GS-12 was removed for misuse of a government computer.
 - (4) A GS-12 was terminated during a probationary period for unacceptable performance.
 - (5) A GS-12 received a 14-day suspension for failure to follow instructions and disorderly conduct.
 - (6) A GS-12 received a 14-day suspension for misuse of a government computer.
 - (7) A GS-12 received a reprimand for failure to follow instructions.

- (8) A GS-12 received a reprimand for inattention to duty.
- (9) A GS-11 received a 3-day suspension for failure to follow instructions.
- (10) A GS-09 received a reprimand for failure to follow leave instructions and falsification of time and attendance records.
- (11) As GS-08 was removed for loss of security clearance.
- (12) A GS-08 received a 12-day suspension for disrespectful conduct.
- (13) A GS-07 was terminated during a probationary period for disrespectful conduct.
- (14) A GS-05 was terminated during a probationary period for unacceptable performance.
- (15) A GS-05 received a reprimand for failure to follow instructions.
- (16) A WG-10 received an indefinite suspension for unlawful possession or use of drugs.
- (17) A WG-10 received a 30-day suspension for unlawful possession or use of drugs.
- (18) A WG-10 received a 14-day suspension for attendance issues, failure to follow instructions, and disorderly conduct.
- (19) A WG-10 received a reprimand for careless workmanship resulting in delay in production and/or spoilage or waste of materials.
- (20) A WG-09 received a 5-day suspension for failure to follow instructions and disorderly conduct.
- (21) A WG-05 received a 7-day suspension for being absent without leave and failure to follow instructions.
- (22) A WG-05 received a 3-day suspension for being absent without leave.
- (23) A WG-03 was terminated during their term of appointment for unauthorized absence, unacceptable performance, and failure to follow instructions.

- (24) A WG-03 was terminated during their term of appointment for unauthorized absence, unacceptable performance, and failure to follow instructions.

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

All NJP Offenses for the Third Quarter, Fiscal Year 2019

Article	Description	Counts
80	Attempts	3
83	Fraudulent enlistment	1
86	Unauthorized absence – from unit	7
86.1	Unauthorized absence – fail to go, etc.	5
86.2	Unauthorized absence – go from place, etc.	3
87	Missing movement; neglect	1
89	Disrespect to superior officer	1
90.1	Willful disobedience lawful order superior officer	2
91.1	Disobedience, lawful order, warrant or petty officer	3
91.2	Contempt towards warrant officer or petty officer	2
92	Violation, lawful general order or regulation	29
92.1	Failure to obey lawful general order or regulation	33
92.2	Failure to obey any other lawful order	16
92.3	Dereliction in performance of duty	24
93	Cruelty or maltreatment	4
95	Resisting apprehension	1
107.1	False official statement	28
108	Selling or disposing of military property	1
108.3	Sabotage	1
108.7	Attempted selling or disposing of military property	1
111	Operating vehicle while drunk	6
111A	Leaving the scene of an accident	1
112	Drunk on Duty	5
112.1	Wrongful use of controlled substance	22
112.4	Other drug offenses	2
113	Sentinel or lookout drunk	3
113.1	Sentinel or lookout asleep	2
115	Malingering	1
117	Using provoking words or gestures	2
121	Larceny, value more than \$50	2
121.2	Wrongful appropriation	1
123	Forgery	4
128	Assault, simple	2
128.1	Assault consummated by battery	2
131	Perjury	1
131B	Obstructing justice	2

131G	Interfering with administrative proceeding	1
132.3	Other fraud under article 132	1
133	Conduct unbecoming officer and gentleman/lady	5
134	Other offenses charged under Art 134 not covered	22
134.1	Adultery or fornication	3
134.2	Altered ID card	1
134.15	Disorder, disorderly	2
134.18	Drunk and disorderly	8
134.19	Failure to pay debts	1
134.26	Indecent or lewd act	2