

GOOD ORDER AND DISCIPLINE

First & Second Quarter, Fiscal Year 2020

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 first and second quarter of Fiscal Year 2020. 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: An O-1 was found guilty of the following charges at a special court-martial: Articles 133 & 134 of the UCMJ. The member was found guilty of drunk and disorderly conduct and conduct unbecoming an officer and a gentleman by abuse of a leadership position to obtain sexual favors with a subordinate. The member received a letter of reprimand.
- b. Military Administrative Action:
 - (1) An O-4 resigned in lieu of trial by court-martial based on several UCMJ violations, including sexual assault, drunk and disorderly conduct and disrespect to a superior officer.

- (2) An O-3 resigned in lieu of Special Board Action, after being found guilty of theft from a military exchange and making false official statements during the investigation.
 - (3) An O-3 resigned in lieu of Special Board Action after being removed from primary duties for the second time.
 - (4) An O-3 resigned in lieu of Special Board Action after receiving two Alcohol Incidents.
 - (5) An O-2's commission was revoked after engaging in a prohibited relationship with a subordinate.
 - (6) An O-2's commission was revoked after engaging in a prohibited romantic relationship with an immediate subordinate.
 - (7) An O-2's commission was revoked after engaging in a prohibited, romantic relationship with an immediate subordinate.
 - (8) An O-2 was involuntarily released from active duty after following a Drug Incident.
 - (9) An O-2 was removed from flight school selection list after missing ship's movement twice.
 - (10) An O-1's commission was revoked after sexually harassing junior enlisted members and failing to qualify in primary duties.
 - (11) An O-1's commission was revoked based on a drug incident for marijuana use.
 - (12) An O-3 was dropped from the rolls after being criminally charged in federal court for various offenses.*
- c. Relief for Cause: A W-2 was removed from primary duties after failure to qualify in primary duty.
- d. State / Federal Actions. An O-3 was criminally charged in federal court for various offenses. *Related to incident in 1.b.12
- e. Non-Judicial Punishment. NJP was imposed nine times, accounting for thirteen charges for various violations of Articles 92, 107, 112, 121, 131, & 133 of the UCMJ. The total sum of punishments included \$8,024.00 in forfeiture of pay, sixty days restriction, and four letters of reprimand.

2. Senior Enlisted.

a. Courts-martial:

- (1) An E-9 was found guilty of the following charges at a summary court-martial: Articles 128 & 134 of the UCMJ. The member was found guilty of assault and drunk and disorderly conduct by communicating threats and by unlawfully punching and grabbing another person on separate occasions. The member was sentenced to fifteen days of restriction and reduction to the pay grade of E-8.
- (2) An E-7 was found guilty of the following charges at a summary court-martial: Articles 92, 107, & 132 of the UCMJ. The member was found guilty of wrongfully making purchases with his government credit card when not on official travel orders, wrongfully filing false and fraudulent travel claims in excess of \$8,000, and making false official statements to a CGIS Special Agent. The member was sentenced to reduction to the pay grade of E-6.

b. Military Administrative Action: Seven senior enlisted members received administrative discharges: Six for commission of a serious offense and one for a pattern of misconduct. Two senior enlisted members were discharged under other than honorable conditions:

- (1) An E-8 violated article 134 of the UCMJ. Member wrongfully possessed and distributed child pornography. *Related to same incident in 2.d.
- (2) An E-7 violated article 128 of the UCMJ. Member physically assaulted his spouse while under the influence of alcohol. * Related to same incident in 2.d.

c. Relief for Cause:

- (1) An E-8 Officer-in-Charge was relieved for unsatisfactory conduct and poor command climate.
- (2) An E-8 Officer-in-Charge was relieved for unsatisfactory performance and conduct relating to posing as local law enforcement when making a traffic stop.
- (3) An E-8 Officer-in-Charge of an 87' WPB was relieved for unsatisfactory conduct related to misuse of a government vehicle.
- (4) An E-8 Command Senior Enlisted Leader of a sector was relieved for unsatisfactory conduct related to sexual harassment from a previous assignment.

- (5) An E-7 Executive Petty Officer of a station was relieved for unsatisfactory conduct related to making false official statements, soliciting members to commit fraud against the Coast Guard, and concealing information.
- (6) An E-7 Engineering Petty Officer of a station was relieved for unsatisfactory conduct due to an alleged sexual assault.
- (7) An E-7 Engineering Petty Officer of a station was relieved for cause for unsatisfactory conduct due to an active investigation into illegal sale of firearms.

d. State / Federal Court Actions.

- (1) An E-8 was indicted by state authorities for wrongful possession and distribution of child pornography. *
- (2) An E-7 was indicted by state authorities for assault and battery of his spouse.*

*Related to same incidents in 2.b.

- e. Non-Judicial Punishment. NJP was imposed seven times, accounting for thirteen charges for various violations of Articles 89, 92, 113, 128, & 134 of the UCMJ. The total sum of punishments included \$18,574 in forfeiture of pay, 60 days of restriction, and four letters 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 touching the backside, chest, and torso of another member and unlawfully kissing the neck of the victim. The member was sentenced to thirty days of confinement and reduction to the pay grade of E-3.
- (2) An E-4 was found guilty of the following charges at a summary court-martial: Article 109, 128, & 134 of the UCMJ. The member was found guilty for willfully and wrongfully destroying a cellular telephone that was not his property, valued at about \$500, unlawfully pulling the hair and striking the head of another person, and drunk and disorderly conduct. The member was sentenced to thirty days of confinement and reduction to the paygrade of E-2.
- (3) An E-4 was found guilty of the following charge at a summary court-martial: Article 112a of the UCMJ. The member was found guilty for

knowingly consuming products containing marijuana. The member was sentenced to ten days restriction, forfeiture of one half of one month's pay for one month, and reduction to paygrade E-3.

- (4) An E-4 was found guilty of the following charges at a summary court-martial: Article 112a of the UCMJ. The member was found guilty of wrongful use of marijuana. The member was sentenced to ten days restriction, forfeiture of one half of one month's pay for one month, and reduction to pay grade E-3.
- (5) An E-4 was found guilty of the following charge at a summary court-martial: Article 112a of the UCMJ. The member was found guilty of wrongful use of cocaine. The member was sentenced to seven days confinement and reduction to pay grade E-3.
- (6) An E-4 was found guilty of the following charges at a summary court-martial: Articles 112a of the UCMJ. The member was found guilty of wrongful use of cocaine. The member was sentenced to twenty-eight days of confinement and reduction to pay grade E-1.
- (7) An E-3 was found guilty of the following charges at special court-martial: Articles 112a & 134 of the UCMJ. The member was found guilty of wrongful distribution and use of marijuana, and wrongful interference with an adverse administrative proceeding. The member was sentenced to ninety days confinement, six days restriction, and reduction to pay grade E-1.
- (8) An E-3 was found guilty of the following charge at a special court-martial: Article 112a of the UCMJ. The member was found guilty of wrongfully using marijuana, cocaine, and methylenedioxy-methamphetamine (MDMA) and wrongful introduction of marijuana onto an installation controlled by the Armed Forces. The member was sentenced to a forfeiture of \$1,120 and reduction to pay grade E-1.
- (9) An E-3 was found guilty of the following charge at a summary court-martial: Article 92 of the UCMJ. The member was found guilty of willfully failing to abide by the Coast Guard's sexual harassment policy through intentionally viewing sexually explicit videos of another member without consent. The member was sentenced to restriction for ten days and reduction to pay grade E-1.
- (10) An E-3 was found guilty of the following charge at a summary court-martial: Article 112a of the UCMJ. The member was found guilty of wrongfully using cocaine on divers occasions. The member was sentenced to twenty-five days of confinement, forfeiture of two thirds of one month's pay, and reduction to pay grade E-1.

- b. Military Administrative Action: One hundred sixty-six junior enlisted members received administrative discharges: Eighty-one for commission of a serious offense, eleven for pattern of misconduct, sixty-nine for involvement with drugs, four for fraudulent enlistment and one for the good of the service. Five junior enlisted personnel were discharged under other than honorable conditions:
- (1) An E-4 violated Article 112a of the UCMJ. Member wrongfully used cocaine.
 - (2) An E-4 violated Article 92 and 112a of the UCMJ. Member knowingly disclosed confidential information surrounding a CGIS investigation to unauthorized personnel. The member also wrongfully distributed marijuana and wrongfully used psilocybin.
 - (3) An E-3 violated Articles 112a and 134 of the UCMJ. The member wrongfully possessed and used marijuana. Member also intended to deceive by advising another Coast Guard member to take preventive measures in avoiding a positive drug test.
 - (4) An E-3 violated Articles 112a & 134 of the UCMJ. Member wrongfully distributed and used marijuana. In an attempt to impede an administrative investigation, member unlawfully warned another shipmate of an unannounced drug sweep.
 - (5) An E-3 violated Articles 128 & 134 of the UCMJ. Member unlawfully kidnapped and held an Uber driver at gun point, while forcing the victim to drive around the area. In addition, the member caused bodily harm to the victim by striking his head several times with the back of a gun.*Related to the same incident in 3.d.
- c. Relief for Cause:
- (1) An E-6 Executive Petty Officer of an 87' was relieved for cause for unsatisfactory conduct due to the consumption of alcohol resulting in absence without leave on two separate occasions.
 - (2) An E-6 Executive Petty Officer of an ANT was relieved for cause for unsatisfactory conduct due to allegedly text messaging "Revenge Pornography".
 - (3) An E-6 Engineering Petty Officer was relieved for cause for unsatisfactory conduct due to inappropriate use of alcohol.

- (4) An E-6 Engineering Petty Officer was relieved for cause for unsatisfactory performance due to inability to perform duties as an Engineering Petty Officer.

d. State / Federal Court Actions.

- (1) An E-3 was charged by state authorities for Kidnapping & Aggravated Assault with a deadly weapon on an Uber driver.*

*Related to same incident in 3.b.

- e. Non-Judicial Punishment. NJP was imposed 211 times. The total sum of punishments included 1,869 days of restriction, \$15,512 in forfeiture of pay, 2,782 days of extra duty, and three 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. Twelve junior enlisted members received administrative discharges: one for domestic violence, three for commission of a serious offense, one for failing weight probation, four for non-participation, and three for repeated absenteeism.
- d. Non-Judicial Punishment. NJP was imposed one time, accounting for one charge: Article 92 of the UCMJ.

5. Special Convictions/Line of Duty Determinations: None to report

- 6. Non-judicial punishment:** NJP provides Commanders with an essential and prompt means of maintaining good order and discipline and also promotes positive behavior changes in Service members without the stigma of a court-martial.

The following are samples of the two most frequently charged offenses in the first and second quarter of FY20.

- a. Article 107 (False official statement)
Number of occurrences: 38
Three cases are highlighted below:
 - i. An E-5 submitted a false official statement by submitting false or fictitious travel claims. Required to return overpayment of \$747.40; GTCC and AO designation immediately revoked.

- ii. An E-4 made a false statement during an official investigation regarding the injury of another member while onboard a small boat. Awarded thirty days of extra duties and forfeiture of one-half's of one month's pay for two months.
 - iii. An E-3 made a false statement that he did not consume alcohol within twelve hours prior to assuming duties. Awarded fourteen days restriction.
- b. Article 128 (Assault) Number of occurrences: 20
Three cases are highlighted below:
- i. An E-7 assaulted another member by placing the member in a choke hold and spitting in the member's face. Awarded thirty days of restriction, and forfeiture of \$2,383 per month for two months.
 - ii. An E-6 assaulted another member by unlawfully and intentionally making contact to the buttocks of another member. Awarded reduction to pay grade E-3.
 - iii. An E-3 assaulted another member by wrapping his arms around the member's neck and dragging the member underwater. Awarded fourteen days restriction, and twenty-one days extra duty.

7. Civilian Personnel.

- a. Disciplinary/Administrative Actions.
- (1) A GS-15 was suspended for 7-days for disrespectful conduct.
 - (2) A GS-15 was reprimanded for disrespectful conduct.
 - (3) A GS-14 was termination during their probationary period for unauthorized absence and failure to follow instructions.
 - (4) A GS-13 was reprimanded for being absent without leave.
 - (5) A GS-13 was suspended for 14-day for inappropriate sexual behavior.
 - (6) A GS-12 was demoted for unacceptable performance.
 - (7) A GS-12 was suspended for 7-days for failure to follow instructions.
 - (8) A GS-12 was suspended for 14-days for failure to follow instructions.

- (9) A GS-12 was suspended for 7-days for disrespectful conduct and discriminatory conduct based on sex.
- (10) A GS-12 was suspended for 3-days for failure to follow leave procedures.
- (11) A GS-11 was reprimanded for falsification.
- (12) A GS-9 was terminated during their probationary period for unacceptable performance.
- (13) A GS-9 was reprimanded for failure to carry out an assignment.
- (14) A GS-7 was reprimanded for disrespectful language.
- (15) A WS-11 was suspended for 1-day for being absent without leave and failure to follow leave procedures.
- (16) A WL-11 was reprimanded for careless workmanship.
- (17) A WL-10 was suspended for 4-days for absence without leave and failure to follow instructions.
- (18) A WG-11 was reprimanded for careless workmanship.
- (19) A WG-11 was suspended for 10-days for being absent without leave.
- (20) A WG-10 was terminated during probation for failure to follow instructions, unacceptable performance, and tardiness.
- (21) A WG-10 was reprimanded for failure to follow leave procedures.
- (22) A WG-10 was reprimanded for loafing and unexcused tardiness.
- (23) A WG-10 was reprimanded for failure to follow leave procedures and failure to follow instructions.
- (24) A WG-10 was reprimanded for careless workmanship.
- (25) A WG-10 was suspended for 30-days for unlawful possession of drugs.
- (26) A WS-9 was demoted for dishonesty.
- (27) A WG-8 was removed for being absent without leave and failure to follow instructions.
- (28) A WG-8 was removed for fighting and disorderly conduct.

- (29) A WG-8 was suspended for 3-days for being absent without leave and alcohol use.
- (30) A WG-8 was removed for being absent without leave and failure to follow leave procedures.
- (31) A WG-8 was reprimanded for disrespectful behavior.
- (32) A WG-8 was reprimanded for sleeping on duty.
- (33) A WG-7 was reprimanded for being absent without leave and failure to follow leave procedures.
- (34) A WG-6 was reprimanded for inattention to duty.
- (35) A WG-5 was terminated during their probationary period for being absent without leave and failure to follow leave procedures.
- (36) A WG-5 was suspended for 14-days for being absent without leave and tardiness.
- (37) A WG-5 was reprimanded for careless workmanship.
- (38) A WG-5 was terminated during their probationary period for threatening behavior and failure to follow instructions.
- (39) A WG-3 was suspended for 5-days for being absent without leave, failure to follow instructions, and failure to carry out assignments.