

## GOOD ORDER AND DISCIPLINE

Third 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 third 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: None to report
- b. Military Administrative Action:
  - (1) An O-3 resigned in lieu of Special Board Action after instructing an enlisted member to falsify qualifications in Direct Access prior to a promotion board.
  - (2) An O-3 retired in lieu of Special Board Action after receiving a drug incident and for failure to meet maximum allowable weight standards.
  - (3) A W-3 retired in lieu of Special Board Action after being arrested for DUI.

c. Relief for Cause:

- (1) An O-4 was removed from primary duties after consistent failure to perform required duties.
- (2) An O-3 was removed from primary duties after inability to serve effectively as the EO of a major cutter.
- (3) An O-2 was removed from primary duties after making inappropriate comments to junior enlisted members.

d. State / Federal Actions. None to report.

e. Non-Judicial Punishment. NJP was imposed three times, for various violations of Articles 92 & 134 of the UCMJ. The total sum of punishments included \$0 in forfeiture of pay, thirty days restriction, and two letters of reprimand.

**2. Senior Enlisted.**

a. Courts-martial: None to report.

b. Relief for Cause:

- (1) An E-8 Officer-in-Charge was relieved for unsatisfactory conduct due to a poor command climate.
- (2) An E-8 Officer-in-Charge was relieved for unsatisfactory conduct for misuse of a government vehicle
- (3) An E-7 Engineering Petty Officer of a station was relieved for unsatisfactory performance due to a drug incident.
- (4) An E-7 Engineering Petty Officer of a station was relieved for unsatisfactory conduct for an alleged sexual assault.

c. State / Federal Court Actions: None to report

d. Non-Judicial Punishment. NJP was imposed three times, accounting for five charges for various violations of Articles 92, 93, 128, & 134 of the UCMJ. The total sum of punishments included \$3,400.00 in forfeiture of pay, 45 days of restriction, and one letter of reprimand.

**3. Junior Enlisted.**

a. Courts-martial:

- (1) An E-3 was found guilty of the following charge at a general court-martial: Article 128 & 134 of the UCMJ. The member was found guilty of unlawfully touching the leg of another member and unlawfully entering the dwelling house of another. The member was sentenced to sixty days of confinement and reduction to pay grade E-1.
  - (2) An E-3 was found guilty of the following charge at a general court-martial: Article 120c of the UCMJ. The member was found guilty of knowingly making recordings of the private area of another member without consent. The member was sentenced to 150 days of confinement, reduction to paygrade E-1, and a bad-conduct discharge.
  - (3) 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 for wrongful use of psilocin, a Schedule I controlled substance. The member was sentenced to forfeiture of \$700.00 and reduction to paygrade E-2.
- b. Military Administrative Action: Ninety five enlisted members received administrative discharges: Three for patterns of misconduct, thirty-six for commission of a serious offense, forty-eight for involvement with drugs, and eight for fraudulent enlistment.
- c. Relief for Cause:
- (1) An E-6 Executive Petty Officer of a cutter was relieved for unsatisfactory conduct due to an alcohol incident.
  - (2) An E-6 Engineering Petty Officer of an Aids to Navigation Team was relieved for cause for unsatisfactory performance due to inability to perform the duties as an Engineering Petty Officer.
- d. State / Federal Court Actions: None to report
- e. Non-Judicial Punishment. NJP was imposed ninety three times, accounting for twenty one charges covering a wide range of UCMJ offenses. The total sum of punishments included 1,378 days of restriction, \$12,988.00 in forfeiture of pay, and 1,446 days of extra duty.

#### **4. Reserve Personnel.**

- a. Reserve Officer Disciplinary/Administrative Action. One junior officer received an administrative discharge due to unsuitability.
- b. Reserve Senior Enlisted Disciplinary/Administrative Action. None to report.

- c. Reserve Junior Enlisted Disciplinary/Administrative Action. Three junior enlisted members received administrative discharges: one for failure to complete commissioning or warrant program, one for repeated absenteeism, and one for unacceptable conduct.
- d. Non-Judicial Punishment. NJP was imposed one time, accounting for one charge: Article 92 of the UCMJ. The total sum of punishment included five days of restriction.

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

**6. Non-judicial punishment:** Non-judicial punishment 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 three most frequent offenses charged in the third quarter of FY20:

- a. Article 92 (Failure to obey a general order or regulation)  
Number of occurrences: Sixty
  - i. An E-6 onboard a cutter used disrespectful language towards an E-5. Awarded a forfeiture of \$2,300.00 for one month and extra duty for twenty one days.
  - ii. An E-5 sent unwanted nude images to an E-3. Awarded a forfeiture of \$356 per a month for two months and a letter of reprimand.
  - iii. An E-3 onboard a cutter used racial slurs towards another member. Awarded reduction to pay grade E-1, forfeiture of \$866 for two months, and restriction and extra duty for thirty days.
- b. Article 107 (False official statement) Number of occurrences: Twenty eight
  - i. An E-6 onboard a station knowingly submitted false galley reports. Awarded restriction and extra duty for fourteen days.
  - ii. An E-5 submitted a leave request identifying a leave location that the member knew was false. Awarded reduction to the pay grade of E-4 and forfeiture of \$826.00 for two months.
  - iii. An E-3 onboard a cutter failed to complete rounds, acknowledged a flooding alarm and failed to take proper action, and wrote

incorrect readings on round sheet for bilge levels. Awarded restriction and extra duty for fourteen days.

c. Article 112 and 112a (Drinking and Drug Offenses)

Number of occurrences: Ten

- i. An E-5 was found to be positive on a random urinalysis exam for an illegal drug. Awarded reduction to pay grade E-4 and extra duty for forty-five days.
- ii. An E-5 came to work with a strong odor of alcohol. The member consented to a voluntary breath test which resulted in a .159 BAC. Awarded reduction to pay grade E-4, forfeiture of \$1,373.00 for one month, and restriction and extra duty for fourteen days.
- iii. An E-3 tested positive for marijuana on a random urinalysis conducted on two separate occasions. Awarded reduction to pay grade E-2, and restriction and extra duty for thirty days.

**7. Civilian Personnel.**

a. Disciplinary/Administrative Actions.

- (1) A GS-15 was reprimanded for failure to follow instructions.
- (2) A GS-14 was terminated for unacceptable performance.
- (3) A GS-14 was demoted for failure to follow instructions and disrespectful conduct.
- (4) A GS-12 was removed for failure to observe safety precautions, failure to follow instructions, and disrespectful conduct.
- (5) A GS-11 was reprimanded for disrespectful conduct.
- (6) A GS-10 was suspended for 5-days for absence without leave.
- (7) A WG-10 was removed for disrespectful conduct.
- (8) A WG-10 was removed for failure to follow instructions and unauthorized possession of government property.
- (9) A WG-6 was suspended for 7-days for misuse of a government computer.