

GOOD ORDER AND DISCIPLINE

First Quarter, Fiscal Year 2021

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 quarter of Fiscal Year 2021. 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-4 was discharged for fraternization with an enlisted member.
 - (2) A CWO4 was retired at CWO3 for creating a hostile workplace and receiving a DUI.
 - (3) An E-7 was permanently removed from the CWO Final Eligibility List after command recommendation was removed.

c. Relief for Cause:

- (1) An O3 was relieved of command for loss of confidence and poor command climate.

d. State / Federal Actions. None to report

- e. Non-Judicial Punishment. NJP was imposed once for violations of Articles 129, 133, and 134 of the UCMJ. No punishment was awarded, all charges were dismissed with warning.

2. Senior Enlisted.

a. Courts-martial:

- (1) An E-7 was found guilty of the following charges at a summary court-martial: Article 120 & 128. The member was found guilty of unlawfully touching and grabbing the buttocks of another member through her clothes, and unlawfully holding her arm in a position between his legs. The member was sentenced to reduction to pay grade E-6, restriction for fourteen days, and a letter of reprimand.

- b. Military Administrative Action: one senior enlisted member received administrative discharge for commission of a serious offense.

c. Relief for Cause:

- (1) An E-8 Officer-in-Charge of a Station was relieved for unsatisfactory conduct due to poor command climate.
- (2) An E-7 Executive Petty Officer of a Station was relieved for unsatisfactory conduct due to poor command climate.

d. State / Federal Court Actions: None to report.

- e. Non-Judicial Punishment. NJP was imposed two times, accounting for violations of Articles 86, 90, 92 and 134 of the UCMJ. The total sum of punishments included \$1,850.00 in forfeiture of pay and one letter of reprimand.

3. Junior Enlisted.

a. Courts-martial:

- (1) An E-4 was found guilty of the following charge at a special court-martial: Article 112a of the UCMJ. The member was found guilty of wrongful use of

cocaine, a Schedule I controlled substance. The member was sentenced to thirty days of confinement, forfeiture of \$1,700.00 pay for one month and reduction to pay grade E-1.

- (2) An E-5 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 three Coast Guard members. The member was sentenced to forty-five days of restriction, forfeiture of \$1,500.00 for one month, and reduction to pay grade E-4.
 - (3) An E-4 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 maintain the confidentiality of patient records and communications by disclosing patient records and communications without authorization. The member was sentenced to thirty days of confinement, forfeiture of \$1,500.00, and reduction to pay grade E-1.
 - (4) An E-4 was found guilty of the following charges at a summary court-martial: Articles 92, 112a, 131, 128, and 134 of the UCMJ. The member was found guilty of: disclosing information regarding an ongoing Coast Guard Investigative Service (CGIS) investigation; wrongfully using of marijuana; wrongfully requesting another Coast Guard member to give a false statement to CGIS investigators if questioned; unlawfully punching and kicking a law enforcement officer in the torso and arm; and, drunk and disorderly conduct that was prejudicial to the good order and discipline in the Armed Forces. The member was sentenced to thirty days of confinement and reduction to pay grade E-1.
 - (5) An E-4 was found guilty of the following charges at a summary court-martial: Articles 107 and 112a of the UCMJ. The member was found guilty of making a false official statement to CGIS investigators denying use of illegal drugs other than marijuana; wrongful use and possession of marijuana and psilocybin, both Schedule I controlled substances. The member was sentenced to thirty days of confinement and reduction to pay grade E-1.
 - (6) An E-3 was found guilty of the following charges at a summary court-martial: Articles 80, 121a, and 134 of the UCMJ. The member was found guilty of fraud through use of another member's debit and credit card for a total of \$3,207.87. The member was also found guilty of stealing, and using racial slurs and other offensive comments towards a civilian during an online conversation. The member was sentenced to sixty days of restriction, forfeiture of two-thirds pay for one month, and reduction to pay grade E-1.*
- b. Military Administrative Action: seventy-nine enlisted members received administrative discharges: five for patterns of misconduct, thirty-nine for commission of a serious offense, thirty-three for involvement with drugs, one for

fraudulent enlistment, and one discharge for the good of the service. Five junior enlisted members were discharged under other than honorable conditions. The following is a summary of that administrative action:

- (1) An E-5 violated Articles 80 and 134 of the UCMJ for patronizing a prostitute, wrongful extramarital sexual conduct, and wrongfully soliciting a person to engage in prostitution.
 - (2) An E-3 violated Article 93 and 134 on multiple occasions when the member wrongfully engaged in wrongful extramarital sexual conduct, provided alcoholic beverages to a Coast Guard member under the age of 21, and maltreated a Coast Guard member by engaging in sexual acts with a subordinate in a barracks room in the presence of another Coast Guard member.
 - (3) An E-3 violated Articles 120d and 134 of the UCMJ when the member grabbed the buttocks of a female Coast Guard member while at a crewmember BBQ. The member grabbed the buttocks of a female server at a restaurant and procured the services of a prostitute.
 - (4) An E-3 violated Articles 80, 121a, and 134 of the UCMJ by attempting on several occasions to use another Coast Guard member's debit card to purchase a variety of gift certificates and property; fraudulent use of another Coast Guard member's credit card to obtain merchandise; and wrongful communication of racial epithets and life-threatening language to another person online. *(Related to incident in 3.a.6)
 - (5) An E-1 violated Articles 90, 92, 107, and 134 for disobedience of a lawful command not to engage in an unacceptable romantic relationship; dereliction of duty on several occasions; making false official statements with the intent to deceive; illegal possession of a firearm; negligent discharge of a firearm; and, wrongful extramarital sexual conduct.
- c. Relief for Cause: None to report.
- d. State / Federal Court Actions: None to report.
- e. Non-Judicial Punishment. NJP was imposed eighty-nine times, accounting for fifteen charges covering a wide range of UCMJ offenses. The total sum of punishments included 1,278 days of restriction, \$15,062.00 in forfeiture of pay, and 1,922 days of extra duty.

4. Reserve Personnel.

- a. Reserve Officer Disciplinary/Administrative Action: None to report.

- b. Reserve Senior Enlisted Disciplinary/Administrative Action: One E-7 was discharged due to unsuitability via Board Action.
 - c. Reserve Junior Enlisted Disciplinary/Administrative Action: Nine junior enlisted members received administrative discharges: two for inability to perform prescribed duties, two for repeated absenteeism, two for unsuitability, one for involvement with drugs and two for unacceptable conduct.
 - d. Non-Judicial Punishment: None to report.
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 first quarter of FY21:

- a. Article 92 (Failure to obey an order or regulation)
Number of occurrences: Sixty
 - i. An E-6 at a station engaged in a sexual relationship with an E-3. Awarded extra duty for twenty days and forfeiture of one-half of one month's pay for two months.
 - ii. An E-5 onboard a cutter knowingly broke a medical quarantine order by travelling out of state for an event. Awarded restriction and extra duty for fourteen days.
 - iii. An E-4 onboard a cutter maltreated a subordinate by making cruel and sexual comments. Awarded restriction for fourteen days and reduction to pay grade E-3.
- b. Article 86 (Unauthorized Absence) Number of occurrences: Fifteen
 - i. An E-6 at a station showed up to the assigned work place ninety minutes late and visibly intoxicated. During a drug screening the member tested positive for controlled substances. Awarded restriction and extra duty for fourteen days, forfeiture of one day's pay.
 - ii. An E-3 at a station traveled outside the 200-mile local base travel policy without permission and failed to show up for morning

muster. Awarded restriction and extra duty for thirty-two days and reduction in pay grade E-2.

iii. An E-2 at a station broke a medical quarantine by traveling out of state. Awarded restriction for sixty days and reduction to pay grade E-1.

c. Article 112 (Drug Offense)

Number of occurrences: Twelve

i. An E-5 wrongfully possessed and used testosterone, methandienone, and stanozolo, Schedule III controlled substances. Awarded forfeiture of one-half of one month's pay for two months and reduction to pay grade E-4.

ii. While TDY, an E-4 used a Government vehicle in an unauthorized manner by allowing civilians to ride in the vehicle while using marijuana, a controlled substance. Awarded forfeiture of \$1,151.40 pay for two months, restriction and extra duty for forty-five days, and reduction to pay grade E-3.

iii. An E-4 wrongfully used psilocybin mushrooms. Awarded forfeiture of \$1,151.40 for one month, restriction and extra duty for twenty-one days, and reduction to pay grade E-3.

7. Civilian Personnel.

a. Disciplinary/Administrative Actions.

- (1) A GS-15 was reprimanded for disrespectful conduct and failure to follow instructions.
- (2) A GS-14 was removed for unacceptable performance.
- (3) A GS-14 was demoted for unacceptable performance.
- (4) A GS-14 was reprimanded for discriminatory conduct.
- (5) A GS-13 was reprimanded for failure to follow instructions.
- (6) A GS-12 was terminated during probation for unacceptable performance and conduct.
- (7) A GS-12 was reprimanded for careless workmanship and failure to follow instructions.

- (8) A GS-11 was removed for absence without leave.
- (9) A GS-11 was reprimanded for failure to follow instructions.
- (10) A WG-10 was terminated during probation for unauthorized absence.
- (11) Two WG-10 employees were terminated during probation for unacceptable performance.
- (12) A WG-10 was reprimanded for unauthorized use of information or other protected material.
- (13) A WG-10 was suspended for two days for failure to follow instructions.
- (14) A WG-9 was suspended for ten days for failure to follow instructions and negligence.
- (15) A GS-9 was reprimanded for failure to follow instructions.
- (16) A GS-7 was terminated during probation for unacceptable performance and for unauthorized absence.
- (17) A GS-5 was removed for use of alcohol on duty.