

GOOD ORDER AND DISCIPLINE

Second 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 second 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:

- (1) An O-3 was found guilty of the following charges at a special court-martial: Article 92, 107, 121, 123, 132. The member was found guilty of wrongful use of their Government Travel Charge Card to make cash withdrawals while not in an official travel status on several occasions, present a falsely altered hotel receipt, and filing a false travel claim for expenses that had not occurred while on official travel status. The member was sentenced to forfeiture of \$4,500 a month for three months, a fine of \$4,000, and a letter of reprimand. *related to incident in 1.b.3.

b. Military Administrative Action:

- (1) An O-1's commission was revoked for fraternization with an enlisted member.
- (2) An O-3 was removed from primary duties for an alcohol incident.
- (3) An O-3 was separated for a drug incident. *related to incident in 1.a.1.
- (4) An O-3 was separated for BAH fraud.
- (5) A W-3 retired in lieu of discharge for harassment in the workplace.

c. Relief for Cause: None to report.

d. State / Federal Actions. None to report.

e. Non-Judicial Punishment. NJP was imposed five times for violations of Articles 86, 87, 92, 128, and 134 of the UCMJ. The total sum of punishments included five letters of reprimand.

2. Senior Enlisted.

a. Courts-martial:

- (1) An E-7 was found guilty of the following charge at a general court-martial: Article 134. The member was found guilty of knowingly and wrongfully receiving and viewing child pornography and communicated to a person a certain language that he wanted to commit sexual acts with children. The member was sentenced to a bad-conduct discharge, reduction to paygrade E-3, and five months of confinement.
- (2) An E-7 was found guilty of the following charge at a summary court-martial: Article 128. The E-7 was found guilty of unlawfully touching another member on that member's waist, and unlawfully kissing a second member on the forehead. The member was sentenced to reduction to paygrade E-6 and a letter of reprimand.

b. Military Administrative Action: Four senior enlisted members received administrative discharge for commission of a serious offense.

c. Relief for Cause:

- (1) An E-9 Officer-in-Charge of a Cutter was relieved for unsatisfactory conduct due to an inappropriate relationship.
- (2) An E-8 Officer-in-Charge of a Cutter was relieved for unsatisfactory conduct due to an extramarital affair.
- (3) An E-7 Officer-in-Charge of a Station was relieved for unsatisfactory performance due to poor command climate.
- (4) An E-7 Executive Petty Officer of a Station was relieved for unsatisfactory performance.

d. State / Federal Court Actions: None to report

e. Non-Judicial Punishment. NJP was imposed two times, accounting for violations of Articles 89 and 92 of the UCMJ. The total sum of punishments included one letter of reprimand.

3. Junior Enlisted.

a. Courts-martial:

- (1) An E-5 was found guilty of the following charges at a special court-martial: Articles 107 and 121. The member was found guilty of a false official statement to CGIS agents and stealing approximately 19 items, valued at \$566.92. The member was sentenced to forfeiture of \$567.00 for one month and reduction to paygrade E-1. *related to item 3.b.3.
- (2) An E-5 was found guilty of the following charge at a special court-martial: Article 93. The member was found guilty of maltreating a subordinate by wrongfully making unwelcome comments of a sexual nature, viewing private photographs on another member's cell phone without permission and inappropriately touching another member. The member was sentenced to reduction to paygrade E-3.
- (3) An E-5 was found guilty of the following charges at a special court-martial: Article 93 and 120c. The member was found guilty of making offensive comments of a sexual nature, requesting to engage in sex acts with another member, and unlawfully grasping the face of a junior member. The member was sentenced to three months confinement and reduction to paygrade E-4.
- (4) An E-4 was found guilty of the following charges at a special court-martial: Article 93 and 134. The member was found guilty of maltreating of subordinates and providing alcohol to a minor. The member was sentenced to

forty-five days of hard labor without confinement and reduction to paygrade E-3.

- (5) An E-3 was found guilty of the following charge at a summary court-martial: Article 128. The member unfastened the belt buckle from the clothing of another Coast Guard member.*related to item in 3.B.4.

b. Military Administrative Action: Ninety-three enlisted members received administrative discharges: Four for pattern of misconduct, fifty-five for commission of a serious offense, thirty-one for involvement with drugs, and three for fraudulent enlistment. Six junior enlisted members were discharged under other than honorable conditions. The following is a summary of those administrative actions:

- (1) An E-5 violated Article 128 at or near Cape Cod, MA on or about April 2019, when they unlawfully touched a child under the age of 14 on their vagina and buttocks. Member is pending civilian prosecution.
- (2) An E-5 violated Article 128 at or near Puerto Plata, DR on or about August 2017. The member unlawfully touched another Coast Guard member on the thigh and buttocks with their hand during a port call. At or near Key West, FL on or about August 2017 the member unlawfully touched another Coast Guard member on the buttocks and breast with their hand during a port call. At or near Boston, MA on or about December 2017 the member unlawfully grabbed the arm of another Coast Guard member with their hand.
- (3) An E-5 violated Article 107 and 121. At or near St. Louis, MO, on or about 4 September 2019, the member did not pay for merchandise at a self-checkout store and lied about the event to the command. *related to item 3.a.1.
- (4) An E-5 violated Articles 92, 120, 128 and 134 at or near Jonesport, ME on or about 24 January 2020 when the member wrongfully touched a junior Coast Guard member on their thigh and kissed them on their lips with an intent to gratify and arouse their sexual desire. The member also provided alcohol to the junior member knowing they were underage.
- (5) An E-2 violated Articles 80 and 134 at or near Renton, WA, on or about 17 October 2019 when the member communicated lewd and indecent language to a 15 year old girl with the intent to gratify the member's sexual desire, when the member agreed to pay for sex with a 15 year old girl, and when the member attempted to sexually abuse a child. Member is pending civilian prosecution.
- (6) An E-1 violated Article 128 at or near Port Huron, MI, on or about 18 May 2020, when the member unlawfully unfastened the belt buckle from the clothing worn by a another member.*related to incident in 2.a.5.

c. Relief for Cause:

- (1) An E-6 Engineering Petty Officer of a Station was relieved for unsatisfactory conduct due to sexual harassment.
- (2) An E-6 Engineering Petty Officer of a Cutter was relieved for unsatisfactory conduct.

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

e. Non-Judicial Punishment. NJP was imposed seventy-eight times, accounting for twenty charges covering a wide range of UCMJ offenses. The total sum of punishments included 209 days of restriction, \$13,343.00 in forfeiture of pay, and 298 days of extra duty.

4. Reserve Personnel.

a. Reserve Officer Disciplinary/Administrative Action: None

b. Reserve Senior Enlisted Disciplinary/Administrative Action: One E-7 was discharged for misconduct due to Sexual Harassment.

c. Reserve Junior Enlisted Disciplinary/Administrative Action: Six junior enlisted members received administrative discharges: three for involvement with drugs, two for misconduct, and one for repeated absenteeism.

d. Non-Judicial Punishment. NJP was imposed four times, accounting for violations of Articles 92, 107, and 128 of the UCMJ. The total sum of punishment included a reduction in paygrade, 30 days of restriction, and \$3506.00 in forfeiture of pay.

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 second quarter of FY21:

a. Article 92 (Failure to obey an order or regulation)
Number of occurrences: Fifty-eight

- i. An E-8 at a station engaged in a romantic relationship outside their marriage. Awarded a letter of reprimand.

- ii. An E-5 at a Base purposely violated an order by bringing a civilian onboard the Base. The member recklessly endangered another human life by transporting the civilian in the trunk of a vehicle. Awarded forfeiture of \$500.00 for one month and reduction to E-4 suspended for six months.
- iii. An E-5 onboard a station was derelict in their duty by negligently operating a vehicle at an unsafe speed resulting in grievous bodily harm to a Navy service member who suffered a traumatic brain injury which resulted in a coma for several months. Awarded forfeiture of half-month pay for two months, forty-five days of extra duties, and reduction to pay grade E-4, all suspended for six months.

b. Article 134

Number of occurrences: Thirteen

- i. An E-5 onboard a cutter continually requested sexually explicit photographs of a female officer. Awarded restriction and extra duty for fourteen days, suspended for six months, and reduction in pay grade E-4.
- ii. An E-4 at a station assaulted another member while drunk causing the other member to fall and break their arm. Awarded oral reprimand, restriction and extra duty for fourteen days, and forfeiture of \$600.00 for one month.
- iii. An E-3 at a station while drunk in public, stole a private business sign valued at \$700. Awarded restrictions and extra duty for forty-five days.

c. Article 128 (Assault, consummated by battery)

Number of occurrences: Eight

- i. An E-5 onboard a cutter wrongfully touched another member on their thigh and lips. Member also provided alcohol to a person under the age of 21. Awarded forfeiture of \$1,792.00 for one month, suspended for six months, and reduction to pay grade E-4.
- ii. An E-4 at a station made a false statement regarding self-injuries. During the investigation it was found that the member had committed two separate assaults on two separate people at local bars. Awarded restriction and extra duty for fourteen days suspended for six months.

- iii. An E-3 onboard a cutter assaulted two members when the E-3 placed fingers and a clipboard between the other member's butt cheeks on two separate occasions. Awarded forfeiture of half-month' pay for two month, extra duty for forty-five days, and reduction to pay grade E-2.

7. Civilian Personnel.

a. Disciplinary/Administrative Actions.

- (1) A GS-14 was reprimanded for disrespectful conduct.
- (2) A GS-12 was reprimanded for failure to follow instructions.
- (3) A GS-11 was suspended for fourteen days for discrimination and making false statements.
- (4) A GS-11 was suspended for three days for to failure to follow instructions.
- (5) A GS-9 was reprimanded for disrespectful conduct.
- (6) A GS-9 was suspended for nine days for unauthorized absences and unexcused tardiness.
- (7) A GS-7 was suspended for fourteen days for misuse of government credit card and failure to pay debts in a timely manner.
- (8) A GS-7 was suspended for fourteen days for disrespectful conduct.
- (9) A GS-7 was reprimanded for misuse of government computer.
- (10) A GS-6 was reprimanded for failure to follow instructions.
- (11) A WG-10 was reprimanded for absence without leave.
- (12) A WG-10 was reprimanded for inattention to duty and failure to follow instructions.
- (13) A WG-10 was reprimanded for leave abuse.
- (14) A WG-5 was suspended for two days for failure to follow instructions.
- (15) A WG-5 was suspended for seven days for unauthorized absence and failure to follow instructions.

(16) A WG-5 was reprimanded for failure to follow instructions.