

GOOD ORDER AND DISCIPLINE

First Quarter, Fiscal Year 2024

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 briefly describes behaviors, offenses committed, and actions taken as a 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 2024 (October, November, and December). General and special court-martial findings of guilt are federal criminal convictions; other disciplinary actions are non-judicial or administrative in nature. A court-martial sentence may be accompanied by other administrative action. Actions taken as a result of substantiated complaints of harassing behavior are also included in this summary. 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.

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. **Anti-Harassment Program Office (AHPO).** The AHPO manages the Coast Guard Anti-Harassment Program and receives and monitors Anti-Harassment and Hate Incident (AHHI) complaints. The following relates to harassment activity in the Coast Guard:
 - a. **Case Data Summary:** The Coast Guard received 86 cases of which 10 were determined to involve substantiated incidents of harassing behavior or hate with 58 pending outcomes. The number of new cases decreased by 10% from the previous quarter's report. Of the 10 substantiated cases, 5 were for harassment, 3 were for sexual harassment, 1 was a hate incident, and 1 was for reprisal or retaliation. Cases involved complainants and subjects of varying ranks and pay grades and occurred across the spectrum of Coast Guard unit types and geographic locations.

b. Examples of administrative actions from Q1 of FY24:

- 1) An O-5 who engaged in harassing behavior was removed from operations. The conduct is also being reflected in their performance evaluation. OPM was notified for a determination regarding separation processing with a recommendation for removal from the PY24 O-6 Selection List and the AY24 Major Command Screening List. The member demonstrated a history of making lewd comments, unprofessional jokes, and performing inappropriate acts around subordinates. Acts included waving their hand in another member's face immediately after urinating, making sexualized comments about their genitalia, and making a vulgar sexual comment about their significant other. This behavior was unwelcome and created an offensive and hostile work environment.
- 2) An E-4 is being discharged for sexually harassing another member. While off-duty, the member solicited another member at the unit for nude pictures via Snapchat. Ultimately, the recipient of the unwelcome request was not completing normal tasks with the usual determination and positive attitude. The individual also confronted the sender of the request who suggested they deny anything happened and they just forget about it. This conduct was unwelcome, created an offensive and hostile environment, and unreasonably interfered with the individual's work performance.
- 3) An E-8 received counseling and a negative CG-3307 for engaging in harassing behavior. The member repeatedly made remarks and comments to a subordinate that were unprofessional and degrading, including publicly criticizing the subordinate and making negative comments about the subordinate's personal relationships. These comments included calling the subordinate a "womanizer," criticizing the subordinate about their relationship issues, and offering to "take care" of the subordinate's significant other while the subordinate was on a mission. This conduct was unwelcome and created an offensive and hostile work environment.
- 4) An E-6 was processed for separation after making sexually offensive comments towards a female member and junior members of the crew. On several occasions, the member made extremely vulgar, unwelcome, and sexually explicit comments in the workplace while in the presence of junior members and directed sexual innuendos towards the female member. This behavior included recounting a story so sexually graphic and inappropriate it caused a junior member to become physically ill and unreasonably interfered with their work performance.
- 5) An E-2 was reduced in rank to E-1 and received 45 days restriction, 45 days extra duties, and a verbal admonition at a non-judicial punishment mast after committing hate-based harassing behavior constituting a hate incident. The member made multiple anti-Semitic comments to two Jewish crewmembers.

These comments specifically referenced and acknowledged the faith of the crewmembers and had the effect of intimidating others or inciting others to similar conduct.

2. **Military Justice, State or Federal actions, Non-Judicial Punishment (NJP) under Article 15, UCMJ, and other administrative actions** (may duplicate data reported above from AHPO). The following data is broken out by demographics including commissioned officers and cadets, senior enlisted, junior enlisted, and reserve.

Commissioned Officers and Cadets.

a. **Courts-martial: None.**

b. **Military Administrative Action:**

- 1) An O-4 was separated from service via the administrative Special Board process after the service discovered an unreported DUI from 2015. The member failed to report the incident, including their initial arrest, court date, or time in jail, and took leave to avoid disclosing the event to their command. When notified of security clearance renewal, the member indicated the billet did not require a security clearance and did not plan to renew the clearance in a continued attempt to hide the arrest. This officer was separated with 19 years of commissioned service following a Board of Review with a General (Under Honorable Conditions) characterization with a separation code for misconduct and no retirement.
- 2) An O-2 was retained at an administrative Special Board after being arrested for driving under the influence. The member successfully completed the American Society for Addiction Medicine Intervention education.
- 3) An O-2 had a temporary appointment vacated via administrative Special Board after being directed by a Military Protective Order to receive a medical counseling and abstain from consuming alcohol. Following the initial referral, the member was found by local police in their parked vehicle with a blood alcohol content of four times the legal limit. The member was reverted to their permanent enlisted status.
- 4) An O-5 was removed from the list of officers recommended for promotion to O-6 by Special Selection Review Board based on negative matters of record associated with sexual assault that were not furnished to the selection board.

- c. **Relief for Cause/Removal from Primary Duties:** A CWO2 was Removed from Primary Duties as the operations officer of an FRC after actions led to a near miss with the USS BATAAN resulting in a loss of confidence by the Command. No additional disciplinary or administrative action was taken.

- d. **State / Federal Actions.** None to report.
- e. **Non-Judicial Punishment.** NJP was imposed one time for violations of Articles 131, 133, and 134 of the UCMJ. The punishment included a letter of reprimand.

Senior Enlisted.

- a. **Courts-martial:** None.
- b. **Military Administrative Action:** None.
- c. **Relief for Cause:**
 - 1) An E8 OIC was relieved from primary duties due to poor leadership and judgment based on the following: failing to respond to a request for assistance from a local law enforcement agency after being directed to do so by the chain of command; only being present at the unit 2-4 days a week, less than 4 hours per day; failing to make proper notifications of unit's degraded operational capability; and, failure to properly document crew qualifications.
 - 2) An E8 EPO was relieved from primary duties after numerous accounts of unsatisfactory conduct including making vulgar comments; and, inaction and a failure of leadership when participating in drinking at multiple bars where a subordinate drank excessively, became extremely intoxicated, and subsequently assaulted a junior enlisted member. The investigation into unsatisfactory conduct also uncovered evidence of domestic violence and abuse.
 - 3) An E-7 XPO was relieved from primary duties for numerous accounts of unsatisfactory conduct including sexually harassing comments to a subordinate member about their desire to have intercourse with another Coast Guard dependent. While intoxicated, the XPO also attempted to kiss or hug members despite objections.
 - 4) An E-7 XPO was relieved from primary duties for unsatisfactory conduct. A unit's Defense Organizational Climate Survey prompted an investigation into alleged harassment of junior enlisted members. The subsequent investigation discovered that the E7 XPO sent an unsolicited, unwelcome shirtless photo after taking a shower to an E4 subordinate by electronic means. In addition, the E7 XPO sent successive Snapchat requests to another E4, also a subordinate. The XPO made numerous harassing comments adversely affecting morale, good order and discipline, and mission performance. (The XPO previously went to NJP for the same conduct.)

- 5) An E-7 was permanently removed from the CWO promotion final eligibility list (FEL) after an AHHI investigation substantiated reports of harassment, intimidation, maltreatment, and hazing of subordinates. The CG-3307 states the member's "behavior was abrasive, toxic, and created a hostile work climate." The member also used "positional power to denigrate and interfere with subordinates' and coworkers' performance."
 - 6) An E-7 was permanently removed from the CWO FEL after leveraging his position as a Chief, CCTI sponsor, and mentor to actively pursue a prohibited relationship with a junior officer. This violation of core values and anti-harassment policies compromised the member's own judgment and put a commissioned officer in an unprofessional situation.
- d. **State / Federal Court Actions:** None to report.
- e. **Non-Judicial Punishment.** NJP was imposed three times, due to violations of Articles 92 and 107 of the UCMJ. Total punishments included 12 days of restriction and \$6930 in forfeiture of pay.

Junior Enlisted

- a. **Courts-martial:** None to report
- b. **Military Administrative Action:** 55 enlisted members received administrative discharges.
- 1) 31 discharges were for involvement with drugs including the following substances:
 - a) 1 for methamphetamine;
 - b) 5 for cocaine;
 - c) 23 for THC (marijuana);
 - d) 1 for psilocybin; and,
 - e) 1 for nitrous oxide.
 - 2) Two discharges were for a pattern of misconduct. Under the Coast Guard Separations Manual, COMDTINST 1000.4A, members may be separated due to a pattern of misconduct when a member has two or more NJPs in a 2-year period. The following are instances where a member demonstrated a pattern of misconduct:
 - a) A member was engaged in an inappropriate relationship with another member. The member was found to have committed offenses for violating Article 92 UCMJ, failure to obey other lawful order; Article 92 UCMJ for dereliction in the performance of duties; and Article 107 UCMJ for false official statements at the first NJP. After receiving NJP, the member acknowledged receipt of an

administrative remark (CG-3307) ordering them to cease all communication with another member and then was observed just two days later seated next to the other member with the door closed, embracing one another. The second NJP was for violating Article 92, UCMJ for failure to obey an order.

- b) A member received the first NJP under Article 92, for being derelict in the performance of duties while on watch. The member received the second NJP shortly thereafter under Article 92, UCMJ for failing to obey an order or regulation--while on restriction the member repeatedly showed up to required check-ins late or tried to check-in via cellphone instead of checking in with the OOD in person.
- 3) One discharge was for the good of the service.
- 4) 21 discharges were for commission of a serious offense (COSO). Of these COSOs, one junior enlisted member was discharged under other than honorable conditions (OTH) in lieu of trial by court-martial for committing a lewd act upon a child who had not attained the age of 16 years, by touching, through the clothing, the vulva of the victim with their hand, with an intent to gratify their sexual desire; and committing a lewd act upon a child who had not attained the age of 16 years, by touching the inner thigh of the victim with their hand, with an intent to gratify their sexual desire. The separation in lieu of trial with an OTH was endorsed by the Office of the Chief Prosecutor, the Convening Authority, and was strongly supported by the victim.
- 5) The remaining COSOs included offenses such as DUI for refusing a breathalyzer; alcohol-related behavior that included false claims to an investigative officer, threatening the flight crew and passengers, and failing to complete the foreign travel approval process while on leave; assault consummated by battery; failing performance probation; failing to pay rent; failure to report to assigned place of duty; failure to pay debts; assault for wrapping a seatbelt around a shipmate's neck, pulling it tight; indecent exposure; assault consummated by battery during port call where a member unlawfully touched the buttocks of another member with his hand; unwelcome, discriminatory comments directed at a shipmate based on their sex; false official statements regarding alcohol consumption resulting in urinating on gym equipment and berthing floor; assault consummated by battery for reaching into a shipmate's sleeping area and inappropriately touched the individual; substantiated allegations of harassment where the member's conduct unreasonably interfered with another's work performance or created an intimidating, offensive or hostile environment; sexual contact and assault consummated by battery when a member touched another without their consent when attempting to "cuddle" in their rack and, on other occasions, pinching the nipples of

other crewmembers without their consent; shooting of a personal firearm on station property, shooting from inside a station building, damaging a government sign by leaving bullet holes in it; deliberate attempt to deceive the command by providing false statements to cover the fact the member was consuming alcohol outside of approved liberty hours to the point of blacking out in an adult establishment; absent without leave, dereliction of duty, and false official statements.

- c. **Relief for Cause:** None to report
- d. **State / Federal Court Actions:** None to report
- e. **Non-Judicial Punishment:** The following are examples of the three most frequent offenses charged in the first quarter of FY24:
 - 1) Article 86 (Absence Without Leave)
 - i. An E-4 failed to report to duty due to the consumption of alcohol. The member was also underage. Awarded 45 days of extra duty.
 - ii. An E-4 remained at their leave location after being told multiple times of when liberty expired. Awarded reduction in paygrade to E-3.
 - iii. An E-6 failed to report to duty. Awarded six days of extra duty.
 - 2) Article 92 (Order Violation)
 - i. An E-4 used their Government Travel Charge Card at a strip club for \$1798 and the following day, falsely reported the charges as fraudulent. Awarded 30 days of extra duty, a forfeiture of \$2569, and a reduction in paygrade to E-3.
 - ii. An E-5 made 95 unauthorized purchases on their GTCC totaling \$2,544.42. Member failed to pay off the balance on the GTCC when instructed to do so. Awarded reduction in paygrade to E-4.
 - iii. An E-6 was engaged in a prohibited romantic relationship with an officer by engaging in a romantic relationship with a member assigned to the same unit. Awarded a reduction in paygrade to E-5.
 - 3) Article 134 (Disorderly conduct)
 - i. An E-4 provided false/deceptive information to their Team Leader pertaining to activities involving alcohol consumption & medical

treatment while deployed. Awarded 14 day of restriction and 14 days of extra duty, forfeiture of \$3038, and reduction in paygrade to E-4.

- ii. An E-3 consumed alcohol while underage, lied to the PIO during the investigation, and attempted to coerce crewmembers into being dishonest to PIO. Awarded 45 days extra duty, 45 days restriction, and a reduction in paygrade to E-2.
 - iii. An E-2 by consumed alcohol underage and made antisemitic comments towards two members of the crew that brought discredit to the service. Member awarded 45 days restriction and 45 days extra duty.
- f. **Non-Judicial Punishment.** NJP was imposed 55 times, accounting for 20 charges covering a wide range of UCMJ offenses. The total sum of punishments included 21 reductions in paygrade, 976 days of restriction, \$8,605 in forfeitures of pay, and 1,047 days of extra duty.

Reserve Personnel.

- a. **Court-martial.** An E-5 was separated by conviction at Special Court Martial for committing travel claim fraud in the amount of \$31,327.72 by falsifying their temporary residence to receive daily travel allowances and daily lodging rate not actually authorized. The member was sentenced to a reduction to the grade of E-2, forfeiture of all pay and allowances, a bad conduct discharge, and confinement for eight years.
- b. **Administrative Action:**
 - 1) Reserve Officers: the commission of one ENS was revoked due to an inappropriate relationship with an enlisted member while being married.
 - 2) Reserve Senior Enlisted Administrative Action: None to report.
 - 3) Reserve Junior Enlisted:
 - i. An E-4 was separated for Misconduct – Commission of a Serious Offense. The member was arrested for DUI on two separate occasions in 2022 (not on duty) and failed to report both arrests to their command. During both DUI cases, the member was observed operating their vehicle in a dangerous manner. The blood alcohol content for each of the DUI arrests was .36% and .26%, respectively.
 - ii. Four members were discharged for involvement with drugs, all for the use of THC.

- c. **Non-Judicial Punishment:** An E-6 used a water gun on a superior commissioned officer during the raising of the colors. Awarded a reduction in paygrade to E-5.

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

4. **Civilian Personnel--Disciplinary/Administrative Actions:**

- a. A GS-15 supervisor was suspended for fourteen days for unprofessional and disrespectful conduct towards USCG personnel by yelling and being rude in person and during a meeting.
- b. A GS-12 received a reprimand for lack of candor after requesting approval for military leave and then not showing up for drill or for duty.
- c. A GS-11 supervisor was suspended for two days for disruptive behavior after the supervisor made unwelcome contact with the back of a subordinate employee.
- d. A GS-11 received a reprimand for unprofessional conduct after calling into a command center while intoxicated and then being rude and abusive while on the phone with a duty officer.
- e. A GS-6 was suspended for five days for arguing with USCG personnel while on duty and then initiating a physical fight.
- f. A WS-11 supervisor received a reprimand for failure to follow policy by failing to contact the fire department regarding burning wire cables and failing to notify the chain of command about the incident.
- g. In an unrelated incident, a WS-11 supervisor received a reprimand for failure to follow policy by failing to protect wire cables, causing the cables to burn and need replacement. The employee also failed to notify the chain of command about the incident.
- h. A WS-6 supervisor received a reprimand for failure to follow policy by watching a video while on duty.
- i. A WG-10 was removed during the probationary period for Absent Without Leave (AWOL) and poor performance.
- j. A WG-10 was suspended for five days for being AWOL.
- k. A WG-10 was removed during the probationary period for being AWOL and poor performance.
- l. A WG-10 received a reprimand for disrespectful behavior after yelling at a supervisor and calling the supervisor a, "mother*****" while on duty.

- m. A WG-6 received a reprimand for making unwelcome remarks such as, “You should tell me you love me.”
- n. A WG-5 received a reprimand for loafing and inattention to duty after being caught “hiding out” on the phone for more than 30 minutes during work time.
- o. A WG-5 received a reprimand for poor judgment after being observed in a vehicle that smelled like marijuana, and for being AWOL.
- p. A WG-3 was removed during the probationary period for excessive tardiness (eight instances of being late for work), and for unauthorized cell phone usage.
- q. A WG-3 was removed during the probationary period for excessive tardiness (six instances of being late for work), and for being AWOL.