

GOOD ORDER AND DISCIPLINE

First Quarter, Fiscal Year 2006

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 punishment awarded are the results of Coast Guard general, special, and summary courts-martial and selected military and civilian disciplinary actions taken Coast Guard-wide during the first quarter of Fiscal Year 2006. General and special courts-martial are federal criminal convictions; other disciplinary actions are 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 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 were different and disciplinary or remedial action taken was dependent upon the particular facts and varying degrees of extenuation and mitigation. In many cases, further separation or other administrative action may be pending.

Military Actions. Note: A court-martial sentence or nonjudicial punishment 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.

A. Courts-Martial.

1. General courts-martial.

a. A CWO4 was convicted by a general court-martial of stealing assorted tools and refrigerant, military property of a value more than \$500.00. The member was sentenced to a dismissal, confinement for 15 months, and a letter of reprimand.

2. Special courts-martial.

a. A CWO4 was convicted by a special court-martial of being derelict in the performance of his duties by failing to create and maintain inspection records for five commercial vessels and wrongfully operating the unit's government vehicle without a valid state driver's license. The member was sentenced to forfeiture of \$1000.00 per month for 10 months and a letter of reprimand.

b. An E-7 was convicted by a special court-martial of making a false official statement to a CGIS agent, unauthorized use of a government vehicle resulting in a motor vehicle accident with damage to government property of \$500.00, wrongfully endeavoring to impede a criminal investigation, and wrongfully advising a junior Coast Guard member to sign a false official record. The member was sentenced to forfeiture of \$1919.00 per month for 1 month and reduction to pay grade E-6.

c. An E-6 was convicted by a special court-martial of using cocaine and making false official statements to CGIS agents. The member was sentenced to hard labor without confinement for 2 months, forfeiture of \$1093.00 per month for 1 month, and reduction to pay grade E-3.

d. An E-4 was convicted by a special court-martial of printing and passing counterfeit currency of the United States, making false official statements to a civilian police officer, a Secret Service agent, and CGIS agents, and concealing evidence. The member was sentenced to restriction for 60 days, hard labor without confinement for 90 days, forfeiture of \$456.00 per month for 12 months, and reduction to pay grade E-2.

e. An E-4 was convicted by a special court-martial of unauthorized absence from unit and making a false official statement to a civilian police officer investigating a shooting. The member was sentenced to a bad conduct discharge, confinement for 166 days, and reduction to pay grade E-1.

f. An E-3 was convicted by a special court-martial of negligently damaging a Coast Guard motor vehicle, leaving the scene of an accident, making false official statements to a civilian police officer and Senior Chief Petty Officer, wrongfully communicating threats of physical harm to a fellow Coast Guard member, wrongfully introducing, distributing, and using cocaine and marijuana on an installation used by the armed forces, and making false representations and concealing facts upon his enlistment. The member was sentenced to a bad conduct discharge, confinement for 11 months, and reduction to pay grade E-1.

g. An E-3 was convicted by a special court-martial of fraudulently enlisting in the Coast Guard, failing to obey an order, and striking a fellow Coast Guard member. The member was sentenced to confinement for 4 months, forfeiture of \$820.00 per month for 6 months, and reduction to pay grade E-1.

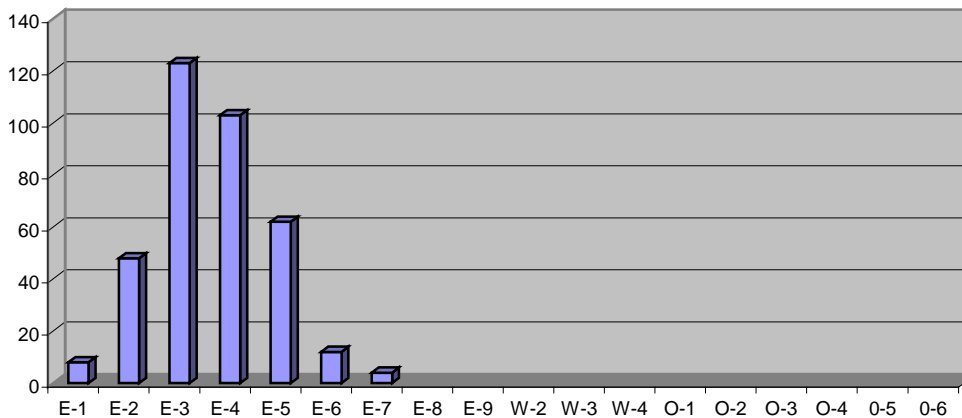
3. Summary courts-martial.

a. An E-8 was convicted by a summary court-martial of larceny. The member was sentenced to forfeiture of \$1000.00 per month for one month, and reduction to pay grade E-7.

b. An E-4 was convicted by a summary court-martial of using cocaine. The member was sentenced to confinement for 25 days, forfeiture of 1/3 pay for one month, and reduction to pay grade E-1.

B. Nonjudicial Punishment: NJP was imposed 360 times accounting for 536 charges covering a wide variety of UCMJ offenses. The total punishments imposed included reduction in pay grade imposed in 141 cases; 134 days correctional custody imposed in 6 cases; 6,721 days of restriction imposed in 243 cases; 6,702 days extra duty imposed in 266 cases; forfeitures of \$143,513 in pay imposed in 158 cases; and admonition or reprimand imposed in 12 cases.

**NJP Offenses by Paygrade
(1st Qtr FY 2006)**



The following table provides a breakout of the most common UCMJ Articles for which members received NJP. The total number of NJP offenses is greater than the total number of NJPs because any one NJP may involve more than one offense:

Article	Offenses	1st Qtr FY2006
85	Desertion	3
86	Unauthorized absence.	69
87	Missing movement.	8
89	Disrespect toward a superior commissioned officer.	2
90	Assaulting or willfully disobeying superior commissioned officer.	4
91	Insubordinate conduct toward warr. off., noncommissioned officer, or petty off.	24
92	Failure to obey order or regulation.	189
95	Resistance, breach of arrest, and escape.	3
107	False official statements.	23
108	Military property - sale, loss, damage, destruction, or wrongful	2
111	Drunken or reckless operation of vehicle, aircraft, or vessel.	23
112	Drunk on duty.	4
112a	Wrongful use, possession, etc., of controlled substances.	25
113	Misbehavior of sentinel or lookout.	5
116	Riot	1
117	Provoking speeches or gestures.	5
121	Larceny and wrongful appropriation.	15
123	Forgery/Making, drawing, or uttering check, draft, or order w/o sufficient funds.	2
128	Assault.	4

129	Burglary	1
130	Housebreaking	1
131	Perjury	1
132	Frauds against the United States.	4
134	General article.	118

C. Military Administrative Action:

1. An O-4 was relieved of command for misuse of government property and exercising undue command influence to obtain personal services from the crew.

2. An O-4 was relieved of command due to operational mishaps and failing to take actions to adequately address readiness shortfalls.

3. An O-3 was discharged for exceeding weight standards following an appropriate probationary period.

4. An O-3 was removed from the LCDR promotion list for inappropriate computer use.

5. An O-3 retired in lieu of further board action for failing to meet weight standards following an appropriate probationary period.

6. An O-2 had his commission revoked due to making unwanted sexual advances.

7. An O-1 was removed from the LTJG promotion list for engaging in a prohibited relationship with an enlisted member.

8. Five enlisted members were discharged under other than honorable conditions in lieu of trial by court-martial. 32 enlisted members received administrative discharges for misconduct, including 23 for involvement with illegal drugs, 8 for frequent involvement of a discreditable nature with civilian authorities, and 1 for refusal of medical treatment.

13. Thirty-one enlisted members received unsuitability discharges for alcohol abuse.

D. Civilian Administrative Action:

1. The following CG Central link contains a summary of disciplinary/adverse actions taken involving civilian Coast Guard employees for the 1st Quarter of FY06:

http://cgcentral.uscg.mil/mycg/portal/ep/contentView.do?contentType=2&pageType=1610622433&programPage=%252Fep%252Fprogram%252Feditorial.jsp&channelId=-1610644581&programId=1619596287&contentId=1621442194&BV_SessionID=@@@@0861014048.1138112551@@@@&BV_Engin