

## GOOD ORDER AND DISCIPLINE

First Quarter, Fiscal Year 2008

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 2008. 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. An E-4 was convicted by a general court-martial of sodomy with a minor, committing an indecent act upon a minor, and wrongfully using cocaine. The member was sentenced to a bad conduct discharge, confinement for 12 months, forfeiture of all pay and allowances, and reduction to pay grade E-1.

b. An E-4 was convicted by a general court-martial of absence without leave, wrongfully stealing a firearm, wrongfully possessing a stolen firearm, wrongfully selling a stolen firearm, wrongfully distributing cocaine, wrongfully using cocaine, making a false official statement to CGIS agents, and wrongfully endeavor to impede a criminal investigation by intimidating and communicating threats to Coast Guard crew members. The member was sentenced to a bad conduct discharge, confinement for 7 months, forfeiture of all pay and allowances, and reduction to pay grade E-1.

## 2. Special courts-martial.

a. An E-5 was convicted by a special court-martial of using a government travel card for purposes other than government travel and failing to pay for those purposes. The member was sentenced to a bad conduct discharge, confinement for 120 days, and reduction to pay grade E-1.

b. An E-3 was convicted by a special court-martial of absence without leave, missing movement, wrongfully using marijuana, disrespect toward superior commissioned officer, and willfully disobeying a lawful order from a petty officer. The member was sentenced to a bad conduct discharge and confinement for 9 months.

## 3. Summary courts-martial.

a. An E-8 was convicted by a summary court-martial of maltreatment. The member was sentenced to a letter of reprimand and reduction to pay grade E-7.

b. An E-7 was convicted by a summary court-martial of making a false official statement and wrongful appropriation. The member was sentenced to restriction for 45 days, forfeiture of \$1500.00 per month for 1 month, reprimand, and reduction to pay grade E-6.

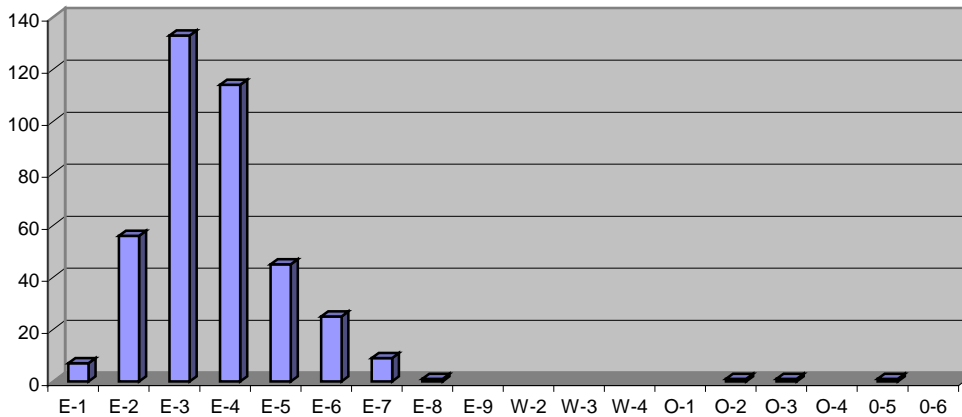
c. An E-4 was convicted by a summary court-martial of absence without leave, violating a lawful order, and wrongfully using cocaine. The member was sentenced to confinement for 15 days and reduction to pay grade E-3.

d. An E-3 was convicted by a summary court-martial of wrongfully providing alcohol to minors. The member was sentenced to restriction for 45 days, forfeiture of \$865.00 per month for 1 month, and reduction to pay grade E-1.

e. An E-5 was convicted by a summary court-martial of assault. The member was sentenced to restriction for 45 days, fine of \$680.00, and reduction to pay grade E-4.

B. Nonjudicial Punishment: NJP was imposed 393 times accounting for 603 charges covering a wide variety of UCMJ offenses. The total punishments imposed included reduction in pay grade imposed in 172 cases; 81 days correctional custody imposed in 3 cases; 7,373 days of restriction imposed in 273 cases; 7,803 days extra duty imposed in 297 cases; forfeitures of \$157,301 in pay imposed in 142 cases; and admonition or reprimand imposed in 18 cases.

**NJP Offenses by Paygrade  
(1st Qtr FY 2008)**



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:

<b>Article</b>	<b>Offenses</b>	<b>1st Qtr FY2008</b>
85	Desertion.	1
86	Unauthorized absence.	73
87	Missing movement.	3
89	Disrespect toward a superior commissioned officer.	3
90	Assaulting or willfully disobeying superior commissioned officer.	7
91	Insubordinate conduct toward warr. off., noncommissioned officer, or petty off.	17
92	Failure to obey order or regulation.	203
93	Cruelty and Maltreatment.	2
95	Resistance, breach of arrest, and escape.	2
107	False official statements.	43
108	Military property - sale, loss, damage, destruction, or wrongful disposition	7
110	Hazarding of vessel.	1
111	Drunken or reckless operation of vehicle, aircraft, or vessel.	26
112	Drunk on duty.	10
112a	Wrongful use, possession, etc., of controlled substances.	24
113	Misbehavior of sentinel or lookout.	5
115	Malingering.	2
117	Provoking speeches or gestures.	2
121	Larceny and wrongful appropriation.	8
122	Robbery.	1
123	Forgery/Making, drawing, or uttering check, draft, or order w/o sufficient funds.	4
125	Sodomy.	1
128	Assault.	15
132	Frauds against the United States.	5
133	Conduct unbecoming an officer and gentleman.	3

C. Military Administrative Action:

1. An O-5 was relieved for cause, taken to NJP, and rendered a punitive letter of reprimand for sending sexually explicit emails via the CG standard workstation and multiple adulterous affairs. Officer retired in lieu of further administrative board action.

2. An O-3 was taken to NJP and received a letter of reprimand for false official statements and pandering. Officer resigned in lieu of further administrative board action.

3. An O-2 was relieved of primary duties, taken to NJP, and received a punitive letter of reprimand for engaging in a long term prohibited relationship with an enlisted member. Officer resigned in lieu of further administrative board action.

4. A CWO2 retired in lieu of further administrative board action due to noncompliance with the Commandant's Maximum Allowable Weight Standards.

5. Four enlisted members were discharged under other than honorable conditions in lieu of trial by court-martial. 53 enlisted members received administrative discharges for misconduct, including 31 for involvement with illegal drugs, 14 for discreditable nature, 3 for fraudulent enlistment, 3 for sexual harassment, and 2 for frequent involvement.

6. Thirty eight enlisted members received unsuitability discharges for alcohol abuse.

D. Civilian Administrative Action:

1. The following website contains a summary of disciplinary/adverse actions taken involving civilian Coast Guard employees for the first quarter of FY08:

[View Document](#)