

GOOD ORDER AND DISCIPLINE

Fourth Quarter, Fiscal Year 2010

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 fourth quarter of Fiscal Year 2010. 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-6 was convicted by a general court-martial of knowingly possessing material of child pornography, which conduct was prejudicial to good order and discipline or likely to bring discredit upon the armed forces. The member was sentenced to 15 months confinement, reduction to pay grade E-1 and dishonorably discharged.

DALPOZZO 0270

b. An E-4 was on trial for allegedly taking indecent liberties and watching pornography in the presence of a child under the age of 16. The member was acquitted of all charges.

TAYLOR 0271

c. An E-3 was convicted by a general court-martial for knowingly allow minors to consume alcoholic beverages and engaging in a sexual act with a child under the age of 16. The member was sentenced to 12 months confinement, reduction to pay grade E-1 and received a bad conduct discharge.

BARKER 0272

2. Special courts-martial.

a. An E-6 was convicted by a special court-martial of negligently or willfully failing to self report when treated as an outpatient for conditions or with drugs which are disqualifying for duties, make a false statements, steal coast guard property, and while under the influence of non authorized medications perform as a crew member on various aircrafts. The member was sentenced to 75 days of confinement, reduction to pay grade E-4, and forfeiture of \$1000.00 per month for two months.

SICKMAN 24436

b. An E-6 was on trial for allegedly wrongfully possessing a marijuana cigarette, soliciting a crew member to distribute marijuana. The member was acquitted of all charges.

KINSER 24438

c. An E-4 was convicted by a special court-martial of striking another coast guard member in the face with a closed fist. The member was sentenced to 14 days confinement, reduction to pay grade E-3 and a fine of five hundred dollars.

NEWTON 24439

d. An E-2 was convicted by a special court-martial of knowingly transport, possess, child pornography on a laptop and cellular phone. The member was sentenced to 4 months confinement, reduced to pay grade E-1 and receive a bad conduct discharge.

PATTON 24440

3. Summary courts-martial.

a. An E-7 was convicted of a summary court-martial for being drunk and disorderly, making provoking speeches or gestures and assault consummated by battery. The member was sentenced to reduction of pay grade to E-6, forfeiture of six hundred dollars, and a letter of reprimand. **MOLLER 10-05**

b. An E-7 was convicted of a summary court-martial for using reproachful words and repeatedly striking members and threatening to use weapons against the same members. The member was sentenced to a reduction of pay grade to E-6, restriction for 2 months and forfeiture of pay or fine of \$1740.00.

WINELAND 10-09

b. An E-6 was convicted of a summary court-martial for submitting a false and fraudulent travel claim for the purpose of obtaining payment from the government. The member was sentenced to a reduction of pay grade to E-5 and a forfeiture of three hundred dollars for one month. **SNOVELL 10-03**

c. An E-6 was convicted of a summary court-martial for submitting a false and fraudulent travel claim for the purpose of obtaining payment from the government. The member was sentenced to a reduction of pay grade to E-5 and a forfeiture of four hundred dollars for one month. **BUDDA 10-04**

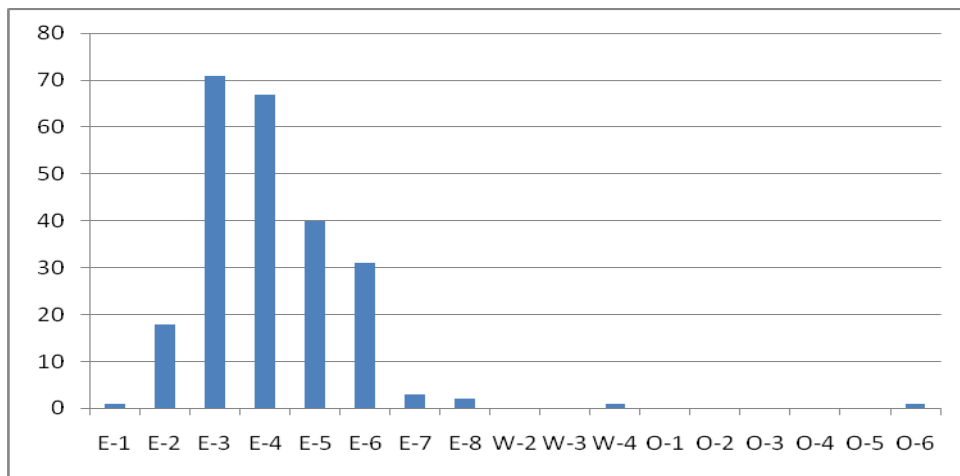
d. An E-6 was convicted of a summary court-martial for being derelict of his duties and engaging in reckless endangerment. The member was sentenced to restriction of 34 days, reduction of pay grade to E-5, and a letter of reprimand. **MACHINSKI 10-06**

f. An E-4 was convicted of a summary court-martial for unlawfully pushing another member, providing alcoholic beverages to members under the age of 21, and using indecent language to another member. The member was sentenced to 60 days restriction, forfeiture of 2/3 month pay for one month, reduction of pay grade to E-1 and a letter of reprimand. **ORTEGA 10-08**

e. An E-2 was convicted of a summary court-martial for making false official statements, wrongfully possession and use of a controlled substance, wrongfully impeding an investigation and stealing food. The member was sentenced to 20 days confinement, reduction of pay grade to E-1, and a forfeiture of \$723.00 for one month. **SCHREFFLER 10-07**

B. NonJudicial Punishment: NJP was imposed 235 times accounting for 372 charges covering a wide variety of UCMJ offenses. The total punishments imposed included reduction in pay grade imposed in 150 cases; 4,241 days of restriction imposed in 158 cases; 3,826 days of extra duty imposed in 156 cases; forfeitures of \$99,808 in pay imposed in 82 cases; and, admonition or reprimand imposed in 16 cases. Of note, the Department of Defense has closed down all of its correctional custody units and therefore there is no correctional custody info to provide.

**NJP BY OFFENSES BY PAYGRADE
FOURTH QTR FY 10**



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 numbers of NJPs because any one NJP may involve more than one offense:

NJP STATS BY OFFENSE CODE

Offense Code	Offense Description	Count
80	ATTEMPTS	4
86	UNAUTHORIZED ABSENCE - FROM UNIT, ETC.	38
87	MISSING MOVEMENT - THROUGH NEGLIGENCE	4
89	DISRESPECT TO SUPERIOR OFFICER	1
90	STRIKING, ETC., SUPERIOR	1
91	STRIKING, ETC., WARRANT OR PETTY OFFICER	14
92	VIOLATION, LAWFUL GENERAL ORDER OR REGULATION	127
93	CRUELTY OR MALTREATMENT	3
95	RESISTING APPREHENSION	3
107	SIGNING FALSE RECORD, ETC.	21
108	SELLING OR DISPOSING OF MILITARY PROPERTY	3
111	OPERATING VEHICLE WHILE DRUNK	10
112	DRUNK ON DUTY	17
113	SENTINAL OR LOOKOUT DRUNK	3
117	USING PROVOKING, ETC., WORDS OR GESTURES	9
121	LARCENY, VALUE MORE THAN \$50	5
122	ROBBERY	1
123	FORGERY	5
125	SODOMY	1
128	ASSAULT, SIMPLE	6
132	FALSE STATEMENT, ETC., ON CLAIM, ETC.	4
133	CONDUCT UNBECOMING OFFICER AND GENTLEMAN/LADY	1
1340	"OTHER OFFENSES CHARGED UNDER ART 134 NOT COVERED"	50
1341	CARRYING CONCEALED WEAPON	34
1342	FALSE PASS OR PERMIT	3
1344	REFUSAL TO TESTIFY	4
9999	___ MASTS 2010-07-01 TO 2010-09-30	372

C. Military Administrative Action:

1. An O-3 resigned their commission for the good of the service.
2. An O2's extended active duty contract was terminated for poor performance and engaging in a prohibited romantic relationship with an enlisted member from another uniformed service.
3. A W-3 retired in lieu of further board action for failing to maintain weight standards.
4. Two enlisted member was discharged under other than honorable conditions in lieu of trial by court-martial. 54 enlisted members received administrative discharges for misconduct, including 6 for bad conduct, 20 for discreditable nature, 1 for fraudulent enlistment and 27 for involvement with drugs.

D. Civilian Administrative Action:

1. The following website contains a summary of disciplinary/adverse actions taken involving civilian Coast Guard employees for the second quarter of FY10:

[view document](#)