

GOOD ORDER AND DISCIPLINE

First Quarter, Fiscal Year 2013

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 forwarded for review and selected military and civilian disciplinary actions taken Coast Guard-wide during the first quarter of Fiscal Year 2013. 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.

Military Actions.

Note: A court-martial sentence or non-judicial 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 General Court-Martial for improper use of a government purchase card; using a purchase card that did not belong to the member; using government convenience checks to make unauthorized purchases; making a fraudulent claim against the U.S. Coast Guard in the amount of \$500 or more; and for falsely pretending to have authority to use government funds to procure services of a value of \$500 or more. The member was sentenced to reduction to pay grade E-1, confinement for 180 days, forfeiture of all pay, and a bad-conduct discharge.

2. Special Courts-Martial.

- a. An E-4 was convicted by Special Court-Martial for improper use of a government purchase card and Desertion. The member was sentenced to reduction to pay grade E-1, confinement for 7 months, and a bad-conduct discharge.

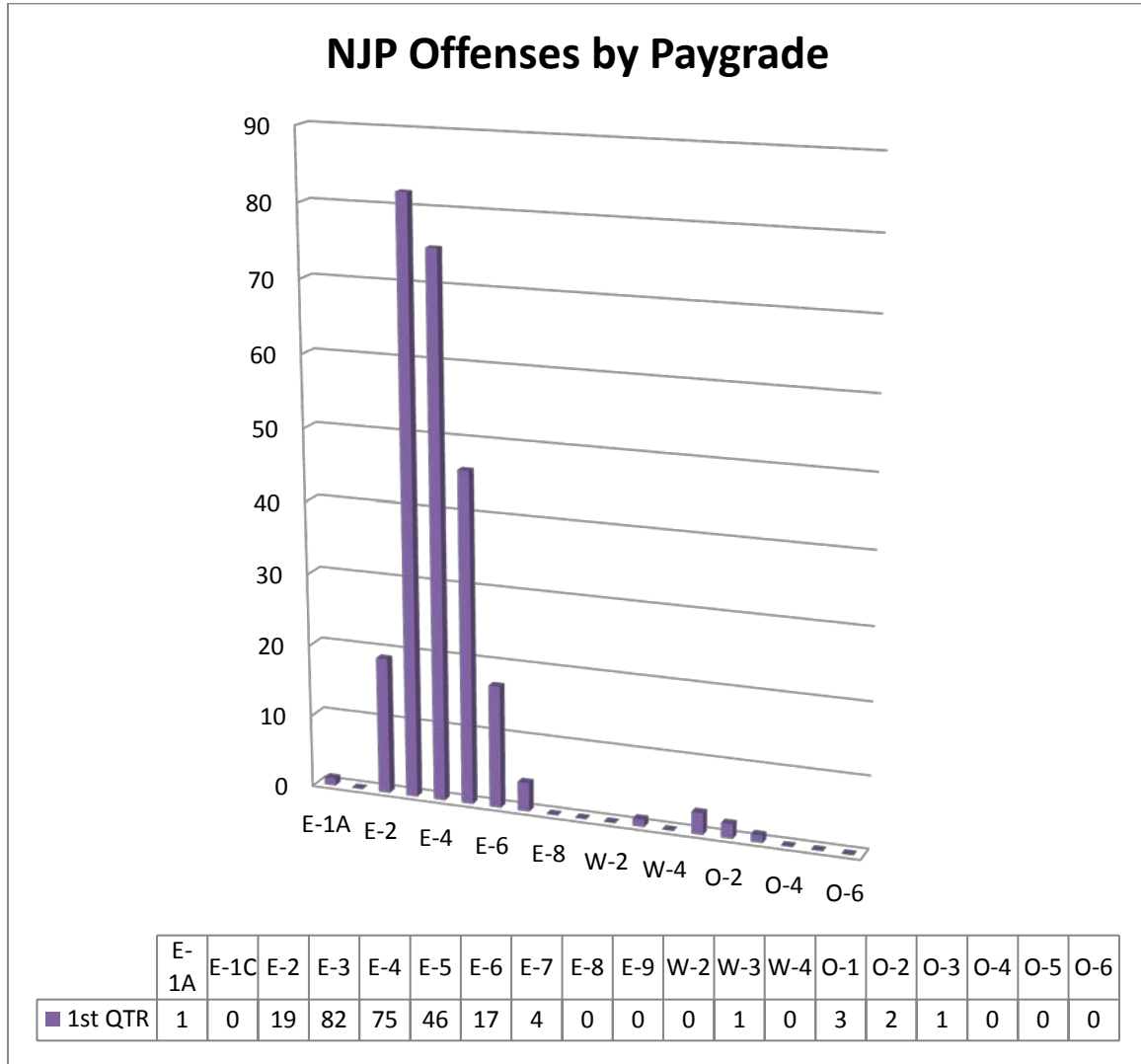
3. Summary Courts-Martial.

- a. An E-5 was convicted at Summary Court-Martial for unlawfully striking a fellow shipmate in the face. The member was sentenced to reduction to pay grade E-4 and a forfeiture of \$1575 for one month.
- b. An E-5 was convicted at Summary Court-Martial for stealing a purse and its contents of a value of \$80 by means of force; disobeying a lawful order by driving a vehicle while under the influence of alcohol; and engaging in sexual intercourse with a person who was not the members spouse in exchange for money. The member was sentenced to reduction to pay grade E-4, restriction to the base for 25 days, a forfeiture of \$500 for one month, and a letter of reprimand.
- c. An E-4 was convicted at Summary Court-Martial for conspiring with a fellow shipmate to commit larceny; disobeying a lawful order applicable in the Kingdom of Bahrain by being outside after curfew and having guests inside the members quarters after curfew; stealing a purse and its contents of a value of \$80 by means of force; engaging in sexual intercourse with a person who was not the members spouse in exchange for money; and assault with the intent to rob. The member was sentenced to reduction to pay grade E-1, confinement for 30 days, and a forfeiture of \$750 for one month.
- d. An E-3 was convicted at Summary Court-Martial for wrongfully using heroin, marijuana, oxycodone, hydrocodone, codeine; wrongfully using a synthetic cannabinoid while onboard a small boat station; wrongfully possessing 30 grams of a synthetic cannabinoid; and making a false official statement to a CGIS Agent. The member was sentenced to reduction to pay grade E-1 and confinement not to exceed 10 days.

B. Non-Judicial Punishment:

NJP was imposed 251 times accounting for 407 charges covering a wide range of UCMJ offenses. The total punishments included reduction in pay grade imposed in 105 cases; 4209 days of restriction imposed in 182 cases; 4731 days of extra duty imposed in 196

cases; forfeitures totaling \$75,143 in pay imposed in 66 cases; and admonition or reprimand imposed in 14 cases.



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 1st Quarter

Offense Code	Offense Description	Count
80	ATTEMPTS	2
86	UNAUTHORIZED ABSENCE - FROM UNIT, ETC.	34
87	MISSING MOVEMENT - THROUGH NEGLIGENCE	1
89	DISRESPECT TO SUPERIOR OFFICER	1

90	STRIKING, ETC., SUPERIOR	5
91	STRIKING, ETC., WARRANT OR PETTY OFFICER	12
92	VIOLATION, LAWFUL GENERAL ORDER OR REGULATION	133
93	CRUELTY OR MALTREATMENT	2
107	FALSE OFFICIAL STATEMENTS, ETC.	38
108	SELLING OR DISPOSING OF MILITARY PROPERTY	3
111	OPERATING VEHICLE WHILE DRUNK	9
112	DRUNK ON DUTY	15
113	SENTINEL OR LOOKOUT DRUNK	3
115	MALINGERING	2
116	RIOT	1
117	USING PROVOKING, ETC., WORDS OR GESTURES	2
121	LARCENY, VALUE MORE THAN \$50	16
123	FORGERY	3
128	ASSAULT, SIMPLE	13
132	FRAUDULENT STATEMENT, ETC., ON CLAIM, ETC.	2
133	CONDUCT UNBECOMING OFFICER AND GENTLEMAN/LADY	3
120	SEXUAL ASSAULT	1
134	OTHER OFFENSES CHARGED UNDER ART 134	55
134	ADULTERY OR FORNICATION	11
134	DISCHARGING A FIREARM	1
134	DISLOYAL STATEMENTS	1
134	DRUNK; DRUNK AND DISORDERLY	31
134	DEBT, DISHONORABLY FAILING TO PAY	1
134	FALSE OR UNAUTHORIZED PASS OFFENSES	1
134	INDECENT LANGUAGE	3
134	THREATS	4

C. Military Administrative Action:

1. An O-4 resigned in lieu of further adverse administrative action after receipt of a second alcohol incident and a previous conviction at a general court martial for government travel card fraud, making false official statements to investigators, and two counts of assault with intent to cause grievous bodily harm.
2. An O-3 resigned for the good of the Service and in lieu of trial by court martial after admitting to violating Article 133, UCMJ (conduct unbecoming an officer and gentleman). The officer intentionally burned a subordinate's jacket; made several sexist and racist comments; and made unlawful, offensive physical contact with a civilian while intoxicated and in front of subordinate enlisted members.

D. Reliefs for Cause:

1. An O-6 CO of a 378' WHEC was permanently relieved for cause by reason of loss of confidence.
2. An E-7 Executive Petty Officer of a training unit was relieved for cause for the misuse of a government travel card.
3. An E-7 Executive Petty Officer of a Coastal Buoy Tender was relieved for cause for assaulting a superior officer while under the influence of alcohol.
4. An E-7 Executive Petty Officer of a Patrol Boat was relieved for cause for the misuse of alcohol and falsifying documents.
5. An E-5 Engineering Petty Officer of a Small Boat Station was relieved for cause for the misuse of alcohol while on duty.
6. Three enlisted members were discharged under other than honorable conditions in lieu of trial by Court-Martial. 47 enlisted members received an administrative discharge for misconduct; 3 for bad conduct; 11 for conduct of a discreditable nature; 2 for fraudulent enlistment, and 31 for involvement with drugs.

E. State / Federal Court Actions:

1. An active duty Coast Guard Chief Warrant Officer was sentenced to 5 years in prison followed by 10 years of supervised release after pleading guilty to one count of possession of child pornography in Federal District Court. The conviction resulted from an investigation conducted by Homeland Security Investigation (HSI).

F. Civilian Administrative Action:

1. The following website contains a summary of disciplinary/adverse actions taken involving civilian Coast Guard employees for the 1st quarter of FY13:

[view document](#)