

GOOD ORDER AND DISCIPLINE

Second 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 second 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. **Special Courts-Martial.**

- a. An E-7 was convicted by Special Court-Martial for violating a lawful general regulation by engaging in a prohibited personal relationship, maltreatment, and wrongfully having sexual intercourse with a person who was not the member's spouse. The member was sentenced to reduction to pay grade E-1, confinement for 12 months, and a bad-conduct discharge.
- b. An E-4 was convicted by Special Court-Martial for wrongfully appropriating a privately-owned vehicle on multiple occasions; and

wrongfully appropriating a government vehicle, government fuel purchase card, and a highway toll pass for other than official business. The member was sentenced to reduction to pay grade E-1, confinement for 4 months, and a bad-conduct discharge.

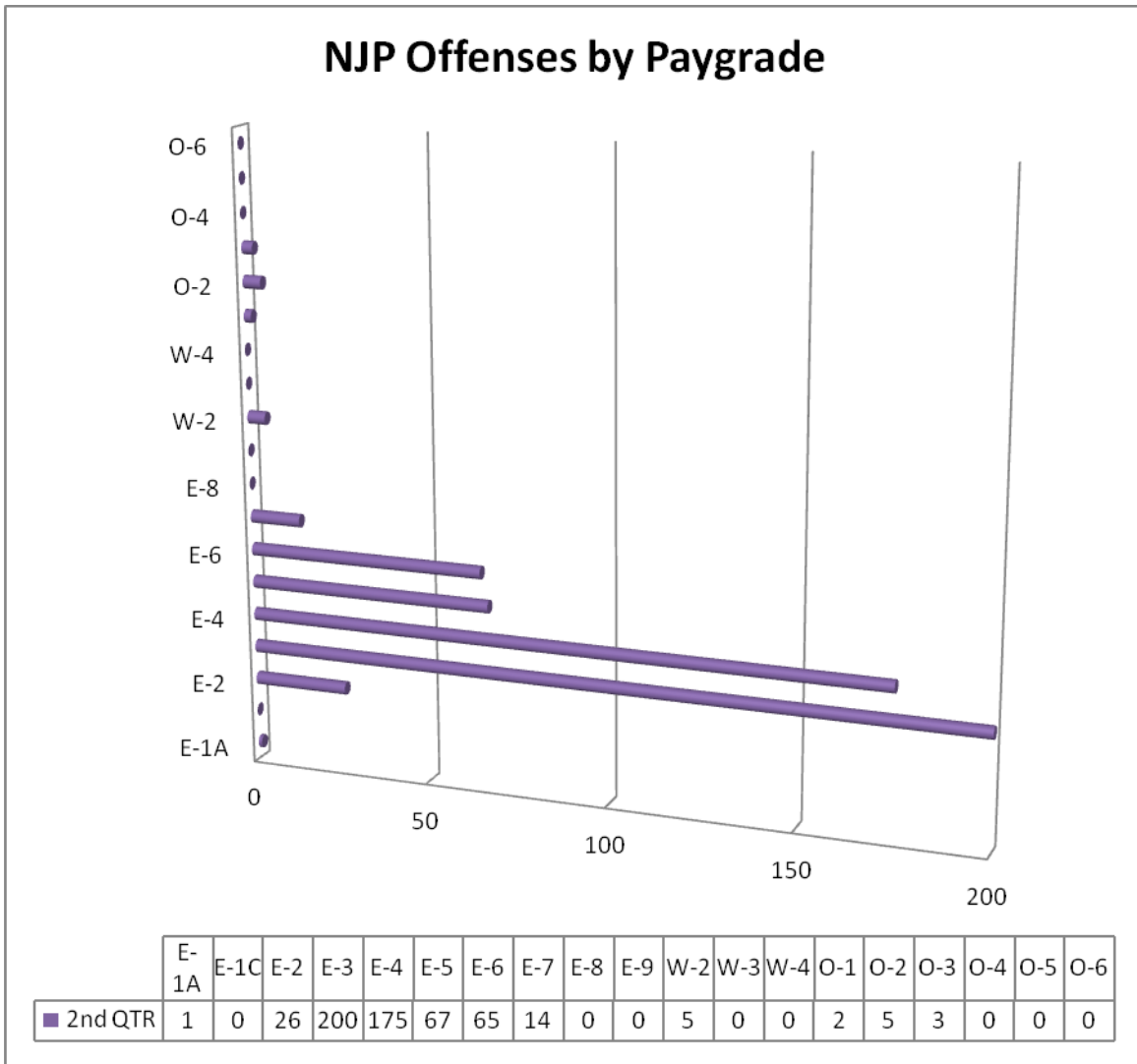
- c. An E-4 was convicted by Special Court-Martial for wrongfully signing official documents stating the member was married, making false official statements, stealing money from the U.S. government of over \$500, and instructing the members ex-spouse to lie to a CGIS agent about the status of their divorce. The member was sentenced to reduction to pay grade E-2, and confinement for 15 days.

2. Summary Courts-Martial.

- a. An E-7 was convicted at Summary Court-Martial for wrongfully requesting and / or coercing subordinates to assist in moving his household goods, wrongful use of a government vehicle, and wrongfully imposing a curfew depriving members from normal liberty hours. The member was sentenced to reduction to pay grade E-6.
- b. An E-5 was convicted at Summary Court-Martial for larceny of non-military property with a value of less than \$500 from the Army and Air Force Exchange Service. The member was sentenced to reduction to pay grade E-4, and a forfeiture of \$500 for one month.
- c. An E-4 was convicted at Summary Court-Martial for violating a lawful general order by allowing the member's government travel charge card balance to age to delinquent, and intentionally using the card to make purchases for other than official government business while not on approved official travel. The member was sentenced to reduction to pay grade E-3.
- d. An E-3 was convicted at Summary Court-Martial for fraudulent enlistment, and wrongfully using and possessing cocaine onboard a military installation. The member was sentenced to reduction to pay grade E-1, confinement for 25 days, and a forfeiture of \$1302 for one month.

B. Non-Judicial Punishment:

NJP was imposed 241 times accounting for 375 charges covering a wide range of UCMJ offenses. The total punishments included reduction in pay grade imposed in 185 cases; 4252 days of restriction imposed in 162 cases; 3599 days of extra duty imposed in 157 cases; forfeitures totaling \$126,523 in pay imposed in 105 cases; and admonition or reprimand imposed in 18 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 2nd Quarter

	Offense Code	Offense Description	Count
1	80	ATTEMPTS	2
2	81	CONSPIRACY	1
3	82	SOLICITATION	1

4	83	FRAUDULENT ENLISTMENT	1
5	86	UNAUTHORIZED ABSENCE - FROM UNIT, ETC.	40
6	87	MISSING MOVEMENT - THROUGH NEGLIGENCE	2
7	89	DISRESPECT TO SUPERIOR OFFICER	3
8	90	STRIKING, ETC., SUPERIOR	5
9	91	STRIKING, ETC., WARRANT OR PETTY OFFICER	9
10	92	VIOLATION, LAWFUL GENERAL ORDER OR REGULATION	131
11	93	CRUELTY OR MALTREATMENT	7
12	107	SIGNING FALSE RECORD, ETC.	35
13	108	SELLING OR DISPOSING OF MILITARY PROPERTY	7
14	110	HAZARDING, ETC., VESSEL	1
15	111	OPERATING VEHICLE WHILE DRUNK	7
16	112	DRUNK ON DUTY	27
17	113	SENTINAL OR LOOKOUT DRUNK	2
18	116	RIOT	1
19	117	USING PROVOKING, ETC., WORDS OR GESTURES	1
20	121	LARCENY, VALUE MORE THAN \$50	9
21	123	FORGERY	3
22	128	ASSAULT, SIMPLE	7
23	132	FALSE STATEMENT, ETC., ON CLAIM, ETC.	2
24	133	CONDUCT UNBECOMING OFFICER AND GENTLEMAN/LADY	4
25	1202	AGGRAVATED SEXUAL ASSAULT	1
26	1207	ABUSIVE SEXUAL CONTACT	1
27	1340	OTHER OFFENSES CHARGED UNDER ART 134 NOT COVERED	34
28	13401	ADULTERY OR FORNICATION	4
29	13405	ASSAULT, OTHER UNDER ART. 134	1
30	13406	BAD CHECK OFFENSE	1
31	13412	DESTROYING, ALTERING, ETC., PUBLIC RECORD	1
32	13417	DRUNK	7
33	13418	DRUNK AND DISORDERLY	11
34	13419	FAILURE TO PAY DEBTS	1
35	13421	FALSE SWEARING	1

36	13428	INDECENT LANGUAGE	3
37	13430	MISBEHAVIOUR AS A SENTRY	1
38	1344	THREATS	2
39	9999	MASTS 2013-01-01 TO 2013-03-31	375

C. Military Administrative Action:

1. An O-2'S commission WAS revoked after being found in violation of Failure to Obey an Order, Conduct Unbecoming an Officer, and Disorderly Conduct, Drunkenness at NJP. The officer was also given an alcohol incident and removed from all duties onboard the cutter when the member was detained by police in a foreign country after attempting to assault an E-3, directing racial slurs at the junior member, and disturbing the peace at a local hotel.
2. A CWO-2 was dropped from the rolls as a Coast Guard officer after pleading guilty to one count of possession of child pornography in a US District Court and being sentenced to five years imprisonment. The CWO-2's laptop, desktop computer, and several CDs were seized by investigators and yielded approximately 88 movie files and over 600 images of child pornography.
3. A CWO-2's appointment to Chief Warrant Officer was terminated due to receipt of a Drug Incident for a positive result of THC in a sample provided at a random urinalysis.
4. An E-8 was removed from the PY12 Chief Warrant Officer Final Eligibility List after being found to have made False Official Statements at non-judicial punishment. The E-8 fabricated an email to cover up a missed dental appointment and made false statements regarding the email and appointment to the supervisors and clinic staff.

D. Relief for Cause

1. An O-4 was permanently relieved for cause as the Commanding Officer of a Maritime Safety and Security Team by reason of loss of confidence.
2. An E-9 Officer in Charge of a Patrol Boat was relieved for cause for misconduct due to solicitation of a prostitute.
3. An E-8 Officer in Charge of a Patrol Boat was relieved for cause for loss of confidence due to fostering a poor command climate.
4. An E-8 Officer in Charge of a Station was relieved for cause for misconduct due to falsification of records and inappropriate comments to female crewmembers.

5. An E-8 Command Senior Enlisted Leader of a Base was relieved for cause for loss of confidence due to ineffective leadership and lack of effective communication with the command.
6. An E-8 Executive Petty Officer of a Station was relieved for cause for misconduct due to an inappropriate relationship with an E-6 at the same unit.
7. An E-7 Executive Petty Officer of a Station was relieved for cause for loss of confidence due to an inability to qualify.
8. An E-7 Engineering Petty Officer of a Station was relieved for cause for loss of confidence due to ineffective leadership.
9. An E-7 Engineering Petty Officer of a Patrol Boat was relieved for cause for loss of confidence due to ineffective leadership.
10. An E-7 Engineering Petty Officer of a Patrol Boat was relieved for cause for loss of confidence due to misuse of alcohol.
11. An E-7 Engineering Petty Officer of a Station was relieved for cause for loss of confidence due to fostering a poor command climate.
12. An E-7 Engineering Petty Officer of a Station was relieved for cause for loss of confidence due to fostering a poor command climate.
13. An E-6 Engineering Petty Officer of a Station was relieved for cause for misconduct due to theft of government property.
14. An E-6 Executive Petty Officer of a Patrol Boat was relieved for cause for misconduct due to assault of a crewmember.

E. Civilian Administrative Action:

1. The following website contains a summary of disciplinary/adverse actions taken involving civilian Coast Guard employees for the 2nd quarter of FY13:

[view document](#)