

GOOD ORDER AND DISCIPLINE

Third and Fourth Quarter, Fiscal Year 2014

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 service-wide during the third and fourth quarters of Fiscal Year 2014. 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.

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.

1. Commissioned Officers.

- a. Courts-martial. None to report.
- b. Military Administrative Action.
 - (1) A W-2 retired in lieu of involuntary board action as a result of a prohibited relationship with a married enlisted member. The officer and enlisted member wrongfully engaged in sexually intimate behavior in a Coast Guard controlled workplace and exchanged sexually explicit dialogue over a Coast Guard workstation. The officer went to Captain's Mast and was found to have committed the following offenses: failure to obey a lawful general order, indecent language, and fraternization. The member was awarded a punitive letter of reprimand.

- (2) An O-4 was removed from the promotion list to CDR as a result of special board action. The LCDR was permanently relieved for cause due to a loss of confidence as the Commanding Officer of an afloat unit after an administrative investigation revealed evidence of an unacceptable command climate.
 - (3) A W-2 retired in lieu of involuntary board action as a result of a prohibited relationship with a junior enlisted member. Upon notification of an administrative investigation into allegations of a prohibited relationship, the CWO2 attempted to influence the testimony of the enlisted member before an investigating officer. The officer went to Captain's Mast and was found to have committed the following offenses: making false official statements, fraternization, and obstruction of justice. The member was awarded a punitive letter of reprimand and forfeiture of pay for two months.
 - (4) An O-4 resigned in lieu of involuntary board action as a result of a relief for cause as the Commanding Officer of a response ashore unit. While deployed, the officer was witnessed by the crew to be visibly intoxicated and both physically and verbally abusive to a petty officer. Upon returning to the unit, the officer proceeded to lie to subordinates about properly reporting the officer's own personal misconduct up the chain of command. An administrative investigation was initiated by the member's chain of command, which resulted in the officer's first documented alcohol incident.
 - (5) An O-2 was removed from the promotion list to LT as a result of an investigation that revealed that the officer had engaged in a prolonged prohibited relationship with a married enlisted member assigned to the same unit. Furthermore, the officer provided a false official statement to a preliminary investigation officer in an effort to hide the prohibited relationship from the command. The officer went to Captain's Mast and was found to have committed the following offenses: violation of a general order and fraternization. The member was awarded a punitive letter of reprimand.
- c. Relief for Cause. None to report.
 - d. State / Federal Actions. None to report.
 - e. Non-Judicial Punishment. NJP was imposed eighteen times, accounting for forty-two charges, covering a wide range of UCMJ offenses. The total punishments included thirty days of arrest in quarters imposed in one case, admonishment or reprimand imposed in fifteen cases, 225 days of restriction imposed in eight cases, and forfeitures totaling \$16,290 in pay imposed in five cases.

2. Senior Enlisted.

- a. Courts-martial.

- (1) An E-8 was convicted by Special Court-Martial for disobeying a lawful order by wrongfully dating a recent graduate of recruit training, wrongfully endeavoring to influence the testimony of a witness before an investigating officer, and wrongfully having sexual intercourse with another person, not the member's spouse. The member was sentenced to reduction to paygrade E-6. The member was administratively separated for misconduct with a general discharge.
 - (2) An E-8 was convicted by Summary Court-Martial for assaulting another member on multiple occasions, threatening to injure another member, and endanger the safety of a child under the age of sixteen. The member was sentenced to a reprimand and reduction to paygrade E-7.
 - (3) An E-7 was convicted by General Court-Martial for making false official statements and committing indecent acts upon a minor under the age of sixteen. The member was sentenced to thirty-six months of confinement, reduction to paygrade E-1, forfeiture of all pay and allowances, and a bad-conduct discharge.
 - (4) An E-7 was convicted by Special Court-Martial for violating a lawful general order by wrongfully engaging in a prohibited romantic relationship outside of marriage, wrongfully engaging in sexually intimate behavior onboard a Coast Guard vessel, abusive sexual contact against another member, and adultery. The member was sentenced to a letter of reprimand, reduction to paygrade E-4, and confinement for one month.
 - (5) An E-7 was convicted by Summary Court-Martial for wrongfully misusing a government travel charge card and making false official statements. The member was sentenced to reduction to paygrade E-6. The member voluntarily retired as a part of the pre-trial agreement.
 - (6) An E-7 was convicted by Summary Court-Martial for wrongfully engaging in sexual intercourse in a Coast Guard-controlled work place and adultery. The member was sentenced to a reprimand, forfeiture of \$1200 pay per month for one month, and reduction to paygrade E-6.
 - (7) An E-7 was convicted by Summary Court-Martial for violating a lawful general order by wrongfully engaging in sexual behavior in a Coast Guard-controlled work place and adultery. The member was sentenced to a letter of reprimand, restriction for thirty days, and reduction to paygrade E-6.
- b. Military Administrative Actions. Four senior enlisted members received administrative discharges for misconduct: two for conduct of a discreditable nature and two for involvement with drugs.

c. Relief for Cause.

- (1) An E-7 Officer in Charge was relieved for loss of confidence due to fostering a poor command climate.
- (2) An E-7 Officer in Charge was relieved for loss of confidence due to an inability to provide the leadership expected of an OIC.
- (3) An E-7 Officer in Charge was relieved for loss of confidence due to fostering a poor command climate and misuse of a government purchase card.
- (4) An E-7 Engineering Petty Officer was relieved due to loss of confidence for failure to qualify at required crew positions and ineffective administration.
- (5) An E-7 Engineering Petty Officer was relieved due to misconduct for inappropriate use of alcohol.

d. State / Federal Actions. None to report.

e. Non-Judicial Punishment. NJP was imposed eighteen times accounting for fifty-two charges, covering a wide range of UCMJ offenses. The total punishments included admonishment or reprimand imposed in five cases, 324 days of restriction imposed in twelve cases, and forfeitures totaling \$38,061 in pay imposed in fourteen cases.

3. Junior Enlisted.

a. Courts-martial.

- (1) An E-6 was convicted by General Court-Martial for wrongfully engaging in personal and romantic relationships with two students at the training command where the accused was an instructor, wrongfully transmitting sexually explicit or sexually oriented language through the Coast Guard office communicator, and wrongfully endeavoring to impede an investigation. The member was sentenced to reduction to paygrade E-3, confinement for thirty days, and a bad conduct discharge.
- (2) An E-6 was convicted by General Court-Martial for maltreatment of two members, committing abusive sexual contact against another member, and intentionally exposing oneself in an indecent manner. The member was sentenced to reduction to paygrade E-3, confinement for four months, and a bad-conduct discharge.
- (3) An E-6 was convicted by General Court-Martial for wrongfully engaging in sexual intercourse with another member in a Coast Guard controlled work place, adultery, and assault consummated by a battery. The member was

sentenced to reduction to paygrade E-3, confinement for forty-five days, and a bad-conduct discharge.

- (4) An E-6 was convicted by General Court-Martial for maltreating a subordinate, making false official statements, and committing abusive sexual contact against another member. The member was sentenced to a letter of reprimand, sixty days of restriction, sixty days of hard labor without confinement, a fine of \$1500, and reduction to paygrade E-4. The member was administratively separated for misconduct with a general discharge.
- (5) An E-6 was convicted by Special Court-Martial for unlawfully pushing another member. The member was sentenced to a reprimand, sixty days of restriction, forfeitures of \$100 pay per month for two months, and reduction to paygrade E-5.
- (6) An E-6 was convicted by Special Court-Martial for dereliction of duty. The member was sentenced to thirty days of confinement.
- (7) An E-6 was convicted by Summary Court-Martial for signing official records with intent to deceive. The member was sentenced to thirty days of restriction, forfeiture of \$500 pay for one month, and reduction to paygrade E-5.
- (8) An E-6 was sentenced by Summary Court-Martial for cruelty and maltreatment of a subordinate, committing abusive sexual contact against another member, and assaulting another member. The member was sentenced to a reprimand, thirty-five days of restriction, and forfeiture of \$750 pay per month for one month.
- (9) An E-5 was convicted by General Court-Martial for committing abusive sexual contact against another member, engaging in sexual contact of another member who was substantially incapacitated, and knowingly and wrongfully possessing a computer hard drive containing child pornography. The member was sentenced to reduction to paygrade E-1, confinement for six years, and a dishonorable discharge.
- (10) An E-5 was convicted by General Court-Martial for engaging in sexual harassment against another member, maltreating three subordinates, making false official statements, committing abusive sexual contact against another member by using restraint, wrongfully engaging in a sexual act with another member who was substantially incapable of declining participation, intentionally exposing their genitalia on multiple occasions, wrongfully touching and causing bodily harm to two members, wrongfully touching another member by using unlawful force, and wrongfully appropriating the camera of another member to photograph their own genitalia. The member was sentenced to reduction to paygrade E-1, eight years of confinement, and a dishonorable discharge.

- (11) An E-5 was convicted by Special Court-Martial for disorderly conduct, being absent from the place of duty for one day, willfully disobeying a lawful command, dereliction of duty, and signing an official record with intent to deceive. The member was sentenced to 120 days of confinement, reduction to paygrade E-3, and a bad-conduct discharge.
- (12) An E-5 was convicted by Special Court-Martial for altering a lease with the intent to defraud the United States of Overseas Housing Allowance, making false official statements, and stealing \$500 of Overseas Housing Allowance on diverse occasions. The member was sentenced to thirty days of confinement and reduction to paygrade E-4. The member was administratively separated for misconduct with a general discharge.
- (13) An E-5 was convicted by Summary Court-Martial for willfully searching a backpack belonging to another person without legal justification, willfully leaving a backpack unsecured containing what was believed to contain illegal drugs, drug paraphernalia, weapons, and ammunition, making false official statements, and influencing the actions of a state law enforcement agency by conducting an illegal search of a backpack. The member was sentenced to restriction for fifteen days and reduction to paygrade E-4. The member was administratively separated for misconduct with a general discharge.
- (14) An E-5 was convicted by Summary Court-Martial for failing to obey a direct order by wrongfully dating a Coast Guard recruit, making false official statements, and adultery. The member was sentenced to restriction for thirty days and reduction to paygrade E-4.
- (15) An E-5 was convicted by Summary Court-Martial for maltreatment. The member was sentenced to a letter of reprimand, one month of restriction, and reduction to paygrade E-4. The member was administratively separated for misconduct with a general discharge.
- (16) An E-4 was convicted by General Court-Martial for making false official statements, signing an official statement with intent to deceive, engaging in a sexual act with another member who was substantially incapacitated, committing abusive sexual contact against another member who was asleep, unconscious, or otherwise unaware that the sexual contact was occurring, unlawfully touching another member in an offensive manner, and unlawfully entering the room of another member with the intent to commit abusive sexual contact. The member was sentenced to one year of confinement, reduction to paygrade E-1, and a bad-conduct discharge.
- (17) An E-4 was convicted by General Court-Martial for sexually assaulting and unlawfully grabbing another member. The member was sentenced to reduction to paygrade E-1, confinement for ninety days, and a bad-conduct discharge.

- (18) An E-4 was convicted by Summary Court-Martial for wrongfully engaging in sexual harassment of another member and unlawfully kissing another member. The member was sentenced to forfeiture of \$1000 pay for one month, reduction to paygrade E-1, and thirty days of confinement. The member was administratively separated for misconduct with a general discharge.
- (19) An E-4 was convicted by Summary Court-Martial for making false official statements. The member was sentenced to a reprimand, thirty days of confinement, and reduction to paygrade E-3.
- (20) An E-4 was convicted by Summary Court-Martial for wrongfully introducing marijuana onto an installation used by the armed forces and wrongfully using marijuana. The member was sentenced to twenty-five days of confinement and reduction to paygrade E-1. The member was administratively separated for misconduct with a general discharge.
- (21) An E-3 was convicted by Special Court-Martial for wrongfully appropriating an automobile, of a value of about \$2000, which was the property of another member, wrongfully orally communicating indecent language to another member, wrongfully communicating indecent language in writing to another member, and unlawfully touching another member. The member was sentenced to reduction to paygrade E-1, confinement for four months, and a bad-conduct discharge.
- (22) An E-3 was convicted by Special Court-Martial for wrongfully distributing Clonazepam, wrongfully using Clonazepam, wrongfully using cocaine, wrongfully using marijuana, stealing Clonazepam from another member, and being incapacitated while performing duties. The member was sentenced to reduction to paygrade E-1 and confinement for seventy-five days. The member was administratively separated for misconduct with an other than honorable discharge.
- (23) An E-3 was convicted by General Court-Martial for committing abusive sexual contact against another member by unlawful force, committing abusive sexual acts against another member when the accused knew that the victim was incapable of consenting to the sexual acts due to impairment by alcohol, unlawfully pushing another member against a wall and holding the victims arms, and unlawfully entering the bedroom of another member. The member was sentenced to reduction to paygrade E-1 and a bad-conduct discharge.
- (24) An E-3 was convicted by Summary Court-Martial for maltreating a subordinate, unlawfully grabbing another member, unlawfully touching another member, and disorderly conduct. The member was sentenced to twenty-one days of confinement and reduction to paygrade E-1. The member was administratively separated for misconduct with a general discharge.

- (25) An E-3 was convicted by Summary Court-Martial for wrongfully distributing oxycodone/paracetamol on multiple occasions. The member was sentenced to forfeiture of \$500 pay per month for one month and reduction to paygrade E-1. The member was administratively separated for misconduct with a general discharge.
- (26) An E-3 was convicted by Summary Court-Martial for violating a lawful general order by failing to wear a seatbelt while in a moving vehicle, assaulting another member by choking and pulling their hair while that member was driving a vehicle, unlawfully striking another member, unlawfully striking three members, and drunk and disorderly conduct. The member was sentenced to forfeiture of \$500 pay per month for one month, reduction to paygrade E-1, and confinement for thirty days.
- (27) An E-3 was convicted by Summary Court-Martial for unlawfully striking another member, supplying alcohol to a minor, and drunk and disorderly conduct. The member was sentenced to a letter of reprimand, forfeiture of \$500 pay per month for one month, reduction to paygrade E-2, and confinement for thirty days.
- (28) An E-3 was convicted by Summary Court-Martial for violating a lawful general order by knowingly using a synthetic cannabinoid compound (spice), wrongfully possessing cocaine, and wrongfully using cocaine on divers occasions. The member was sentenced to reduction to paygrade E-1 and twenty days of confinement. The member was administratively discharged for unacceptable conduct with an other than honorable discharge.
- (29) An E-2 was convicted by Special Court-Martial for being absent without authority, making false official statements, wrongfully using methamphetamine, and stealing internal parts of an M16 rifle, of a combined value less than \$500, the property of the United States Government. The member was sentenced to a fine of \$500, reduction to paygrade E-1, confinement for three months, and a bad-conduct discharge.
- b. Military Administrative Action. Fourteen junior enlisted members were discharged under other than honorable conditions in lieu of trial by court-martial. 124 enlisted members received administrative discharges for misconduct: nine for bad conduct, fifty-one for conduct of a discreditable nature, two for fraudulent enlistment, and sixty-two for involvement with drugs.
- c. Relief for Cause. An E-6 Engineering Petty Officer was relieved for cause due to inappropriate use of alcohol.
- d. State / Federal Actions. An E-6 was convicted in a federal court for making false claims against the U. S. Coast Guard in the amount of \$112,346 for lodging and per

diem at a higher locality rate than entitled. The member was sentenced to provide restitution in the amount of \$112,346, a fine of \$3000, ten months of incarceration, and five months of house arrest.

- e. Non-Judicial Punishment. NJP was imposed 298 times accounting for 470 charges, covering a wide range of UCMJ offenses. The total punishments included admonishment or reprimand imposed in fourteen cases, twenty-eight days of extra duty imposed in two cases, 4990 days of restriction imposed in 206 cases, and forfeitures totaling \$135,972 in pay imposed in 109 cases.

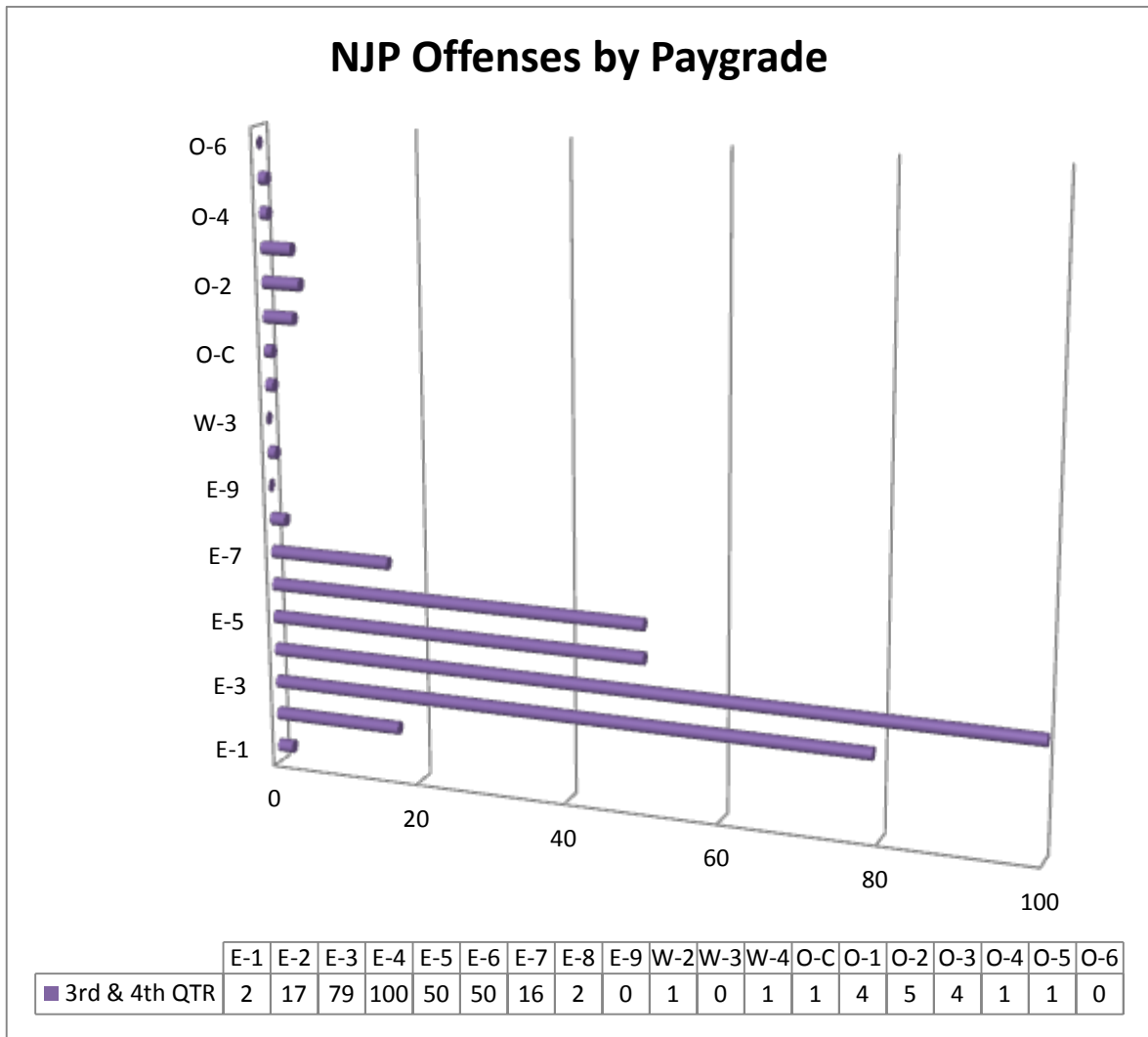
4. Civilian Administrative Action. The following website contains a summary of disciplinary/adverse actions taken involving civilian Coast Guard employees for the 3rd and 4th quarters of FY14:

[view document](#)

5. Special Convictions.

- a. A GS-5 was convicted in a civil court for two counts of murder (of an ET1 and a retired BMC) in the first-degree, two counts of murder of an officer or employee of the United States, and two counts of possession and use of a firearm in relation to a crime of violence. The employee was sentenced to four consecutive life sentences.

The following tables provide 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 3rd Quarter

Offense Code	Offense Description	Count
80	ATTEMPTS	1
83	FRAUDULENT ENLISTMENT	1
85	DESERTION - WITH INTENT TO REMAIN PERMANENTLY	1
86	UNAUTHORIZED ABSENCE - FROM UNIT, ETC.	49
87	MISSING MOVEMENT - THROUGH NEGLIGENCE	5
89	DISRESPECT TO SUPERIOR OFFICER	1

90	STRIKING, ETC., SUPERIOR	3
91	STRIKING, ETC., WARRANT OR PETTY OFFICER	9
92	VIOLATION, LAWFUL GENERAL ORDER OR REGULATION	197
93	CRUELTY OR MALTREATMENT	9
107	FALSE OFFICIAL STATEMENTS	62
109	WASTING, ETC., OTHER PROPERTY	4
110	HAZARDING, ETC., VESSEL	1
111	OPERATING VEHICLE WHILE DRUNK	10
112	DRUNK ON DUTY	24
113	SENTINAL OR LOOKOUT DRUNK	8
115	MALINGERING	1
117	USING PROVOKING, ETC., WORDS OR GESTURES	5
121	LARCENY, VALUE MORE THAN \$50	11
123	FORGERY	2
128	ASSAULT, SIMPLE	26
132	FALSE STATMENT, ETC., ON CLAIM, ETC.	5
133	CONDUCT UNBECOMING OFFICER AND GENTLEMAN/LADY	8
1207	ABUSIVE SEXUAL CONTACT	1
1213	INDECENT EXPOSURE	1
1340	OTHER OFFENSES CHARGED UNDER ART 134 NOT COVERED	53
13401	ADULTERY OR FORNICATION	9
13403	ASSAULT, INDECENT	1
13407	BIGAMY OR POLYGAMY	1
13415	DISORDER, DISORDERLY	2
13417	DRUNK	5
13418	DRUNK AND DISORDERLY	24
13419	FAILURE TO PAY DEBTS	1
13421	FALSE SWEARING	1
13428	INDECENT LANGUAGE	4
13444	THREATS	2
13449	WRONGFUL USE GOVERMENT PROPERTY	1