

GOOD ORDER AND DISCIPLINE

Fourth Quarter, Fiscal Year 2015

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 fourth quarter of Fiscal Year 2015. 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. Court-martial. None to report.
- b. Military Administrative Action
 - (1) An O-5 retired in lieu of involuntary board action for using the Government Travel Charge Card (GTCC) for personal expenses not authorized by official travel orders. The officer went to Non-Judicial Punishment (charges and punishment reflected in paragraph 1.e.).
 - (2) An O-3 retired at the rank of LTJG with a General characterization of service for driving under the influence of alcohol after the officer's vehicle was observed weaving in the road. The officer failed a field sobriety test and refused to take a breathalyzer test. Additionally, the police found marijuana within the officer's possession and the member tested positive for THC after

submitting to a court ordered drug test.

- (3) An O-3 resigned in lieu of involuntary board action as a result of inappropriately touching the spouse of fellow member and making inappropriate comments. Alcohol was determined to be a causative factor. The officer was removed from primary duties and went to Non-Judicial Punishment (charges and punishment reflected in paragraph 1.e.).
 - (4) An O-2 was separated by special board action as a result of the officer being arrested for rear ending another vehicle while under the influence of alcohol.
 - (5) A CWO3 retired in lieu of involuntary board action as a result of repeatedly touching an enlisted member in an offensive manner on the neck and shoulders while the individual was on duty. The officer was removed from primary duties and went to Non-Judicial Punishment (charges and punishment reflected in paragraph 1.e.).
 - (6) A CWO2 retired in lieu of involuntary board action as a result of an arrest for driving under the influence of alcohol.
- c. Relief for Cause. An O-5 was relieved for cause as a result of loss of confidence in maintaining the efficiency, morale, and well-being of the unit.
 - d. State / Federal Actions. None to report.
 - e. Non-Judicial Punishment. NJP was imposed four times, accounting for eight charges, covering a wide range of UCMJ offenses. The total punishments included admonishment or reprimand imposed in three cases, sixty eight days of restriction imposed in two cases, and forfeitures totaling 16,069 dollars in pay imposed in four cases.

2. Senior Enlisted.

- a. Court-martial. An E-8 was convicted by a summary court-martial of maltreatment, by sexually harassing another member and drunk and disorderly conduct. (Violations of Articles 93 and 134, UCMJ). The member was sentenced to a reduction in rank to E-7 and a letter of reprimand.
- b. Military Administrative Action. Two senior enlisted members were discharged under other than honorable conditions in lieu of trial by court-martial. Six senior enlisted members received administrative discharges for misconduct: four for conduct of a discreditable nature and two for involvement with drugs.
- c. Relief for Cause.

- (1) An E-8 Officer in Charge was relieved for loss of confidence and misconduct due to misuse of government resources.
 - (2) An E-7 Engineering Petty Officer was relieved for unsatisfactory performance of duties and failing to maintain necessary qualifications.
- d. State / Federal Court Actions. None to report.
- e. Non- Judicial Punishment. NJP was imposed six times accounting for eight charges, covering a wide range of UCMJ offenses. The total punishments included admonishment or reprimand imposed in one case, 180 days of restriction in four cases, and forfeitures totaling 21,571 dollars in pay imposed in six cases.

3. Junior Enlisted.

- a. Court-martial.
- (1) An E-6 was convicted by a special court-martial of wrongfully transmitting sexually explicit material on a Coast Guard owned cellular telephone, derelict in the performance of duties by developing an inappropriate relationship with an applicant while serving as a recruiter, making a false official statement, communicating indecent language to an applicant, and wrongfully impeding an investigation. (Violations of Articles 92, 107, and 134, UCMJ). The member was sentenced to a reduction in rank to E-1, confinement for five months, and a bad conduct discharge.
 - (2) An E-5 was convicted by a general court-martial of dereliction of duty by failing to provide a chaperone to opposite gender patients during medical evaluations, failure to properly document medical care, making false official statements, sexual assault of three members of the Coast Guard, and assault of another. (Violations of Articles 92, 107, 120, and 128, UCMJ). The member was sentenced to a reduction in rank to E-1, confinement for two years, and a dishonorable discharge.
 - (3) An E-4 was convicted by a special court-martial of making false official statements and unlawfully touching another member while that member was asleep. (Violation of Articles 107, and 128, UCMJ). The member was sentenced to a reduction in rank to E-3 and confinement for sixty days.
 - (4) An E-4 was convicted by a summary court-martial of trespassing on property without authorization where notice against entering was posted and resisting, obstructing or opposing a law enforcement officer. (Violations of Article 134, UCMJ). The member was sentenced to a reduction in rank to E-3 and a reprimand.

- (5) An E-4 was convicted by a summary court-martial of trespassing on property without authorization where notice against entering was posted. (Violation of Article 134, UCMJ). The member was sentenced to a reduction in rank to E-3.
 - (6) An E-3 was convicted by a general court-martial of sexual assault and sexual contact of a civilian when the victim was impaired by an intoxicant/alcohol. (Violations of Article 120, UCMJ). The member was sentenced to a reduction in rank to E-1, confinement for eighteen months, and a dishonorable discharge.
 - (7) An E-3 was convicted by a special court-martial of failing to obey a lawful order and assault by unlawfully slapping the buttocks of another person. (Violation of Articles 92 and 128, UCMJ). The member was sentenced to a reduction in rank to E-1, confinement for 183 days, and a bad conduct discharge.
 - (8) An E-3 was convicted by a summary court-martial of failing to obey a lawful order to not share hotel rooms with members of the opposite gender while in a foreign port. (Violation of Article 90, UCMJ). The member was sentenced to a reduction in rank to E-2, restriction for 45 days, and forfeiture of 1,156 dollars pay.
 - (9) An E-3 was convicted by a summary court-martial of failing to obey a lawful order to abstain from consuming alcohol and making false official statements with intent to deceive. (Violations of Articles 90 and 107, UCMJ). The member was sentenced to a reduction in rank to E-1 and confinement for 93 days.
- b. Military Administrative Action. Eight junior enlisted members were discharged under other than honorable conditions in lieu of trial by court-martial. Forty six junior enlisted members received administrative discharges for misconduct: twenty six for conduct of a discreditable nature, three for fraudulent enlistment, and seventeen for involvement with drugs.
- c. Relief for Cause.
- (1) An E-6 Executive Petty Officer was relieved for loss of confidence and lack of core values.
 - (2) An E-6 Executive Petty Officer was relieved for unsatisfactory performance of duties and failing to maintain necessary certifications.
 - (3) An E-6 Engineering Petty Officer was relieved for misconduct due to inappropriate use of alcohol.

- d. State / Federal Court Actions. None to report
- e. Non-Judicial Punishment. NJP was imposed ninety times accounting for 147 charges, covering a wide range of UCMJ offenses. The total punishments included admonishment or reprimand imposed in five cases, fifty five days of extra duty imposed in two case, 1341 days of restriction imposed in fifty eight cases, forfeitures totaling 43,691 dollars in pay imposed in thirty cases, and reduction in rank imposed in twenty eight cases.

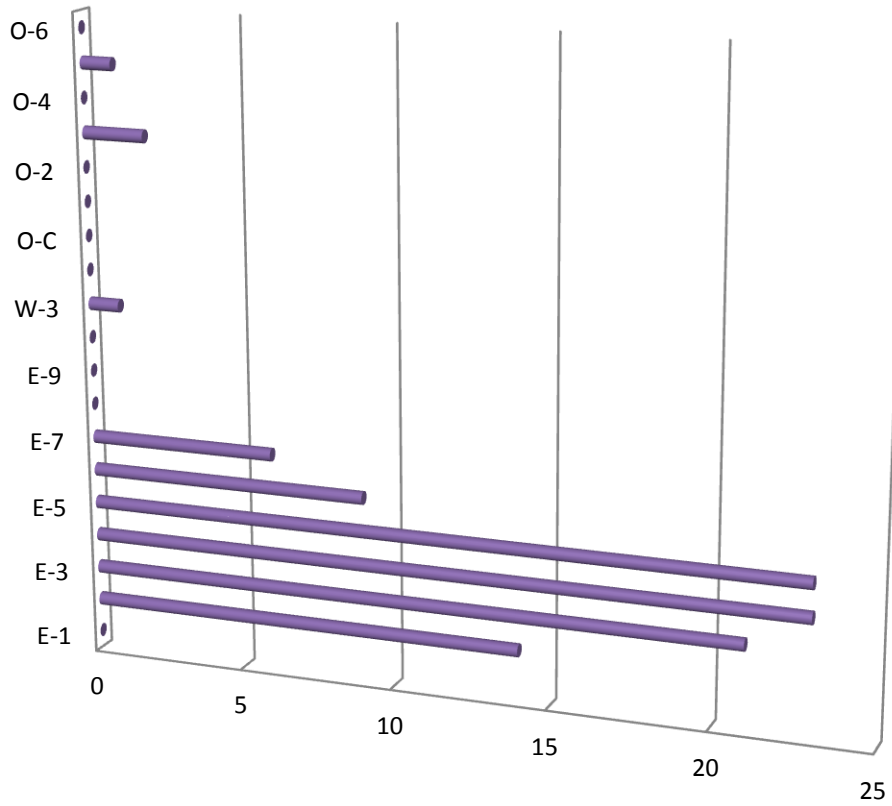
4. Civilian Personnel.

- a. Disciplinary Actions.
 - (1) A GS-13 was removed for failing to follow instructions and policies by using unprofessional language while sending emails and making telephone calls in the process of conducting official Coast Guard business.
 - (2) A GS-13 was removed as a result of failing to perform the essential functions of their position.
 - (3) A GS-13 was removed for misuse of a government credit card, failure to pay their government credit card on time, and other misconduct.
 - (4) A WL-10 received an indefinite suspension due to criminal charges of possession of heroin.
 - (5) An AD-00 was terminated from a temporary appointment due to adverse employment information.

5. Special Convictions/Line of Duty Determinations. None to report.

Table 1 on the following page provides the number of NJP in relation to paygrade and Table 2 provides a breakdown of the UCMJ articles for which members received NJP during the fourth quarter of FY15. 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 Offenses by Paygrade



	E-1	E-2	E-3	E-4	E-5	E-6	E-7	E-8	E-9	W-2	W-3	W-4	O-C	O-1	O-2	O-3	O-4	O-5	O-6
■ 4th Qtr FY2015	0	14	21	23	23	9	6	0	0	0	1	0	0	0	0	2	0	1	0

(Table 1)

**NJP STATS BY OFFENSE CODE
4th Quarter FY15**

Offense Code	Offense Description	Count
81	CONSPIRACY	1
83	FRAUDULENT ENLISTMENT	2
86	UNAUTHORIZED ABSENCE – FROM UNIT, ETC.	9
91	STRIKING, ETC., WARRANT OR PETTY OFFICER	3
92	VIOLATION, LAWFUL GENERAL ORDER OR REGULATION	58
93	CRUELTY OR MALTREATMENT	2
95	RESISTING APPREHENSION	1
107	FALSE OFFICIAL STATEMENTS	29
108	SELLING, DISPOSING, DAMAGING ETC. OF MILITARY PROPERTY	2
111	OPERATING VEHICLE WHILE DRUNK	3
112	DRUNK ON DUTY, WRONGFUL USE OR DISTRIBUTION OF A CONTROLLED SUBSTANCE, OTHER DRUG OFFENSES	2
113	SENTINAL OR LOOKOUT DRUNK	1
117	USING PROVOKING, ETC., WORDS OR GESTURES	3
121	LARCENY, VALUE MORE THAN \$50	2
123	FORGERY	1
128	ASSAULT, SIMPLE	10
133	CONDUCT UNBECOMING OFFICER AND GENTLEMAN/LADY	3
1340	OTHER OFFENSES CHARGED UNDER ART 134 NOT COVERED	12
13401	ADULTERY OR FORNICATION	8
13415	DISORDER AND DISORDERLY	3
13417	DRUNK	2
13418	DRUNK AND DISORDERLY	3
13419	FAILURE TO PAY DEBTS	1
13420	FALSE PASS OR PERMIT	1
13428	INDECENT LANGUAGE	1

(Table 2)