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1910

MEMORANDUM

From: Administrative Separation Board

Board President

Board Member

Board Member

To:

Convening Authority

Thru:

Staff Judge Advocate

Subj: BOARD REPORT – INVOLUNTARY SEPARATION

Ref: (a) Enlisted Personnel Administrative Boards Manual, PSCINST M1910.1 (series)
(b) Military Separations, COMDTINST 1000.4 (series)

1. Notice to Respondent: On _____, you notified _____, the respondent, of your intent to take administrative action to involuntarily separate the respondent from the Coast Guard, and described the conduct and/or performance of duty that caused you to initiate that action. Your notice to the respondent has been marked as Exhibit # _____ in enclosure (1), the Summarized Hearing Record.
2. Respondent's Exercise of Rights: The respondent exercised his/her rights on _____ and elected to appear before this administrative board. The respondent's Exercise of Rights has been marked as Exhibit # _____ in enclosure (1).

3. Convening Order: In your convening order dated _____, you directed this administrative board to convene in accordance with references (a) and (b). Your convening order has been marked as Exhibit # _____ in enclosure (1).

4. Hearing Scheduling Notice: The board president notified the respondent of the date, time, and location of the hearing on _____. The scheduling notice has been marked as Exhibit # _____ in enclosure (1).

5. Findings: The board conducted a formal administrative hearing that is summarized in enclosure (1). The findings of fact, opinions, and recommendations included in this report are based on the evidence presented during the hearing and considered during the board’s deliberations.

6. Findings of Fact: Based on a preponderance of the evidence gathered during the hearing, the board finds the following facts that are supported by the exhibits listed. All exhibits are attached to enclosure (1).

#	Findings of Fact	Exhibits that support this Finding of Fact:
1.		
2.		
3.		
4.		
5.		
6.		

#	Findings of Fact	Exhibits that support this Finding of Fact:
7.		
8.		
9.		
10.		
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12.		
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14.		
15.		

_____ Findings of Fact continued on Administrative Board Supplemental Page(s), or similar document(s), attached to this report as enclosure (2).

7. Opinions: Based on a preponderance of the evidence presented during the hearing, the board formed the following opinions:

#	Opinions Boards should draw reasonable inferences from those matters of record approved for consideration by the board president to answer the fundamental questions presented to the board. This may include analysis of the evidence and findings of fact and explanation of the board’s deliberations on the issues that relate to the fundamental questions.	Findings of Fact and/or Exhibits that support this Opinion
1.		
2.		
3.		
4.		
5.		
6.		

_____ Opinions continued on Administrative Board Supplemental Page(s), or similar document(s), attached to this report as enclosure (2).

8. Recommendations: The board consulted Chapter 7 of reference (a) and Article 2.A.4 of reference (b), and the following recommendations are made in compliance with Coast Guard policy.

a. Basis for Discharge: You directed the board, in the convening order, to identify any reason(s) for separation supported by a preponderance of the evidence gathered at the board’s hearing. Based on the board's review and consideration of the record of the hearing, as well as the findings of fact and opinions stated above, the board recommends: (*select one*)

_____ **No basis for discharge** was proven by a preponderance of the evidence presented at the hearing.

_____ **The following basis or bases** for separation is/are supported by a preponderance of the evidence presented at the hearing:

(*check all applicable*)

<u>Unsatisfactory Performer [ref (b)]</u>	<u>Misconduct [ref (b)]</u>
_____ 2.I Unsatisfactory Performer	_____ 2.Q.2.a Civilian or Foreign Conviction
<u>Unsuitability [ref (b)]</u>	_____ 2.Q.2.b Pattern of Misconduct
_____ 2.O.2.a Inaptitude	_____ 2.Q.2.c. Commission of a Serious Offense
_____ 2.O.2.b Personality Disorders	2.Q.2.d Drugs
2.O.2.c Apathy, Defective Attitudes, Adjustment Disorders	2.Q.2.e. Fraudulent Enlistment
_____ 2.O.2.d Unsanitary Habits	_____ 2.Q.2.f Civilian Conviction of sexual misconduct
_____ 2.O.2.e Alcohol Substance use Disorder	_____ 2.Q.2.g Involvement in prohibited relationship
_____ 2.O.2.f Financial Irresponsibility	2.Q.2.h Sexual Assault
	2.Q.2.i Sexual Harassment
	<u>Other (identify)</u>

The exhibits, findings of fact, and/or opinions that support this recommendation are as follows: *(Explain in plain English which exhibits, findings of fact, and/or opinions support each basis for separation identified by the board. *Note: If the basis or bases for discharge identified in paragraph 8.a. requires that the respondent be placed on probation prior to implementation of administrative proceedings, explain whether probation was implemented properly and the outcome of the probation).*

_____ Continued on Administrative Board Supplemental Page(s) or similar document(s) attached to this report as enclosure (2).

b. Separate/Retain: You directed the board to recommend either that the respondent be retained in, or separated from, the Coast Guard. Based on the board's review and consideration of the record of the hearing as well as the findings of fact, opinions, and recommendations stated above, the board recommends: *(select one)*

_____ The respondent should be **retained** in the Coast Guard.

_____ The respondent should be **separated** from the Coast Guard.

The exhibits, findings of fact, and/or opinions that support this recommendation are as follows: *(Explain in plain English which exhibits, FoF &/or opinions support your recommendation)*

_____ Continued on Administrative Board Supplemental Page(s) or similar document(s) attached to this report as enclosure (2).

c. Characterization of Service and Type of Discharge: You directed the board to recommend an appropriate characterization of the respondent’s service, and corresponding type of discharge the respondent would receive, in accordance with guidance set out at Article 2.B of reference (b).

The board has consulted Article 2.B of reference (b) as well as the appropriate parts of the respondent’s Personnel Data Record (PDR). Based on Coast Guard policy and the board's review and consideration of the record of the hearing and the findings of fact, opinions, and recommendations stated above, if the respondent is separated from the Coast Guard, the respondent’s service should be characterized as: (*select one*)

- Honorable (Honorable discharge)
- Under honorable conditions (General discharge)
- Under other than honorable conditions (OTH discharge)

The exhibits, findings of fact, and/or opinions that support this recommendation are as follows: (The board should provide analysis and explanation that serves to inform the convening authority and other reviewers how and why the board formed its recommendation)

Continued on Administrative Board Supplemental Page(s) or similar documents attached to this report as enclosure (2).

d. Probation: You further directed the board to recommend whether the respondent should be placed on probation in lieu of immediate involuntary separation if CG PSC determines that the respondent should be administratively separated. Based on the board's review and consideration of the record of the hearing as well as the findings of fact, opinions, and recommendations stated above, the board recommends: (*select one*)

- The respondent **should not be placed on probation**, and should be immediately involuntarily separated if CG PSC determines that the respondent should be administratively separated.
- The respondent **should be placed on probation** in lieu of immediate involuntary separation, if CG PSC determines that the respondent should be administratively separated. The board recommends the following conditions of probation be imposed: *

Explain in plain English which exhibits, findings of fact, and/or opinions support the recommendation of the board. The board should provide analysis and explanation that serves to inform the convening authority and other reviewers how and why the board formed its recommendation.

_____ Continued on Administrative Board Supplemental Page(s) or similar documents attached to this report as enclosure (2).

* In accordance with Article 2.Z. of reference (b), the execution of an approved discharge may be suspended on probation if the circumstances indicate a reasonable prospect for rehabilitation. In recommending that probation be considered, the board shall also recommend the duration and terms of probation, recognizing that an approved discharge would automatically be canceled at the end of the probationary period upon successful completion of the terms and conditions of probation.

e. Voluntary Retirement: If the respondent has 18 or more years of creditable active service (or 20 or more years of satisfactory federal service for a Reserve member), you directed the board to recommend whether the respondent should be permitted to retire voluntarily, if he/she so requests, in lieu of immediate involuntary administrative separation. (*select one*)

_____ N/A – The respondent does not have 18 or more years of creditable active service (or 20 or more years of satisfactory federal service) and is not expected to complete 18 years of creditable active service (or 20 or more years of satisfactory federal service) prior to final action being taken in this administrative board process.

_____ The board has examined the respondent’s record and determined that he/she has reached or is likely to reach 18 or more years of creditable active service (or 20 or more years of satisfactory federal service) prior to final action being taken in this administrative board process, and 'k'f k'ej cti g'k'cr r tqxgf : *ugrgeV'qpg+

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_____ "The respondent **should be** permitted to request to retire
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..... from the Coast Guard, if he or she so requests, in lieu of
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..... immediate involuntary separation.

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_____ The respondent **'should not'** be permitted to request to
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..... retire from the Coast Guard in lieu of immediate involuntary
.....
..... separation.

The exhibits, findings of fact, and/or opinions that support this recommendation are as follows: *(Explain in plain English which exhibits, findings of fact, and/or opinions support the recommendation of the board. The board should provide analysis and explanation that serves to inform the convening authority and other reviewers how and why the board formed its recommendation).*

_____ Continued on Administrative Board Supplemental Page(s) or similar document(s) attached to this report as enclosure (2).

9. Minority Report: (select one)

_____ A minority report is attached as enclosure (3).

_____ A minority report is not attached.

10. Respondent Review of the Board Report: By separate correspondence (a copy of which is attached as enclosure (4)), the board president is providing the respondent with a copy of this report, including the summarized hearing record, for his or her review and comment as required by reference (a). The board president will append a memo to this report following the review period, detailing the respondent's response or failure to respond within the review time allowed.

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Encl: (1) Summarized Hearing Record, Administrative Separation Board memo 1910 of

(2) () Administrative Board Supplemental Pages, **if applicable**

(3) Minority Report, **if applicable**

(4) Board President memo 1910 of _____ to respondent, providing copy of board report for review – w/o enclosure