

APPENDIX 2: CHARACTER REQUIREMENTS

| Basic Character Criteria | | | | |
|--|------------------|--------------------------------|----------------------|-----------|
| <p><u>Violations.</u> Criminal and civil violations or other questionable conduct is evidence of the prospect/applicant’s moral character. These violations or conduct may be the result of lack of judgment rather than criminal intent. Recruiters shall apply the “Whole Person Concept” before making a final decision as to whether or not an applicant is eligible to enlist or obtain a commission in the Coast Guard or the Coast Guard Reserve.</p> | | | | |
| <p><u>Official Records</u></p> <ol style="list-style-type: none"> 1. Recruiters shall question potential applicants regarding the nature and the circumstances of any records of arrest, charges, juvenile court adjudication, traffic violations, probation periods, Nolo Contendere, Nolo Prosequi, dismissed charges or convictions, and expunged or sealed records. 2. Recruiters shall also question prospects and applicants regarding current criminal or civil charges filed or pending by local, State or Federal authorities. Determine if a waiver may apply after examining the records of those applicants who indicate any criminal or civil law violations. | | | | |
| <p>PROSPECTS/APPLICANTS ARE INELIGIBLE FOR ENLISTMENT IF:</p> <ol style="list-style-type: none"> 1. Civil suit or criminal charges are filed or pending against an applicant, including any release from charges on the condition the applicant enters the military service. Exception: For all civil cases, an applicant may enlist, if the applicant obtains a statement of nonappearance from the court. 2. A formal complaint or investigation is filed or pending which may lead to judicial action, or under restraint imposed by any court, or participation in a pre-trial diversion program, or subject to a subpoena ordering attendance at a future date. | | | | |
| <p>RULE: Any applicant <u>convicted</u> of a <i>felony</i> or <i>domestic violence</i> is <u>ineligible</u> for enlistment</p> | | | | |
| Criteria | Status | Qualification | Waiver authority by: | |
| IF THE PERSON IS CHARGED WITH: | CONVICTED | THEN THAT PERSON | YES | NO |
| <u>List 1 Felony Offenses</u> One or more offenses | YES | MAY NOT APPLY | | X |
| | NO | MAY APPLY WITH APPROVED WAIVER | CGRC | |
| <u>List 2 Major Misdemeanors</u> ▶ 1 offense within the past year or ▶ 2 offenses within the past 5 years | YES | MAY NOT APPLY | | X |
| | NO | MAY APPLY WITH APPROVED WAIVER | CGRC | |
| <u>List 3 Minor Non Traffic Offenses</u> ▶ 2 offenses within the past year or ▶ 3 within the past 5 years | YES | MAY APPLY WITH APPROVED WAIVER | RIC | |
| | NO | MAY APPLY | | |
| <u>List 4 Minor Traffic Offenses</u> 4 or more offenses within the past 2 years | YES | MAY APPLY WITH APPROVED WAIVER | CGRC | |
| | NO | MAY APPLY | | |

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| List 1- Felony Offenses - This list is a guide. In doubtful cases, check with CGRC. | |
|--|--|
| RULE | If the maximum confinement for the offense under local law exceeds one year, then treat the offense as a felony. |
| Aggravated assault; Assault with a deadly weapon; Assault intentionally inflicting great bodily harm | |
| Assault with intent to commit a felony | |
| Arson | |
| Attempt to commit felony | |
| Breaking and entering with intent to commit felony | |
| Bribery | |
| Burglary | |
| Carnal knowledge of child under 16 | |
| Conspiring to commit a felony | |
| Criminal libel | |
| Extortion | |
| Forgery; knowingly uttering/ passing a forged instrument | |
| Graft | |
| Grand larceny; embezzlement (value over \$100) | |
| Housebreaking | |
| Indecent acts or liberties with a child under the age of 16 | |
| Indecent assault | |
| Kidnapping or abduction | |
| Mail matter: abstracting, destroying, obstructing, opening, secreting, stealing, taking mails; depositing obscene or indecent matter | |
| Maiming; disfiguring | |
| Manslaughter | |
| Misprision of a felony | |
| Murder | |
| Wrongful possession, use, sale of narcotics or habit-forming drugs | |
| Pandering | |
| Perjury; subordination of perjury | |
| Public records: altering, concealing, destroying, mutilating, obliterating, removing | |
| Rape | |
| Riot | |
| Robbery | |
| Sedition; solicitation to commit sedition | |
| Sodomy | |

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| List 2- Major Misdemeanors - This list is a guide. In doubtful cases, check with CGRC. | |
|---|---|
| RULE | If the maximum confinement for the offense under local law is less than four months but is less than one year, treat the offense as a major misdemeanor. |
| Assault consummated by battery | |
| Bigamy | |
| Breaking and entering a vehicle | |
| Check, worthless, making or uttering, with intent to defraud or deceive (value \$100 or less) | |
| Contributing to the delinquency of a minor | |
| Desecration of a grave | |
| Driving while drugged or intoxicated | |
| Failure to stop and render aid after an accident | |
| Indecent exposure | |
| Indecent, insulting or obscene language communicated to another directly by telephone | |
| Leaving a dead animal | |
| Looting | |
| Negligent homicide | |
| Petty larceny (value of stolen property \$100 or less) | |
| Reckless driving | |
| Resisting arrest | |
| Slander | |
| Selling or leasing weapons to minors | |
| Stolen property, knowingly receiving (value \$100 or less) | |
| Suffrage rights, interference with | |
| Unlawful carrying of firearms; carrying concealed firearms | |
| Use of telephone to abuse, annoy, harass, threat, or torment another | |
| Willfully discharging firearm so as to endanger life; shooting in public place | |
| Wrongful appropriation of motor vehicle; joy riding; driving motor vehicle without owner's consent. This group of motor vehicle offenses, offenses of comparable nature and seriousness, but variously described comprise the case of taking or withholding a motor vehicle without authority and with intent to temporarily deprive the owner the property. | |

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| List 3- Minor Non Traffic Violations - The below list is a guide. In doubtful cases, check with CGRC. | |
|--|--|
| RULE | If the maximum confinement for the offense under local law exceeds 4 months, then treat the offense as a minor offense. |
| Abusive language under circumstances to provoke breach of peace | |
| Carrying concealed weapon (other than firearm); possession of brass knuckles | |
| Curfew violation | |
| Damaging road signs | |
| Discharging a firearm through carelessness | |
| Discharging a firearm within municipal limits | |
| Disobeying summons | |
| Disorderly conduct; creating disturbance; boisterous conduct | |
| Disturbing the peace | |
| Drinking liquor on train (other than club car) | |
| Drunk in public; drunk and disorderly | |
| Dumping refuse near highway | |
| Fighting; participating in affray | |
| Fornication | |
| Illegal betting or gambling; operating illegal handbook, raffle, lottery, punchboard, matching, cockfight | |
| Juvenile non-criminal misconduct: beyond parental control, incorrigible, runaway, truant, wayward | |
| Killing a domestic animal | |
| Liquor: unlawful manufacture, sale, possession, consumption in public place | |
| Loitering | |
| Malicious mischief: painting water tower; throwing water-filled balloons, rocks on highway, missiles at athletic contests, objects at vehicles | |
| Nuisance, committing | |
| Poaching | |
| Possession of cigarettes by minor | |
| Possession of indecent publications or pictures | |
| Purchase, possession or consumption of alcoholic beverages by minor | |
| Removing property under lien | |
| Removing property from public grounds | |
| Robbing the orchard | |
| Shooting from highway | |
| Shooting on public road | |
| Simple assault | |
| Throwing glass or other material in road | |
| Trespass to property | |
| Unlawful assembly | |
| Using or wearing unlawful emblem | |
| Vagrancy | |
| Vandalism: injuring or defacing public property or property of another, shooting out street lights | |
| Violation of fireworks law | |
| Violation of fish and game laws | |

APPENDIX 2: CHARACTER REQUIREMENTS

| List 4 - Minor Traffic Offenses - The below list is a guide. In doubtful cases, check with CGRC. | |
|---|---|
| RULE | If the offense is treated as a minor under local law, then treat the offense as a minor offense. |
| | Blocking or retarding traffic |
| | Careless driving |
| | Crossing yellow line; driving left of center |
| | Disobeying traffic lights, signs or signals |
| | Driving on shoulder |
| | Driving uninsured vehicle |
| | Driving with blocked vision |
| | Driving with expired plates or without plates |
| | Driving without license or with suspended or revoked license |
| | Driving without registration or with improper registration |
| | Driving wrong way on one-way street |
| | Failure to comply with officer's directives |
| | Failure to have vehicle under control |
| | Failure to keep to right or in line |
| | Failure to signal |
| | Failure to stop for or yield to pedestrian |
| | Failure to submit report following accident |
| | Failure to yield right of way |
| | Faulty equipment: defective exhaust, horn, lights, mirror, muffler, signal device, steering device, tailpipe, windshield wipers |
| | Following too closely |
| | Improper backing: backing into intersection or highway, backing on expressway, backing over crosswalk |
| | Improper blowing of horn |
| | Improper parking: restricted area, fire hydrant, double parking |
| | Improper passing: passing on right, in no-passing zone, passing parked school bus, pedestrian in crosswalk |
| | Improper turn |
| | Invalid or unofficial inspection sticker; failure to display inspection sticker |
| | Leaving key in ignition |
| | License plates improperly displayed or not displayed |
| | Operating overloaded vehicle |
| | Racing; dragging; contest for speed |
| | Reckless driving (single offense) |
| | Speeding |
| | Spinning wheels; improper start; zigzagging or weaving in traffic |