

In the Matter of Certificate of Service No. E-527573
Issued to: JOHNNIE CRAWFORD, JR.

DECISION AND FINAL ORDER OF THE COMMANDANT
UNITED STATES COAST GUARD

368

JOHNNIE CRAWFORD, JR.

This appeal comes before me in accordance with Title 46 United States Code 239 (g) and Title 46 Code of Federal Regulations 137.11-1.

On 22 July, 1949, Appellant appeared before an Examiner of the United States Coast Guard at New York City to answer a charge of "misconduct" supported by a specification alleging that while Appellant was serving as a messman on board the American SS AMERICAN FARMER, under authority of Certificate of Service No. E-527573, he unlawfully had in his possession, on or about 9 July, 1949, certain narcotics; to wit: Marijuana.

At the hearing, Appellant was duly informed as to the nature of the proceeding, the rights to which he was entitled and the possible outcomes of the hearing. Appellant voluntarily waived his right to representation by counsel and chose to act in his own behalf. He pleaded "guilty" to the specification and the charge proffered against him. After the Investigating Officer had made his opening statement and Appellant had been given an opportunity to present mitigating circumstances, the Examiner entered an order revoking Appellant's Certificate of Service No. E-527573 and all other valid licenses, certificates, and documents issued to him by

the U.S. Coast Guard or its predecessor authority.

The appeal consists of a request for clemency based on his prior clear record as a merchant mariner for almost four years and his record as a good worker; the fact that he was not engaged in the traffic of narcotics and does not now use marijuana or intend to use it again; and the need for him to support his mother and sister

FINDINGS OF FACT

On or about 9 July, 1949, Appellant was serving as a member of the crew in the capacity of messman on board the American SS AMERICAN FARMER, under authority of Certificate of Service No. E-527573, while the ship was docked at New York City after completion of a foreign voyage. On this date, Appellant was searched by a Port Patrol Officer and three marijuana cigarettes were discovered in a pack of cigarettes in his pocket. This led to a search of Appellant's quarters where 286 grains of marijuana were found in a tobacco pouch.

Appellant had obtained his present supply of marijuana while the ship to which he was attached was in France. He bought it in loose bulk form from a peddler on the streets of Rouen, France, for 1000 francs. Appellant had been smoking marijuana cigarettes for about 18 months - sometimes while aboard ship.

OPINION

The evidence clearly establishes that Appellant had possession of three marijuana cigarettes and 286 grains of marijuana. Appellant admitted by his unqualified plea of "guilty", to the specification, that such possession was unlawful as alleged in the specification. He also freely admitted that he had been using marijuana for a period of 18 months.

It has been repeatedly stated in the Coast Guard appeal decisions, involving the possession, use or sale of marijuana by merchant seamen, that any association with narcotics is considered to be extremely detrimental to the safety of the crews and ships, and, therefore, this serious offense can be adequately handled only

by revocation of the certificates, licenses and documents issued by the Coast Guard or its predecessor authority and held by the offender. Such a policy must be consistently followed in order to preserve the high standard of discipline which cannot otherwise be maintained on board ships at sea. Appellant's plea for clemency has no effective merit in view of this clear duty of the Coast Guard. Since the Examiner has already made quite pertinent comments in his opinion, I do not feel that it is necessary to further amplify the views expressed above and in his opinion.

CONCLUSION and ORDER

I find no reason to disturb the Order of the Examiner, dated at New York on 22 July, 1949, and said Order is, therefore, AFFIRMED.

J.F. FARLEY
Admiral, United States Coast Guard
Commandant

Dated at Washington, D. C. this 7th day of Sept, 1949.

***** END OF DECISION NO. 368 *****

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