

In the Matter of Merchant Mariner's Document No. Z-468660-D1 and
all other Seaman Documents

Issued to: James Paul Pope

DECISION OF THE COMMANDANT
UNITED STATES COAST GUARD

1418

James Paul Pope

This appeal has been taken in accordance with Title 46 United States Code 239(g) and Title 46 Code of Federal Regulations 137.30-1.

By order dated 23 May 1963, an Examiner of the United States Coast Guard at New Orleans, Louisiana, suspended Appellant's seaman documents for six months upon finding him guilty of misconduct. The specification found proved alleges that while serving as Second Assistant Engineer on board the United States SS WASHINGTON CARRIER under authority of the license above described, on or about 16 May 1963, Appellant assaulted Deputy United States Coast Guard Shipping Commissioner Davidson while he was performing his official duties.

At the hearing, Appellant was represented by professional counsel. Since Appellant entered a plea of guilty to the charge and specification, no evidence was introduced by the Investigating Officer.

The parties agreed that, after some hours delay in paying off the crew through fault of Mr. Davidson's, Appellant demanded to be paid immediately; when Mr. Davidson went to call the police as the result of Appellant's refusal to leave the Master's quarters, Appellant grabbed Mr. Davidson from behind and caused him to fall to the deck; Mr. Davidson was bruised and Appellant later apologized to him.

OPINION

The only ground for appeal is that the period of six months' suspension is too severe since Appellant has no prior record during twenty years of service.

This is considered to be a particularly serious offense since it resulted from Appellant's interference with the Deputy Shipping Commissioner in the performance of his duty to be present when the ship's crew was paid off the voyage which had been completed. Another important aspect of the case is that Appellant was serving

as a licensed officer.

For these reasons, the order is not considered to be excessive despite Appellant's prior clear record and any influence on his conduct which was caused by alcoholic beverages which he had been drinking.

Order

The order of the Examiner dated at New Orleans, Louisiana, on 23 May 1963, is AFFIRMED.

E.J. Roland
Admiral, United States Coast Guard
Commandant

Signed at Washington, D.C., this 9th day of September 1963.