

**UNITED STATES OF AMERICA
U.S. DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD**

UNITED STATES COAST GUARD,
Complainant,

v.

DARREN WAYNE WATSON,
Respondent.

**DOCKET NO: 2025-0117
MISLE ACTIVITY ID. 8082051**

**HONORABLE GEORGE J. JORDAN
ADMINISTRATIVE LAW JUDGE**

ADMISSION ORDER

On March 24, 2025, the United States Coast Guard, Marine Safety Unit Morgan City (Coast Guard) issued a Complaint against Darren Wayne Watson (Respondent) alleging violation of misconduct, as described by 46 U.S.C. § 7703(1)(B), and defined by 46 C.F.R. § 5.27.

Specifically, the Coast Guard alleges:

1. On January 14, 2025, Respondent was employed by Laborde Marine Management and subject to Laborde Marine Management policies.
2. On January 14, 2025, Laborde Marine Management had a policy prohibiting employees from reporting to work or remaining on-duty on board a company vessel while having a blood alcohol concentration (BAC) of 0.04% or greater.
3. On January 14, 2025, Respondent was directed to conduct a return-to-work test after an extended leave of absence.
4. On January 14, 2025, Respondent had a BAC greater than 0.04% while reporting to work, in violation of section VI.H. of Laborde Marine Management's Controlled Substances and Alcohol Testing Policy
5. Respondent's violation of Laborde Marine Management's Controlled Substances and Alcohol Testing Policy is misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27.

Accordingly, the Coast Guard proposes a sanction of four (4) months outright suspension of Respondent's Merchant Mariner Credential (MMC or credential). In Respondent's Answer,

filed April 29, 2025, Respondent admits to all jurisdictional and factual allegations, and agrees with the Coast Guard's proposed order of four (4) months outright suspension.¹

While I have the authority and exclusive discretion to select the appropriate sanction in these proceedings. 46 C.F.R. § 5.569(a); Appeal Decision 2362 (ARNOLD) (1984). Assisting my discretion is Table 5.569 Suggested Range of an Appropriate Order (Table). The Table is a guide intended to promote uniformity in orders rendered. 46 C.F.R. § 5.569(d); Appeal Decision 2694 (LANGLEY) (2011). Orders issued consistent with the Table are not excessive. Id. (noting that a sanction will not be disturbed on review unless there is a gross departure from the Table). However, an ALJ has wide discretion to choose an appropriate sanction based on the specific facts of a case while not bound by the Table, stipulation of the parties, or recommendation of Coast Guard's investigating officer. Appeal Decision 2695 (AILSWORTH) (2011); Appeal Decision 2628 (VILAS) (2002); Appeal Decision 2173 (PIERCE) (1979).

The Table does not expressly specify a sanction for the violation of a company policy. 46 C.F.R. § 5.569 tbl. 5.569. Yet, violations of company policy have been analogized to a lawful order of a master in some cases. Appeal Decision 2723 (BOUDREAUX) (2019); Appeal Decision 1567 (CASTRO) (1966). Therefore, the most applicable sanction range in the Table for violation of a company policy, such as in this case, is "Failure to obey [the] master's/ship officer's order." 46 C.F.R. § 5.569 tbl. 5.569. This specifies a sanction range of one to three months outright suspension. Id. To depart from the sanction range specified in the Table requires a clearly articulated explanation of the aggravating and, or mitigating factors supporting

¹ Respondent appears to have inadvertently checked the box corresponding to requesting a hearing on the proposed sanction in the Complaint before selecting the box agreeing with the proposed sanction and initialing the change. Answer, 1, Apr. 29, 2025. Additionally, Respondent checked the box indicating a desire to discuss settlement with the Coast Guard. Id. However, an inquiry with the Coast Guard revealed no settlement talks were initiated.

the departure. Thus, a sanction will remain undisturbed by reviewing authorities if it is not obviously excessive or an abuse of discretion. Appeal Decision 2624 (DOWNS) (2001).

In this case the Coast Guard requested, and Respondent agreed with a sanction of four months' outright suspension. Even though this sanction exceeds the corresponding range specified in the Table, I find it reasonable and appropriate since both parties agree on it.

WHEREFORE,

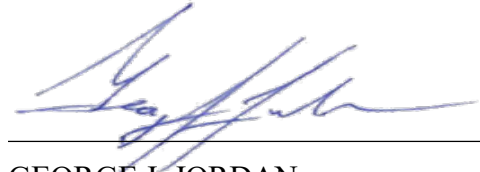
ORDER

IT IS HEREBY ORDERED that Respondent's violation of 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credentials [REDACTED] is **SUSPENDED OUTRIGHT FOR FOUR (4) MONTHS**, commencing on the date they are deposited with the Coast Guard. Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including the MMCs, by mail, courier service, or in person to: LT Miranda Luna, Marine Safety Unit Morgan City, 7327 Highway 182 East, Morgan City, LA 70380. In accordance with 18 U.S.C. § 2197, if Respondent knowingly continues to use the Coast Guard issued MMC, Respondent may be subject to criminal prosecution.

PLEASE TAKE NOTICE, service of this Decision on the parties and/or parties' representative(s) serves as notice of appeal rights set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

Done and dated, May 14, 2025,
Seattle, Washington

A handwritten signature in blue ink, appearing to read "G. Jordan", is written over a horizontal line.

GEORGE J. JORDAN
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE