



Phantom Justice: September 2023



CG-Level Separations

A PV1 was separated under Chapter 14-12c with a General discharge for wrongful use of an illegal drug and drunk on duty.

Courts-Martial

On 18 September 2023, at a general court-martial convened at Fort Cavazos, Texas, SPC Brian J. Gensamer, United States Army, was convicted by a military judge, pursuant to his pleas, of four specifications of domestic violence in violation of 128b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit all pay and allowances, to be confined for 22 months, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 26 September 2023, at a special court-martial convened at Fort Cavazos, Texas, SPC Brandon E. Lathrop Jr., United States Army, was convicted by a military judge, pursuant to his pleas, of three specifications of domestic violence in violation of Article 128b, UCMJ. The military judge sentenced the accused to be confined for 10 months and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

III Corps Military Justice Actions:

- **DWI GOMORs: 3**
- **Misconduct GOMORs: 2**
- **Article 15s: 45**
- **DV Administrative Separations: 0**
- **Administrative Separations for sex-related offenses: 0**
- **Courts-Martials for sex-related offenses: 0**
- **Total Courts-Martial: 2**

NOTE: Soldiers being separated administratively may receive one of three characterizations of service: Honorable, General, or Other Than Honorable (OTH). Anything less than an Honorable discharge may result in the loss of certain benefits and negatively affect employment and educational opportunities. References to "Chapter 14-12c" are to specific provisions within Army Regulation 635-200, Active Duty Enlisted Administrative Separations, related to separation for commission of a serious offense.

NOTE: Cases involving Soldiers accused of committing sexual assault or sexual contact offenses may be disposed of through the administrative separation process for a number of reasons. For example, survivors sometimes prefer the administrative separation process over participating in a court-martial.

NOTE: Officer eliminations are approved at Human Resources Command, whereas enlisted separations are approved at the local installation.

NOTE: A Chapter 10 is an administrative separation in lieu of trial by court martial.