



Phantom Justice: December 2020



Misconduct Separations

- A CPT (O-3) was recommended for elimination from the Army under Chapter 4-2b with an General discharge for engaging in an adulterous relationship with a woman, not his wife, who was married to an Enlisted Soldier, and Conduct Unbecoming of an Officer (Art. 133).
- A PVT (E-2) was separated from the Army under Chapter 14-12c(2) with an Other Than Honorable (OTH) discharge for drug use, disobeying orders, FTR, and making a false statement.
- A PVT (E-1) was separated from the Army under Chapter 14-12c(2) with an Other Than Honorable (OTH) discharge for drug use, AWOL, and theft of military property.
- A SPC (E-4) was separated from the Army for Chapter 14-12c with an Other Than Honorable (OTH) discharge for assault upon his spouse and another individual.
- A PVT (E-2) was separated from the Army under Chapter 14-5 with an Other Than Honorable (OTH) discharge for Conviction by Civil Court for aggravated sexual assault of a child. The separation also included possession of drugs, possession of alcohol by a minor, and a sexual act upon an individual.
- *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.*

Courts-Martial

- On 9 December 2020, at a summary court-martial convened at Fort Hood, Texas, a SPC (E-4) was convicted by a summary court martial officer, pursuant to his plea, of one specification of communicating a threat to his spouse in violation of Article 115, UCMJ and one specification of assault on his spouse in violation of Article 128, UCMJ. The summary court martial officer sentenced the accused to reduction to Private First Class and to be confined for 20 days.
- On 15 December 2020, at a special court-martial convened at Fort Hood, Texas, a PFC (E-3) was convicted by a military judge, pursuant to his plea, of one specification of assault consummated by a battery upon his spouse in violation of Article 128, UCMJ. The military judge sentenced the accused to be confined for 7 days and to be discharged from the service with a bad-conduct discharge.

III Corps Military Justice Actions:

- DUI GOMORs: 12
- MISCONDUCT GOMORs: 5
- Article 15s: 44
- DV Administrative Separations: 1
- Sex Crimes Administrative Separations: 1
- Sex Crimes Courts-Martial: 0
- Total Courts-Martial: 2