



Phantom Justice: July 2022



CG-Level Separations

A PFC was separated under Chapter 14-12c with an OTH discharge for burglary and aggravated assault.

A PV1 was separated under Chapter 14-12c with a General discharge for an inappropriate relationship and falsifying documents.

A SPC was separated under Chapter 14-12c with an OTH discharge for domestic violence.

A PV2 was separated under Chapter 14-12c(2) with a General discharge for illegal drug use.

A PV1 was separated under Chapter 14-12c(2) with a General discharge for illegal drug use.

A PV1 was separated under Chapter 14-12b with a General discharge for failure to report, false statements, disobeying a regulation, and falsifying a document.

A SPC was separated under Chapter 14-12c with an OTH discharge for Sexual Assault.

A PV2 was separated under Chapter 14-12c with an OTH discharge for illegal drug use and domestic violence.

A PV2 was separated under Chapter 14-12c(2) with a General discharge (suspended for 12 months) for illegal drug use.

III Corps Military Justice Actions:

- DUI GOMORs: 3
- MISCONDUCT GOMORs: 11
- Article 15s: 70
- DV Administrative Separations: 2
- Sex Crimes Administrative Separations: 1
- Sex Crimes Courts-Martial: 1
- Total Courts-Martial: 4

Courts-Martial

On 22 June 2022, at a special court-martial convened at Fort Hood, Texas, SGT Bonifacio Hernandez IV, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy, one specification of violation of a lawful regulation, one specification of dereliction of duty, and one specification of wrongful interference of adverse administrative proceedings, in violation of Articles 81, 92, and 131g, UCMJ. The military judge sentenced the accused to be confined for 45 days and to be discharged from the service with a bad-conduct discharge. A pretrial agreement had no effect on the sentence.

On 23 June 2022, at a special court-martial convened at Fort Hood, Texas, PFC Adam N. Overmyer, United States Army, was convicted by a military judge, pursuant to his plea of one charge and its specification of absence without leave in violation of Article 86, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 30 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 28 June 2022, at a special court-martial convened at Fort Hood, Texas, SGM Tomas Barrios, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of an inappropriate relationship with a subordinate Soldier, two specifications of false official statement, and one specification of extra-marital sexual conduct in violation of Articles 92, 107, and 134, UCMJ. The military judge sentenced the accused to be reduced to the rank of E-8 and to be confined for 60 days. The sentence was consistent with the terms of a plea agreement.

On 20 July 2022, at a general court-martial convened at Fort Hood, Texas, PVT Reginald Gleaton, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of sexual assault in violation of Article 120, UCMJ. The military judge sentenced the accused to be confined for 15 months and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the terms of a plea agreement.

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.