



Phantom Justice: August 2022



CG-Level Separations

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

A SPC was separated under Chapter 14-12c(2) with a General discharge for the wrongful use of illegal drugs.

A PV2 was separated under Chapter 9 with an Honorable discharge for Substance Use Disorder.

A PV1 was separated under Chapter 14-12c with an OTH discharge for sexual assault, false official statement, and disobeying an order.

A CW3 was recommended for elimination with a General discharge for abusive sexual contact and failure to follow a lawful general order.

A SGT was separated under Chapter 10 with an OTH discharge for receiving stolen property.

III Corps Military Justice Actions:

- DUI GOMORs: 3
- MISCONDUCT GOMORs: 1
- Article 15s: 52
- DV Administrative Separations: 0
- Sex Crimes Administrative Separations: 1
- Sex Crimes Courts-Martial: 1
- Total Courts-Martial: 4

Courts-Martial

On 8 August 2022, at a general court-martial convened at Fort Hood, Texas, MSG Rusty Groat, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy to commit larceny of government property, one specification of larceny of military property, and one specification of false official statement in violation of Articles 81, 121, and 107, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-3, to be reprimanded, and to be confined for 60 days. The sentence was consistent with the terms of a plea agreement.

On 24 August 2022, at a general court-martial convened at Fort Hood, Texas, SFC Brian J. Divine, United States Army, was convicted by a military judge, pursuant to his pleas, of four specifications of violation of a lawful general regulation and three specifications of cruelty and maltreatment in violation of Articles 92 and 93, UCMJ. The military judge sentenced the accused to a Bad Conduct Discharge and no confinement. The sentence was consistent with the terms of a plea agreement.

On 29 August 2022, at a general court-martial convened at Fort Hood, Texas, SGT Erica Williams, United States Army, was convicted by a military judge, pursuant to her pleas, of one charge and its specification for attempted aggravated arson of an inhabited dwelling, one charge and its specification for aggravated assault causing grievous bodily harm, and two charges and their specifications for larceny of BAH in violation of Articles 80, 128, and 121, UCMJ. The military judge sentenced the accused to a Dishonorable Discharge, reduction to E-1, and confinement for a total of 7 years and 6 months. The sentence was consistent with the terms of a plea agreement.

On 31 August 2022, at a general court-martial convened at Fort Hood, Texas, PFC Justin M. Scott, United States Army, was convicted by a military judge, contrary to his pleas, of one charge and its specification of Sexual Abuse of a Child, in violation of Article 120b, UCMJ. A military judge sentenced the accused to a Dishonorable Discharge, to be reprimand, reduction to E-1, 60 days restriction to battalion area, and hard labor without confinement.

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.