



Phantom Justice: April 2022



Separations

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

A PV1 was separated under Chapter 14-12c with an OTH discharge for domestic violence.

A SPC was separated under Chapter 14-12c with a General discharge for COVID vaccine refusal.

A SPC was separated under Chapter 14-12c with a General discharge for conspiracy to transport undocumented aliens.

A SGT was separated under Chapter 14-12c with a General discharge for COVID vaccine refusal.

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Following an administrative separation board's recommendation, a SSG was separated under Chapter 14-12c with an OTH discharge for sexual harassment and false official statements.

A PV2 received a suspended separation (12 months) with an Honorable discharge under Chapter 9 for substance abuse disorder.

Courts-Martial

On 6 April 2022, at a general court-martial convened at Fort Hood, Texas, PFC Zackary Hill, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of attempted sexual abuse of a child, one specification of solicitation of the production of child pornography, one specification of sexual assault of a child, and two specifications of sexual abuse of a child in violation of Articles 80, 82, and 120b, UCMJ. The military judge sentenced the accused to be reduced to E1, to forfeit all pay and allowances, to be confined for 10 years, and to be discharged from the service with a dishonorable discharge.

On 8 April 2022, at a general court-martial convened at Fort Hood, Texas, SPC Maxwell C. Brown, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to obey a lawful order from a superior commissioned officer, two specifications of wrongful distribution of intimate or explicit images, and one specification of communication of a threat in violation of Articles 90, 117a, and 134 (pre-2019), UCMJ. The military judge sentenced the accused to be confined for 8 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:

- DUI GOMORs: 2
- MISCONDUCT GOMORs: 13
- Article 15s: 60
- DV Administrative Separations: 1
- Sex Crimes Administrative Separations: 0
- Sex Crimes Courts-Martial: 2
- 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.