



Phantom Justice: April 2023



CG-Level Separations

A PFC was separated under Chapter 14-12c with a General discharge for DWI incidents.

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

Courts-Martial

On 7 April 2023, at a general court-martial convened at Fort Hood, Texas, SSG (Retired) David Garcia, United States Army, was convicted by a military panel composed of officer and enlisted members, contrary to his pleas, of one specification of indecent liberties with a child, five specifications of sexual abuse of a child, and one specification of assault consummated by a battery upon a child in violation of Articles 120 (2007-2012), 120 (2012-2018), and 128, UCMJ. The military judge sentenced the accused to be confined for 5 years and to be discharged from the service with a dishonorable discharge.

III Corps Military Justice Actions:

- **DUI GOMORs: 4**
- **MISCONDUCT GOMORs: 7**
- **Article 15s: 40**
- **DV Administrative Separations: 0**
- **Sex Crimes Administrative Separations: 0**
- **Sex Crimes Courts-Martial: 1**
- **Total Courts-Martial: 1**

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.