

Running head: DRIVING UNDER THE INFLUENCE BEFORE A DEPLOYMENT

Driving Under the Influence Before a Deployment

MSG Daryl Thies

United States Sergeants Major Academy

Class 58

SGM Vidakovich

26 November 2007

### Abstract

This paper discusses the ethical dilemma that confronted a battalion chain of command when a Sergeant fire team leader received a driving under the influence citation the night before the battalion deployed in support of Operation Enduring Freedom. The ethical decision making process was used by all members of the chain of command to make a decision that was not in accordance with the unit's standard operating procedure and the norms of the unit.

### Driving Under the Influence Before a Deployment

In January of 2002, four noncommissioned officers from 2d Battalion, 75<sup>th</sup> Ranger Regiment made the decision to allow a fellow ranger noncommissioned officer to get behind the wheel of a vehicle and drive while under the influence of alcohol. This decision was not only a bad personal decision, but also a poor decision made by the four other noncommissioned officers in the vehicle to allow the driver to drive the vehicle under the influence. The result of this decision was a driving under the influence charge for the driver of the vehicle. As well, the chain of command had to make a rapid ethical decision whether to deploy those noncommissioned officers with the unit as they violated the written unit standards.

The phone rang at Sergeant First Class Thies' house at approximately 0200 the day of deployment to the first combat deployment that this unit had seen in a few years. It was a team leader in his platoon who was calling to inform his platoon sergeant that SGT Byron had just been arrested for driving under the influence, and that there were four other noncommissioned officers from the platoon, to include himself that were sitting along side the road in need of a ride back to the unit area. Disgusted with situation, Sergeant First Class Thies got dressed and headed out the door to pickup his team leaders that needed a ride. While driving to pick up the four stranded team leaders, his cellular telephone rang; it was the staff duty officer calling to notify him that the Pierce County Sherriff had arrested SGT Byron for driving under the influence and he was at the police station in Tacoma. The staff duty officer also stated that he

had contacted the company and battalion chain of command. Sergeant First Class Thies picked up the four stranded noncommissioned officers and returned them to the barracks, where the First Sergeant was waiting with SGT Byron.

The chain of command was facing a tough ethical dilemma. The unit standards stated that if a noncommissioned officer receives a driving under the influence citation that the unit would release that noncommissioned officer from the regiment for failure to maintain unit standards. If the chain of command could prove the other rangers in the vehicle that did not make a reasonable effort to stop the driver from driving then the unit would release them too. The norm for the unit was to release from the unit any sergeant or above who received this citation and all passengers in the vehicle for not stopping the driver from driving. If this were to happen, the platoon would be combat ineffective, as the chain of command would be releasing five of the six team leaders in the platoon. To date, this platoon was the best platoon in the Ranger Regiment, and was deploying as the main effort platoon in the company.

Immediately, the platoon and company chain of command gathered the facts as to what actually happened. Once the facts were gathered, the first sergeant released the noncommissioned officer to get some sleep as initial manifest call was in twelve hours. The chain of command weighed their options. Option one was to stay the course of the regimental norms and relieve all five noncommissioned officers. This would make the platoon essentially combat ineffective for the near term and the company would have to rapidly re-task organize for the upcoming deployment to combat. The platoon would have to move five junior enlisted warriors into critical team leader positions, thus creating voids in the platoon that had been training as a composite unit for the entire deployment preparation cycle. Option two was to release Sergeant Byron and keep the other four noncommissioned officers. This would require minor shuffling of

personnel in the platoon and company to meet the mission requirements. Option three was to keep all of the personnel as the unit was deploying in only a few hours. This would create some serious ethical dilemmas for the company and battalion the chain of command the next time someone was to conduct this offense, but with the impending deployment this course of action made the most sense.

The company chain of command weighed the options. Knowing that the chain of command must make a decision within the next few hours, they made a quick decision to recommend course of action number two to the battalion commander. The chain of command based the decision upon several factors. First, the unit was deploying in less than twelve hours and there was not enough time to re-task or re-organize the unit. Second, the follow on order effects of conducting the “fallout one” drill in five key positions within the platoon could potentially cost lives overseas. For the platoon to replace Sergeant Byron only would not cause a great loss of continuity. Third, this noncommissioned officer had a serious error in judgment that could have cost the lives of several of his comrades in a constrained environment. How was he to react in the generally unconstrained environment of combat? Would he have the same lapse of judgment and cost the lives of his rangers?

Awaiting the decision, the battalion Command Sergeant Major and battalion commander were upstairs talking with the five noncommissioned officers about what had happened and made a surprise visit into the First Sergeant’s office to hear what the company chain of command was thinking. The First Sergeant briefed the battalion commander and Command Sergeant Major on the recommended decision. The battalion commander immediately asked about Sergeant Byron’s past performance record and potential for future service in the regiment. He also reminded Sergeant First Class Thies and the First Sergeant that he was overly impressed

with Sergeant Byron's performance during the platoon external evaluations and during the squad competition. This caught Sergeant First Class Thies and the First Sergeant off guard as they thought the decision was clear-cut. SGT Byron's performance record was impeccable to this point. In fact, he was to be the next squad leaders in the company. This was going to happen while deployed as one of the current squad leaders was separating from the Army midway through the deployment. The Command Sergeant Major asked what other courses of action that they had come up with for this problem. It was clear that the battalion chain of command did not agree with the company's recommended course of action. The entire chain of command discussed the other two courses of action.

The battalion commander then made the final decision. His decision was to keep all noncommissioned officers in the unit, to include Sergeant Byron. The caveats were that the chain of command would not recommend promotion for Sergeant Byron until he proves a significant change in his decision-making ability. As well, he would have to complete all mandatory alcohol and drug training upon completion of the deployment. Finally, he would receive a General Officer Memorandum of Reprimand as directed by the garrison commander's policy. The battalion chain of command acknowledged the wrong doing of the other four noncommissioned officers, but left their punishment to the company to decide.

This decision was unheard of by any members of the company chain of command. Concerned about perception of the company based upon the decision, the First Sergeant voiced his opinion as to why he thought keeping Sergeant Byron was a bad decision. The command Sergeant Major stated that he would take care of the perception issues, and that the company chain of command needed to focus on the deployment and make sure these men were ready to

fight. He stated that they had complete confidence in Sergeant Byron's abilities and knew that he would not make another error in judgment such as he did.

The battalion chain of command made this decision based upon more factors than what was in black and white in the unit standard operating procedure. The battalion commander made the final decision based upon facts, the situation at hand, and Sergeant Byron's impeccable performance record. Though Sergeant First Class Thies and his First Sergeant were not comfortable with the decision made, it was the decision made, regardless of their feelings in the matter. If it had been a week earlier, Sergeant Byron would no longer be a member of the 75<sup>th</sup> Ranger Regiment.

The chain of command had clearly made the right decision. During that deployment and to date Sergeant Byron has continued with his near flawless performance record. As well, the decision made by the battalion chain of command saved the lives of multiple rangers in combat. For his heroic actions, Sergeant Byron received an award for valor. Today, Sergeant Byron is now Sergeant First Class Byron and still serving in the 75<sup>th</sup> Ranger Regiment.

### Conclusion

As leaders in the Army, we must make decisions only based upon the Army values and unit standard operating procedures, but also relevant, real-time facts. Not every decision is black and white; and all situations, no matter how similar, have different factors that will change the outcome. As the Global War on Terrorism continues, the requirement for all leaders to be able to make decisions based upon a rational decision making process in an absolute must. Leaders and junior enlisted alike must possess a solid set of values to apply towards any ethical problem to come up with the right solution in the end. The Soldiers in today's Army cannot afford to

know only what is on paper; they must be fluid and free thinkers that apply sound judgment and solid decision making to every problem they encounter, both in garrison and in combat.