

Running head: ETHICAL PROBLEM FACING THE ARMY TODAY

Ethics Thought Paper

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Abstract

This paper concerns an ethical problem I see going on in the Army today. The ethical problem I see is noncommissioned officers having sexual or inappropriate relationships with their subordinate Soldiers. In this paper, I go through the Army's seven-step process for solving a problem. I also give you examples of the ethical problem I have seen during my time in service. You will be amazed at some of the issues we have today concerning what is a clear violation of Army standards and the UCMJ.

I want to write about an ethical dilemma facing the Army today as we participate in the Global War on terrorism. Because of my status, rank, or maybe both, I have the opportunity to hear of these ethical dilemmas as they occur, and I get to see the cause and effect it has on Soldiers and units. The ethical problem I am speaking about is senior noncommissioned officers (NCOs) sleeping with their Soldiers. During my 18 years of service in this great Army, I have always been aware of it happening, but never paid attention to the deleterious effects it has on Soldiers and units in which it occurs.

In accordance with the Army's problem solving process I have identified the problem. In case I did not get my point across the first time because of my word choices I will restate the problem. The ethical problem I am writing about is senior noncommissioned officers having sex with their Soldiers and the problem it is creating within our ranks. I have always been against NCOs engaging in inappropriate relationships with their Soldiers, but it really became apparent in the year 1995, when I became a drill sergeant.

Upon first arriving at my unit at Fort McClellan, AL, two drill sergeants were just chaptered out of the Army for having sexual intercourse with their privates. You would think that chaptering a Soldier out of the Army after years of service was a strong enough signal to prevent this from ever happening again. Wrong! In Oct 96, the incident at Aberdeen Proving Grounds happened. Drill Sergeants were having sexual relations with their privates and abusing them.

The Army in its attempt at damage control instituted a 1-800 number for others to report sexual abuse by their supervisors. Let me tell you, this affected nearly every installation in the Army. The Army formed an IG team that went to every installation in the United States to investigate the problem. At Fort McClellan, the institution of the 1-800 number resulted in 15

drill sergeants being relieved of their duties and investigated for allegations. A year later another 16 drill sergeants were relieved of duty for inappropriate relationships with their privates. Now we have Soldiers going out into the field thinking that sexual intercourse with their supervisor is the norm, and worse, when they become NCOs they might even engage in that type of inappropriate activity.

In May 2003, while deployed in Hungary, in support of Operation Iraqi Freedom (OIF), I received a phone call to pack my bags because I was being sent to Iraq to replace a MSG who was relieved of his duties for using his position to have sex with 12 females in the unit. Upon my arrival, I talked quite frequently with the 12 who were involved with the incident, and each Soldier, with the exception of two, were on an antidepressant because of what had happened. Keep in mind that this is right as OIF was kicking off and shooting engagements with the enemy were the norm. We now had Soldiers on prescription drugs for mood disorders shooting guns at people.

That does not stop there, since this incident I have become aware of three CSMs, two SGMs, and two 1SG relieved of duties for sexual misconduct with their Soldiers. All relief for causes occurred while deployed to either Operation Enduring Freedom (OEF), or OIF. These incidents have had a huge impact on the lives of many Soldiers not to mention the NCOs who committed the offenses. The implications go on, what about the families of the NCOs, or the families of the Soldiers involved in the incident. I have two daughters and I do not want them joining the Army now because of this type of conduct. We will talk more about implications and outcomes later in this paper as I gather information about the problem. Right now, I just want to focus on incidents.

One of the CSMs I am speaking about who had to retire or face courts martial charges was a post CSM. He was implicated in 32 counts of sexual misconduct and misappropriation of a government vehicle. Wow, talk about a senior NCO, this person was senior, at least in position, to everyone. Now I want to gather information about the problem and spell it out in the rest of this paper.

The problem with NCOs having inappropriate relationships with their Soldiers to me is, it is like having sexual relations with one of your kids. These Soldiers are here to train, learn, and fight in the Global War on Terrorism. They did not enter the Army solely for “dating” their supervisor. Most of these females were probably intimidated into having the relationship. An issue with this is, that sexual harassment is in violation of the UCMJ. Let me backtrack if it is not too late. First of all, the problem here is in direct violation of AR 600-20 (Army Command Policy) Para 4-14 b. (1) – (5) which reads:

b. Relationships between Soldiers of different rank are prohibited if they —

- (1) Compromise, or appear to compromise, the integrity of supervisory authority or the chain of command.
- (2) Cause actual or perceived partiality or unfairness.
- (3) Involve, or appear to involve, the improper use of rank or position for personal gain.
- (4) Are, or are perceived to be, exploitative or coercive in nature.
- (5) Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission.

The unit I served with in Iraq did not have just one NCO having sexual relations with their Soldiers it was several of them. I could tell right from the start that this unit was in trouble. They were demoralized; their equipment was in a state of disrepair, weapons dirty, and just a

non-caring attitude from most of the Soldiers. The 1SG for the unit was not in control of the unit. I do not think he knew how to control the unit. He had failed to set the ethical climate within the unit. I do not know, maybe it proved to each NCOs that was having sex with their subordinate that they were all mighty powerful and they were in control.

Now I will analyze different courses of actions the Army and the unit can take against an NCO who violates the senior subordinate relationship. Since the relationship is in most cases a violation of the UCMJ then the NCO might receive an Article 15 and given a variety of punishments from reduction in grade and extra duty, to a letter of reprimand. In accordance with the UCMJ, an NCO might receive a courts martial. Another option is to chapter the NCO from the Army in accordance with Army Regulation (AR) 635-200. Lastly, a unit could just decide to move either the Soldier or the NCO into another unit if they had that option available.

Every situation is different and the Commander and 1SG would have to take a hard look at the problem and the impact it had on the unit. I do know that a strong signal needs to go out in order to curb or stop any further incidents of inappropriate senior subordinate relationships. I do know in most all cases evolving a senior NCO, that is SFC and above, a courts martial should be utilized in order to be able to administer appropriate punishment. An Article 15 would do nothing to a SFC or above. A courts martial would be needed if rank is going to be taken. In my humble opinion, a courts martial is the way to go in this instance. Except for the time I recommended courts martial for one of my SFC, who received a reduction to SSG for an inappropriate relationship, I have never seen the process used against an NCO, except when I was a drill sergeant. It does such a disservice to our Soldiers and unit not to appropriately punish those who violate AR 600-20 and it sets the ethical climate of the unit. If you are a unit that is deployed to combat, in either Operation Iraqi Freedom, or Operation Enduring Freedom, the

person who fails to hold NCOs accountable is setting that unit up for major failure. Be the strong ethical person and make that hard decision to serve swift punishment to violators that is what we are paid to do. The Army, our Soldiers, and their families expect it. I told you earlier in this paper of the NCO who used his rank and position to have inappropriate relationships with 12 females in the unit. Well he had a permanent change of station to Korea and afterwards he went to Fort Lewis, Washington where he was assigned as a 1SG. Wow, can you imagine the impact he had on his unit. Not much, you see, he was relieved of his duties by the battalion commander while out on a range, and he is now assigned to a staff job. If the commander and 1SG had handled their business with this NCO while in Iraq, then subsequent Soldiers would not have had to endure the negative impact he had on people. My position is this: be firm, fast, and furious when administering punishment to NCOs who violate the senior subordinate relationship.