

ETHICAL DILEMMA WITH STANDARDS AND POLICIES

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### Abstract

I will talk about a Soldier that put me in an ethical dilemma that I thought was not possible. It made me pay more attention the standards and policies. I always put the standards in black and white. Either, you are right or wrong according to the standards and policies of the army. After being in the military, I have seen many of the standards and policies be ignored by our NCOs and senior commissioned, and noncommissioned officers.

There was an ethical dilemma and I just could not believe it was happening. I was a Platoon Sergeant on a deployment when one of my section sergeants told me about a problem he was having with one of his female Soldiers. We discussed the issue he had and I listened to what he wanted to do about the situation. I had him bring the soldier in and we talked to the soldier about the issues that were being said about her from her roommate. The Soldier denied all the information that was given about her. So I just told her that she needed to watch what she is doing around her roommate and respect her roommate. After about another three days we got another complaint about this soldier. So we told her that she could not have visitors after 2200 hours. This goes for her roommate too; they need to respect each others' space and company. After about a day the team chief came to me and said that we were out to get his soldier. I told him that his soldier had some complaints about her off duty behavior and that he was notified about the situation and he didn't do anything. So the problem was taken to her section sergeant and then to me. He said that we were being bias. I told him my concern is for the Soldiers and not letting my Soldiers get into trouble. That I would do what I had to, to protect my soldiers from danger and that is exactly what I will do. Plus what he needed to understand is that there were standards and policies about the opposite sex in soldiers' rooms after a certain time of the day. He was also upset that I gave his Soldier a counseling regarding the situation. The soldier stayed clear of everyone but still felt that she was being singled out. After about two months her section sergeant went to ANCOG and I moved up to 1SG. Her new platoon sergeant and section sergeant didn't enforce the standards. They said that they felt that we were single-ling her out. After about a month went by we were about to return home from the deployment when we were issued orders to continued our mission at another location. We were packed up and ready to move to our next location when her platoon sergeant told me she had some issues between the

Soldier and the Soldiers' section sergeant. I told her to handle the issues and if I needed to get involved she had my support. Once we got to our new location the soldier asked to speak to me on an open door policy. I asked her did she notify her chain of command. When the soldier told me she didn't, I told her she needed to let her chain of command know that she wants to talk to the 1SG. Once the chain told me she wanted to talk I had her come in and talk. The soldier wanted to know what would happen if she was pregnant. I told her if I had a document that she was pregnant she would receive UCMJ for adultery. I cannot do anything to her based on her word that I needed documentation. There are policies that stay we have to get the Soldier out of theater within seven working days. The Soldier then said that she just wanted to know what would happen. I also told her that if she was pregnant that she would have to make sure that she saw a doctor right away. I talked to my commander and let him know that we might have to send a Soldier back that was pregnant. After about two days, the Soldier came back with a doctor's note saying she was pregnant. We started the paper work for the soldier to return home. I informed my battalion command sergeant major, and told him that all the paper work will follow. The Soldier told me that she was separated from her husband and that she was working on a divorce. I told her in the army eyes, according to the UCMJ, she is still married until the army sees a divorce decree. So, the soldier returns to the rear with the battalion. The Battalion commander said they would handle everything when she gets there. Three months later when we returned back to the battalion I asked my command sergeant major what was going on with the Soldier because I see that she is still wearing her rank. He said that we had to do the paper work all over again. When I asked him for all the paper work, we sent forward he said they did not have it. Therefore, I had to start it all over again. We compiled all the paper work that we had on file and sent it to JAG. JAG said that we did not have a case because the Soldier said that her

husband got her pregnant. I asked the JAG lawyer how could this be possible when she got pregnant while we were deployed. He said that the Soldier said she visited her husband and we could not tell when she got pregnant from the paper work. Therefore, as far as JAG was concerned, she could not get an ARTICLE 15. Therefore, when the Soldier came back to the company, I talked to the platoon sergeant and the section sergeant. I told them that the Soldier said that she went to visit her husband during the deployment and I wanted to know when did this happen. Both of them said that the Soldier told them she was separated and working on a divorce. Therefore, I had her come in with the company commander to write a sworn statement to the fact that she had visited her husband while we were deployed. The soldier asked me where we got this information. I told her that our article 15 paper work came back saying that you told them you were pregnant by your husband. She told us at that time, it must have been a misunderstanding and that she did not want to write a sworn statement. Therefore, we went on with the paper work and JAG recommended that she request a court marshal. The Company Commander and I told them what took place in his office. They said they could only go off the doctors' information and what the soldier told them. Therefore, once everything was in motion I gave the packet to the CSM of the battalion for the first reading. I waited for about two weeks and we did not get any time for the first reading. The CSM kept telling me they would get to it. Therefore, after a couple of days I had a fellow 1SG tell me that our battalion commander was going through the same thing. He was under a 15-6. I was upset by the information that I was getting from a peer. I went to the CSM office and asked about what I just heard about the battalion commander. He said yes, he thought that I knew. I told him, I got back six months after the battalion and we were nowhere near our battalion like the rest of the companies. So I told the CSM I had a problem with the BN dealing with her case and passing judgment. He told

me it had nothing to do with his professionalism; he can still do his job. I told him I disagree with that because if he is going through the same situation of adultery then how can he judge anyone else. It would not be a fair process. This sat for another week waiting on the outcome of the battalion commanders' situation. After talking to the commander we decided to do the article 15 ourselves at company level. I talked to the battalion commander sergeant major and asked if he could give this back to the company. After he talked with the brigade commander and the brigade commander sergeant major they said it would be ok. Therefore, they sent it back to legal to make the adjustment and we handled the case. This was almost six months later. I was surprised about the command sergeant major position. I thought that he would have said to handle it ourselves from the beginning or to take it to brigade level. I am not saying that everyone is perfect, but I feel that if you are going through things and you are in charge, you cannot pass judgment on someone else when you are doing the same thing. That is why we have standards and policies.

Being a leader I have witnessed many standards that are broken by our senior leadership. This goes from uniform standards to everyday policies. You can walk around any military installation and you will see what I'm talking about, the lack of enforcing standards. Some of the things that I see a lot of are wearing sunglasses that are not authorized by the army standards. Another thing that I seen is wrong is having sunglasses hanging down in front of their uniform. I have also seen soldiers walking in uniform with their cell phones up to their ear, talking. When do we say enough is enough? There is also problem with the uniform especially when we were deployed. I saw soldiers with all kinds of things hanging off their uniforms. Not wearing all their proper equipment for deployment or wearing it the right way. Who is enforcing the standards in the army today? I want to say it is the NCO but unfortunately, it is only a few. But

most of the violators are the NCOs and seniors. If we cannot conform ourselves, how can we tell our Soldiers to do it? I have plenty of Soldiers come to me and tell me that they have told a NCO about a correction and the NCO blows the Soldier off. I have even seen it for myself when a young Soldier tried to inform a NCO about a correction and that NCO failed to make the correction. All that we ask as leaders is to set the example and make the on the spot correction. If we do this and keep this a truly professional army then everyone will know that the Noncommissioned Officer Corp is the backbone of the army. We will enforce all standards, regulations, and policies without any hesitation.

In conclusion, you can see that there are situations that will arise that you may have an ethical problem with while deployed or back at home in garrison. We as leaders need to enforce all standards and policies regardless of how we feel about the situation. We have values we live by in the military, and that is what makes our military so special. I have been in the military for some time now and I have seen the difficulties of the military life. I still say that we need to lead by example not by our words. This keeps our respect intact with our Soldiers and units.