

## TRAINING ABUSE CASE STUDY

The vignette you are about to read is real and is conveyed by a training brigade commander. Only the names and unit references have been changed due to privacy act requirements.

### FACTS:

SSG Braindead: Male, Army Reserve soldier activated to perform duties as an AIT/IET instructor. He was divorced two years prior to committing the below infractions with custody of his two sons.

SSG Braindead was assigned as an instructor for class 01-11. SSG Braindead would frequently complain to the class about headaches and a need to take his pills. The class quickly learned that when SSG Braindead didn't take his pills, they were subject to his mood swings and excessive use of verbal and body profanity. As an instructor, he had some bad habits; for example, one of his daily routes was to make fun of PVT Jon. SSG Braindead thought that PVT Jon was a homosexual and often commented on how gay or funny PVT Jon acted. Because SSG Braindead did it in a joking manner, no one in the class reported it, and even PVT Jon just thought he was joking. Even when PVT Jon was writing on the blackboard and SSG Braindead realized PVT Jon was behind him, SSG Braindead jumped to the side, knocking down the podium, and reached for his leathermen and stated, don't get behind me cause I'll cut you. Again, everyone in the class just thought it was a joke. It wasn't until he assisted his class during the Field Training Exercise (FTX) that SSG Braindead was reported.

During classes, PVT Jane kept staring at SSG Braindead and giggling with her battle buddy, PVT May. When he caught them, SSG Braindead asked PVT May why her battle buddy was staring at him and was told that PVT Jane thought he was cute. Later SSG Braindead asked PVT Jane if she and PVT May would like to go to his place on the weekend to relax and play a few games on the playstation. Both the soldiers agreed. SSG Braindead gave them a business card for a SFC Dummy (a fellow Army Reserve instructor), and wrote his cell phone number on the back.

On Tuesday, the class and SSG Braindead left for the FTX site. Upon setting up the tent, SSG Braindead informed the female soldiers that they would sleep in their underwear and tee shirts. At night SSG Braindead would ensure the changing of the guard but waited outside the tent entrance while the female dressed and undressed for guard duty. On the last night of the FTX, PFC Lea was just getting off guard duty. She didn't realize that SSG Braindead had followed her into the tent and was standing behind her as she undressed. While removing her pants, she took a step backwards and felt SSG Braindead behind her. Shocked, she stood up and SSG Braindead reached forward, placing one hand up the front of her shirt and the other hand down over her underwear. PFC Lea pushed off SSG Braindead and went into her sleeping bag, not saying anything until she got back from the FTX. Then she reported the incident to her Chain of Command.

Before the FTX ended, SSG Braindead propositioned two more female soldiers, PVT Jill and PVT Kate. They both declined and became subject to his abuse. The next day after declining his

offer, SSG Braindead gave a statement to the FTX NCOIC and informed their Drill Sergeant that he caught the two female soldiers in a homosexual act while posting the guard. Then he had PVT Jill, who had a no-lifting profile for a back injury, move a set of camouflage poles. When PVT Jill told him she had a no-lifting profile, SSG Braindead told her to turn around and tell him what she saw. PVT Jill turned around and stated that all she saw was a highway. SSG Braindead then stated, "If you don't get the camouflage moved, your ass is going to be on that highway going home".

On Friday the class returned from the FXT and PVT Jane called SSG Braindead to make arrangements for the weekend. SSG Braindead told her to meet him in the parking lot at Sears. At 1930 hrs SSG Braindead picked up PVT Jane and PVT May and took them to SFC Dummy's house. When they arrived at SFC Dummy's house, everyone started drinking and pairing off. At about 2100 hrs, PVT May and SFC Dummy went into a bedroom and had consensual sex while PVT Jane and SSG Braindead went into different bedroom and also had consensual sex. At about 2300 hrs, while sleeping on her stomach, PVT May was awakened by SSG Braindead, who was on top of her performing sex, and SFC Dummy in front of her telling her to perform oral sex on him. PVT May stated that she was going to throw up and both sergeants released her. SSG Braindead then went back to where PVT Jane was and mounted her from behind. PVT Jane woke up in pain, and she turned on her back in an attempt to stop SSG Braindead. On her back she tried to push the sergeant off her but was not able to, so she let him finish and went back to sleep when he was done. Both privates returned back to the barracks the next day and PVT May told her roommate PFC Lea what happened.

On Monday PFC Lea went to see the commander. She had already written and given a statement to the commander on what SSG Braindead did to her in the tent after guard duty and now was going to tell the commander what happened to PVT Jane and PVT May. While investigating this case, it was learned that the soldiers didn't want to report anything because of fear of reprisal from SSG Braindead. SSG Braindead had convinced them that it would be their word against an NCO and that the NCO was always right. They initially decided they would just deal with what the NCO did because they were afraid of receiving punishment under the UCMJ, losing their MOS or being kicked out of the Army.

#### **DISCIPLINARY ACTION:**

SSG Braindead was court-martialed and found guilty of three counts of violating Article 92 (violating lawful general regulation) and two counts of violating Article 93 (maltreatment of a subordinate). SSG Braindead was reduced to the grade of E-1, confined for 1 month, and given a bad conduct discharge. Prior to and during the court-martial, SSG Braindead was held in confinement.

#### **LESSONS LEARNED:**

1. Even though all permanent party personnel are initially briefed on inappropriate relations with IET/AIT soldiers, periodic training is required to reinforce the 'Not to do' and what will happen when you commit the 'Not to do'.