

HEADQUARTERS 97TH INFANTRY DIVISION  
Office of the Judge Advocate

APC 445, c/o Postmaster,  
Shreveport, Louisiana  
13 January 1944

SUBJECT: Report of the Division Judge Advocate for the  
month of December 1943.

TO : The Commanding General, 97th Infantry Division.

I. AWOL. -- There were 136 soldiers absent without leave from the Division during December 1943. This figure represents a slight reduction from the November figure, which is shown below together with complete data for the past 7 months:

	<u>Number of Soldiers AWOL</u>	<u>Man-days Lost</u>	<u>Avg days lost per man</u>
June	69	613	9
July	186	777	4
August	451	343	7½
Sept	197	2167	11
Oct	134	1665	12
Nov	149	1625	11
Dec	136	1747	12

See Inclosure #1 for breakdown of AWOLs by units. In this connection it is noted that the 303d Infantry regiment's AWOL rate has fallen steadily for the past 4 months as follows: September - 58; October - 39; November - 38; December - 24.

No other important changes or trends in the rate of absences appear at present.

II. COURTS-MARTIAL. -- Courts-martial for December totaled as follows: (See Inclosure #2)

General courts - 2  
Special courts - 33  
Summary courts - 32

The total of 67 courts-martial represents an increase of 19 cases over the November figure, but is still consonant with the generally reduced rate of trials since the Division left garrison, as will be seen by Inclosure #3. The December increase is in some measure accounted for by the difficulty which is inevitably encountered under field conditions in assembling the members of a court. Thus, a number of trials which came

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under December business were for offenses for which charges had been drawn up during the middle part of November.

AWOL continues to be the leading triable offense. 57% of the December trials were for this offense. See Inclosures 4 and 5 for detailed analyses of special and summary courts-martial by units.

III. CONFINEMENT. -- Actual stockade confinement was resorted to in only one instance in December following trial by an inferior court. Two prisoners, however, were confined to the Camp Polk stockade pursuant to general court-martial sentences.

In all other trials by inferior court, any confinement adjudged was suspended by the reviewing authority. The imposition of hard labor without confinement was resorted to in a few cases, forfeiture of pay being largely relied upon as a punishment in the majority of instances. The fact that the rate of commission of both major and minor offenses remains at a commendably low level despite the lack of facilities for confinement in the field is a credit to the state of military discipline of the Division as a whole.

IV. MILITARY POLICE REPORTS. -- (See Inclosures 6, 7, and 8) A sharp decline in almost all types of offenses reported by the military police occurred in December, the totals for which are the lowest in 8 months. The most noticeable reductions were in the number of arrests for "off-limits", traffic violations, and drunkenness, as will be noted by the comparative data shown in Inclosure #8. Military police reports on officers totaled 20 in November and only 12 in December--11 of which were in connection with the use of vehicles (blackout violations, unguarded vehicle, etc.)

Violation of regulations pertaining to vehicles constituted a large share (about 40%) of the military police reports on enlisted men in December, but still totaled fewer than those in November. Arrests for drunk and/or disorderly in December were fewer than half the number for November, and only in the category of curfew violations was there any noteworthy rise in the arrest rate. Inadequacy of transportation facilities for men on pass undoubtedly was a factor here.

V. CONCLUSIONS. -- a. The AWOL rate for the Division remains constant with preceding months.

b. The 303d Infantry shows a commendable decrease in its AWOL rate.

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c. The decline in offenses by officers indicates the benefits derived from the prompt administration of punishment under A.W. 104.

d. The comparatively low total of courts-martial considering the number of offenses committed in November and tried in December indicates a generally satisfactory state of discipline within the Division in the field.

VI. RECOMMENDATIONS. -- a. That the 303d Infantry be commended for its low AWOL rate.

b. In view of the short time in which the Division will remain in the field, concrete recommendations are withheld pending return of the Division to garrison, and in view of the generally satisfactory state of discipline in the field it is recommended that present policies as to the administration of military justice and discipline remain unchanged.

RALPH W. YARBOROUGH  
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Division Judge Advocate

By

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AWOL REPORT FOR MONTH OF DECEMBER

31 December 1943

<u>Unit</u>	<u>No. of Men AWOL</u>	<u>Days Lost</u>
Division Headquarters	1	10
Hq Special Troops	0	0
Hq Company	0	0
Band	0	0
M.P. Platoon	0	0
Signal Co.	0	0
97th Recon Tr	1	25
97th Q.M. Co.	2	55
797th Ordn Co	0	0
322d Medical Bn	6	135
322d Engr Bn	7	48
Hq 97th Div Arty	0	0
303d FA Bn	1	6
365th FA Bn	6	3
389th FA Bn	2	32
922d FA Bn	0	0
303d Infantry	24	492
386th Infantry	41	307
387th Infantry	<u>45</u>	<u>634</u>
Total	136	1747

MILITARY POLICE REPORTS

MAY THRU DECEMBER 1943  
COMPARATIVE

<u>Offense</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
Fail to salute	-	3	7	2	3	-	-	-
Off limits	8	31	28	33	11	8	22	3
Traffic violation	39	11	10	13	15	24	49	15
Curfew	100	144	139	87	96	84	23	34
Improper uniform	18	13	-	62	25	3	-	-
AWOL	5	7	9	15	24	26	27	10
Drunk	40	43	35	35	57	27	29	12
Disorderly	29	15	15	26	20	19	4	2
No pass	15	71	33	10	13	19	2	2
Liquor	9	18	3	1	5	8	1	3
Other	14	5	14	15	13	27	29	37*
	<u>278</u>	<u>351</u>	<u>293</u>	<u>299</u>	<u>282</u>	<u>255</u>	<u>186</u>	<u>118</u>

Officer offenses 12  
130

\*Includes:  
Blackout violations - 19  
Unguarded vehicle - 11  
Other - 7

SPECIAL COURT MARTIAL CASES - DECEMBER 1943

Unit	A W O L				OTHER OFFENSES			
	Length of Absence	Sentence	Reviewing Authority	Prior Conv.	Offense	Sentence	Reviewing Authority	Prior Convictions
305d	32 days	6 mos.	Susp	0				
	32 "	6 mos.	Susp	0				
	15 "	6 mos.	Susp	0				
	21 "	6 mos.	2 mos susp	0				
386th	36 days	6 mos.	Susp	0				
	6 "	Forf \$40	Appr	0				
	6 "	4 mos.	Susp	1				
	37 "	6 mos.	Susp	0				
387th	72 days	6 mos.	Susp	2	83, Lost gun	3 mos.	Susp	0
	19 "	6 "	Susp	0	85, drunk on duty	Forf \$25	Appr	2
	12 "	6 "	Susp	0	83, Lost pistol	Acquitted		
	10 "	6 "	Susp	1	65, Disrespect NCO	2 Mos	Susp	1
	19 "	6 "	Susp	0				
	13 "	6 "	Susp	0				
	18 "	6 "	Susp	0				
	26 "	6 "	Susp	0				
365th PA	3 "	6 mos HL	3 mos HL	1				
	2 "	6 mos HL	3 mos HL	1				
389th PA	124 days	6 mos	Appr	3	86, left post,			
					69, escaped	6 mos.	Appr	1
922d PA					96, Drunk & Discr.	Acquitted		
97th Recon					65, Discbey	6 mos.	Susp	0
97th QM	11 days	6 mos	4 mos susp	1				
	11 "	6 "	3 mos	0				
	11 "	6 "	3 mos susp	0				
97th Sig	21 "	6 "	Susp	0	96, Drunk	3 mos.	Susp	0
	3 "	6 "	Susp	4	86, Asleep on gd	6 mos HL	3 mos HL	0

**TABULATION OF COURTS-MARTIAL**

**May thru December 1943**

<u>Unit</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Total</u>
303d Inf	32	24	30	23	32	18	9	5	173
386th Inf	24	16	17	23	27	16	10	6	139
387th Inf	29	20	11	23	32	20	6	23	164
303d FA	2	1	2	3	7	0	0	0	15
365th FA	3	3	1	5	6	4	1	7	30
389th FA	3	5	12	0	11	3	4	11	49
922d FA	2	5	0	4	2	0	2	1	16
Hq Btry	0	0	3	0	3	1	0	0	7
322d Engrs	12	4	8	9	12	6	2	1	54
322d Med	4	8	6	8	4	4	3	2	39
797th Ordn	2	0	0	2	0	0	3	0	7
97th Hq Co	0	0	3	1	2	1	3	0	10
97th QM Co	1	0	3	0	2	0	0	3	9
97th Recon	2	1	2	0	0	2	2	1	10
97th Sig Co	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>5</u>	<u>18</u>
	118	89	100	103	141	76	48	65	740

TABULATION OF COURTS MARTIAL

December 1943

<u>Organization</u>	<u>Specials</u>	<u>Summaries</u>	<u>Total</u>
303d Inf	4	1	5
386th Inf	4	2	6
387th Inf	12	11	23
303d FA	0	0	0
365th FA	2	5	7
389th FA	2	9	11
922d FA	1	0	1
Hq Btry	0	0	0
322d Engrs	0	1	1
322d Meds	0	2	2
797th Ordn	0	0	0
97th Div Hq Co	0	0	0
97th Recon	1	0	1
97th QM Co	3	0	3
97th Sig Co	<u>4</u>	<u>1</u>	<u>5</u>
	33	32	65
<b>General Courts-Martial:</b>			
303d Inf -	1		
389th FA -	1		
			<u>2</u>
			67