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HEADQUARTERS 97TH INFANTRY DIVISION

Fort Leonard Wood, Missouri

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REPORT OF THE DIVISION JUDGE ADVOCATE FOR THE MONTH
OF JUNE 1944

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INCLOSURES TO REPORT (Statistical tables):

- Incl 1 - AWOL Report for June 1944
- 2 - AWOLs by months, June 1943 thru June 1944.
- 3 - Tabulation of June courts-martial.
- 4 - Comparative table of courts-martial for past 12 months.
- 5 - Analysis of special courts-martial, June 1944.
- 6 - Analysis of summary courts-martial, June 1944.
- 7 - Military police reports for June 1944.
- 8 - Comparative table of MP reports, Sept 1943 thru June 1944.
- 9 - Copies of weekly report to IXII Corps.

HEADQUARTERS 97TH INFANTRY DIVISION
Office of the Division Judge Advocate

Fort Leonard Wood, Mo.
5 July 1944.

SUBJECT: Report of the Division Judge Advocate for month of June 1944.

TO : Commanding General, 97th Infantry Division.

I. AWOL -- During the month of June, 194 soldiers were absent without leave from the Division, a decrease of 18% from the total of 228 in May. June is the third consecutive month of decline in 1944 AWOLs, from the March high point of 308 absentees. Statistics for the first 6 months of 1944 follow:

	No. of Men AWOL	Man-days Lost	Avg days lost Per man
Jan 1944	140	1884	13
Feb "	162	1899	8 $\frac{1}{2}$
Mar "	308	2101	7
Apr "	240	2276	9 $\frac{1}{2}$
May "	228	1886	8 $\frac{1}{2}$
Jun "	194	1274	6 $\frac{1}{2}$

Fewer man-days of training were lost through AWOLs in the month of June (1274 days) than in any other month this year. The time lost in June was 83% below the May figure. The average length of absence in May, 8 $\frac{1}{2}$ days, is the lowest average of the year to date.

The June AWOLs are tabulated by unit in Inclosure 1. The Band, Military Police platoon, Division Headquarters Company, and Headquarters Battery Division Artillery, again had no AWOLs to report. June was the tenth consecutive month without an AWOL from the Band. Comparative AWOL figures from June 1943 to date are given in Inclosure 2.

II. COURTS MARTIAL. -- There were 104 trials by court-martial in June, the lowest number in any one month since leaving the Louisiana maneuver area. By types of court, the June trials were as follows:

General courts	6
Special courts	65
Summary courts	33

Inclosure 3 presents a tabulation of the June trials by unit and by type of court. Inclosure 4 is a comparative tabulation of courts-martial by units for the last 12 months.

As to type of offense causing trial, AWOL continues to be the most frequently committed offense, with drunkenness and use of unauthorized passes being next in frequency. (Inclosures 5 and 6 give detailed analysis of June special and summary courts).

The proportion of special to summary courts in June was 2 to 1. The increasing use of the wider punitive powers of special courts-martial is due largely to the fact that since it is contrary to Army policy to punish by confinement except in unusual cases, forfeiture of pay over a number of months (which is beyond the power of a summary court) is commonly adjudged in lieu thereof.

III. TIME AWAITING TRIAL. -- Average time interval between the filing of charges and date of trial continues at an exceptionally low figure. For June the averages are:

Special courts - 4 days average.
Summary courts - 2.7 days average.

IV. MILITARY POLICE REPORTS. -- Military police reports in June increased 22% over the total for May, largely in the categories of "off limits" and "improper uniform" violations. Inclosure 7 is a breakdown of MP reports for June, by unit and by type of offense, and Inclosure 8 is a comparative table of MP reports from September 1943 through June 1944.

V. SALUTING. -- While a higher percentage of 97th Division personnel than of other units is observed saluting in surrounding towns, much is to be desired in the manner of rendering the hand salute. The following common deficiencies are noted:

- a. A few soldiers salute with all fingers separated.
- b. A considerable number salute either with bent wrist or cupped hand.
- c. Saluting with hand over eyebrow, and parallel with the surface of the earth.
- d. Saluting with hand over center of face, thumb touching nose.

Two instances of type d saluting were noted between Division Headquarters and 386th Rec Hall on Friday, 30 June 1944. Another instance was noted by a soldier on a truck on the morning of 5 July 1944. However, most soldiers who render an improper salute put quite a bit of snap in it, and obviously want to salute properly but do not know how. The three instances of d saluting were observed to have been rendered by older soldiers.

It is believed that soldiers in the Division should receive additional instruction in rendering the hand salute.

VI. OFFENSES BY NONCOMMISSIONED OFFICERS. -- The military police reports for Saturday, 1 July 1944, contained 13 reports against noncommissioned officers; 8 for improper uniform, 4 for improper pass, and 1 for fighting. Of the 8 MP reports received at Division Headquarters on the morning of 5 July 1944, 2 were against Staff Sergeants of Company I, 388th Infantry, and 1 was against a Staff Sergeant in the Anti-tank Company, 387th Infantry. With the recent changes in enlisted personnel in the Division, there has been a very marked increase in noncommissioned officer offenses in the Division. It is believed that every noncommissioned officer who degrades the uniform and is unworthy of his rank should be reduced. A growing tendency of units to fine noncommissioned officers in order that, as it was expressed to me in two instances, they "won't have to bust them", is noted in inferior court-martial proceedings. This tendency should be halted.

It is believed that all unworthy noncommissioned officers should be eliminated. There is now an abundance of intelligent noncommissioned officer material in the ranks with which to replace those who have been tried and found unwilling to set examples to other soldiers.

VII. CORPS REPORTS. -- Inclosure 9 comprises copies of the reports to XIII Corps which go forward from this office weekly, in accordance with Corps directives.

VIII. CONCLUSIONS. -- a. The AWOL rate has shown continuing improvement over a period of three months.

b. The court-martial rate is more satisfactory than in past months.

c. The number of MP reports on noncommissioned officers indicates a lack of proper discipline in some noncommissioned officers.

IX. RECOMMENDATIONS. -- a. That soldiers in the Division receive additional instruction in the proper method of rendering a hand salute.

b. That units apply sterner corrective measures to noncommissioned officer disciplinary infractions.

RALPH W. YARBOROUGH
Major, JAGD
Division Judge Advocate

AWOL REPORT OF EM FOR MONTH OF JUNE 1944

<u>Unit</u>	<u>No. of Men AWOL</u>	<u>Days Lost</u>
303d Inf	41	243
386th Inf	37	378
387th Inf	28	169
303d FA Bn	6	27
365th FA Bn	12	80
389th FA Bn	14	107
922d FA Bn	6	31
Hq Btry	0	0
322d Engr C Bn	15	71
322d Med Bn	10	78
797th Ordn Co	2	3
97th Div Hq	0	0
97th Div Hq Co	0	0
Hq Special Troops	0	0
Band	0	0
MP Platoon	0	0
97th QM Co	3	85
97th Recon Tr	0	0
97th Sig Co	0	0
Totals	194	1274

AWOL

June 1943 thru June 1944

	<u>NUMBER OF MEN AWOL</u>	<u>MAN-DAYS LOST</u>	<u>AVG DAYS LOST PER MAN</u>
June 1943	69	633	9
July "	186	777	4
Aug "	451	3433	7½
Sept "	197	2167	11
Oct "	134	1665	12
Nov "	149	1625	11
Dec "	156	1747	12
Jan 1944	140	1884	13
Feb "	162	1399	8½
Mar "	308	2101	7
Apr "	240	2276	9½
May "	228	1936	8½
June "	194	1274	6½

TABULATION OF COURTS MARTIAL

June 1944

<u>Organization</u>	<u>Specials</u>	<u>Summaries</u>	<u>Generals</u>	<u>Total</u>
305d Inf	10	4	1	15
386th Inf	20	3	1	24
387th Inf	6	9	4	19
305d FA Bn	4	6	0	10
385th FA Bn	3	1	0	4
389th FA Bn	7	5	0	12
922d FA Bn	3	2	0	5
Hq Btry Div Arty	0	0	0	0
322d Engrs	6	2	0	8
322d Med Bn	4	1	0	5
797th Ordn Co	0	0	0	0
97th Hq Co	0	0	0	0
97th Recon	0	0	0	0
97th CH Co	1	0	0	1
97th Sig Co	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>
Totals	65	35	6	104

COMPARATIVE TABULATION OF COURTS-MARTIAL

Twelve Months Ending 30 June 1944

	<u>July</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>June</u>	<u>Total since Activation</u>
303d Infantry	30	23	32	18	9	5	5	21	28	20	33	15	323
386th Infantry	17	23	27	16	10	6	5	24	24	25	28	24	263
387th Infantry	11	23	32	20	6	23	15	36	31	30	33	19	349
303d FA Bn	2	3	7	0	0	0	1	2	2	4	8	10	34
365th FA Bn	1	5	5	4	1	7	1	2	6	1	3	4	51
389th FA Bn	12	0	11	3	4	11	5	9	16	11	20	12	126
922d FA Bn	0	4	2	0	2	1	0	2	6	3	4	5	42
Hq Btry Div Arty	3	0	3	1	0	0	0	0	0	0	0	0	7
322d Engr C Bn	8	9	12	6	2	1	4	8	10	11	11	8	112
322d Med Bn	6	8	4	4	3	2	1	7	1	0	2	5	60
797th Ordn Co	0	2	0	0	3	0	0	0	0	1	0	0	9
97th Div Hq Co	3	1	2	1	3	0	3	1	0	0	2	0	16
97th QM Co	3	0	2	0	0	3	0	1	1	8	4	1	27
97th Recon Tr	2	0	0	2	2	1	0	0	1	1	0	0	13
97th Sig Co	2	2	1	1	3	5	0	2	3	0	1	1	27
	<u>100</u>	<u>103</u>	<u>141</u>	<u>76</u>	<u>48</u>	<u>66</u>	<u>40</u>	<u>115</u>	<u>129</u>	<u>115</u>	<u>149</u>	<u>104</u>	<u>1489</u>

CHL - Confinement at hard labor
 HLNOC - Hard labor without confinement
 RES - Restriction
 FORF - Forfeiture

SPECIAL COURT-MARTIAL CASES
 June 1944

Unit	A W O L				OTHER OFFENSES			
	Length of Absence	Sentence	Reviewing Authority	Prior Conv.	Offense	Sentence	Reviewing Authority	Prior Conv.
303d	1 day	RES 1 mo	Susp	0	96, forge check	CHL 4 mos	HLNOC 3 mos	0
Inf.	14 days	FORF	Forf red	0	96, drunk	Acquitted		
	24 days	CHL 6 mos	HLNOC 3 mos	2				
	15 days	CHL 6 mos	HLNOC 3 mos	4				
	2 days	CHL 6 mos	HLNOC 1 mo	1				
	1 day	CHL 6 mos	HLNOC 3 mos	1				
	1 day	RES 2 mos	Approved	1				
	5 days	RES 3 mos	Approved	3				
386th	5 days	FORF	Approved	2	96, possession of	FORF	Approved	0
Inf.	11 days	RES 2 mos	Approved	0	forged pass			
	18 days	RES 3 mos	Approved	0	96, attempt to pass	Acquitted		
	53 days	RES 3 mos	Susp	2	forged pass			
	14 days	RES 3 mos	Approved	1	96, D & D	FORF	Approved	0
	10 days	RES 3 mos	Approved	1				
	10 days	RES 3 mos	Approved	0				
	29 days	FORF	Approved	4				
	8 days	FORF	Approved	0				
	32 days	FORF	Approved	0				
	22 days	RES 3 mos	Approved	0				
	9 days	RES 1 mo	Approved	0				
	15 days	RES 2 mos	Susp	0				
	5 days	FORF	Approved	1				
	16 days	FORF	Approved	1				
	18 days	RES 3 mos	Approved	0				
	7 days	RES 1 mo	Approved	0				
387th	7 days	CHL 6 mos	Susp	1				
Inf.	25 days	CHL 6 mos	Susp	0				
	7 days	CHL 6 mos	Approved	2				
	12 days	CHL 3 mos	Suspended	0				
	26 days	CHL 6 mos	Suspended	3				
	5 days	CHL 6 mos	Approved	2				

SPECIAL COURT-MARTIAL CASES
(continued)

Unit	A W O L			OTHER OFFENSES				
	Length of	Sentence	Reviewing Authority	Prior Conv.	Offense	Sentence	Reviewing Authority	Prior Conv.
303d	8 days	CHL 6 mos	HLWOC 3 mos	0	86, sleeping on post	CHL 6 mos	HLWOC 3 mos	0
FA	2 days	HLWOC 3 mos	Approved	1	96, forge pass	HLWOC 2 mos	Approved	0
385th	2 days	CHL 3 mos	Susp	1				
FA	9 days	CHL 6 mos	Susp	2				
	25 days	CHL 6 mos	Susp	0				
389th	14 days	H/L 60 days	Approved	0	86, sleeping on post	CHL 3 mos	HLWOC 3 mos	0
FA	4 days	H/L 90 days	Approved	1				
	17 days	H/L 60 days	Approved	0				
	117 days	H/L 90 days	Approved	0				
	14 days	H/L 60 days	Approved	0				
	6 days	H/L 90 days	Approved	0				
822d	11 days	CHL 6 mos	HLWOC 3 mos	0				
FA	10 days	CHL 6 mos	Susp	1				
	10 days	CHL 6 mos	HLWOC 3 mos	0				
322d	12 days	RES 90 days	Approved	0	86, sleeping on post	RES 6 mos	RES 3 mos	0
Engr	9 days	RES 3 mos	Approved	0	86, sleeping on post	RES 6 mos	RES 3 mos	0
	28 days	RES 3 mos	Approved	1	96, D & D, improper uniform	RES 90 days	Approved	1
322d	13 days	CHL 3 mos	HLWOC 3 mos	0	96, D & D	Acquitted		
Med	10 days	CHL 5 mos	HLWOC 3 mos	0				
	1 day	CHL 6 mos	HLWOC 3 mos	1				
97th	2 days	RES 3 mos	Approved	1				
QM								
97th Sig								
	5 days	RES 3 mos	Approved	1				

CHL - Confinement at hard labor
 HLNOC - Hard labor without confinement
 RES - Restriction
 FORF - Forfeiture

SUMMARY COURT-MARTIAL CASES
 June 1944

Unit	A W O L			OTHER OFFENSES				
	Length of Absence	Sentences	Reviewing Authority	Prior Conv.	Offense	Sentences	Reviewing Authority	Prior Conv.
3024 Inf.	3 days 1 day	HLNOC 45 days RES 1 mo; FORF	Disapproved RES susp	1 0	96, attempt to use il- legal pass	H/L 14 d	Approved	0
					96, attempt to use false pass	HLNOC 14 days	Approved	0
388th Inf.	5 days 3 days 2 days	RES 2 wks; FORF RES 2 wks; FORF FORF	Approved Approved Approved	0 0 0				
387th Inf.	4 days 6 days 2 days 3 days 10 days 7 days 6 days	CHL 1 mo; FORF CHL 1 mo; FORF CHL 1 mo; FORF RES 1 mo; FORF CHL 1 mo; FORF CHL 1 mo; FORF RES 1 mo; H/L	CHL susp CHL susp CHL Susp Approved CHL susp CHL susp Approved	0 0 0 0 0 0 0	96, drunk 96, D & D	RES 1 mo FORF CHL 1 mo	Approved CHL susp	1 1
3024 FA	3 days 3 days 4 days	RES 3 mos; FORF FORF, HLNOC 1 mo HLNOC 14 days	Approved HLNOC susp Approved	0 0 0	96, drunk 96, drunk 96, drunk	Acquitted FORF, HLNOC 3 wks FORF, HLNOC 6 wks	Approved Approved Approved	0 0 0
388th FA	2 days 5 days	H/L 10 days FORF	Approved Approved	0 0	96, improper pass 96, strike soldier 96, drunk	HLNOC 1 mo	Approved	0 2 Approved
922d FA	1 day	FORF	Approved	0	96, sit down on post	HLNOC 15 days HLNOC 1 day	Approved Approved	0 0
322d Engr	2 days 11 days	RES 1 mo RES 30 days	Approved Approved	0 0				
322d Med					96, disorderly	RES 1 mo	Approved	0

MILITARY POLICE REPORTS

SEPT 1943 THRU JUNE 1944
COMPARATIVE

<u>Offense</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>June</u>
Fail to salute	5	-	-	-	-	-	1	-	-	-
Off limits	11	8	22	5	-	-	-	-	-	7
Traffic violation	15	24	49	15	5	4	24	15	13	16
Curfew	96	84	25	54	-	48	9	-	16	21
Improper uniform	25	5	-	-	-	10	24	16	28	47
AWOL	24	26	27	10	2	14	103	92	57	33
Drunk	57	27	29	12	3	25	13	16	20	28
Disorderly	20	19	4	2	1	15	12	17	22	23
No pass or improper Pass	15	19	2	2	1	18	49	57	39	36
Liquor	5	8	1	5	6	-	-	-	-	-
Other	<u>13</u>	<u>27</u>	<u>29</u>	<u>57</u>	<u>2</u>	<u>17</u>	<u>6</u>	<u>45**</u>	<u>27</u>	<u>36</u>
	282	255	186	118	*18	149	241	254	202	247

* Incomplete

** Includes 42 cases of "illegal use of government vehicle."