

US Army general charged in sexual assault case let off with small fine

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United States Army Brigadier General Jeffrey Sinclair was sentenced to pay roughly \$20,000 in fines, settling a sexual assault case that could have seen him spend the rest of his life in prison. The plea deal, engineered by his Army prosecutors, has swept underneath the rug a host of accusations that the general raped and threatened to kill a captain under his command during a three-year affair.

Sinclair had originally been charged with using "his authority to intimidate and coerce a female officer nearly 20 years his junior into sex." His alleged crime of sexual assault could have put him in military prison for the rest of his life, as well as on a sex offender list. Instead, Sinclair was allowed to plead guilty to several lesser crimes, carrying a maximum penalty of 25 years in jail.

However, instead of pursuing jail time, of any kind, Col. James L. Pohl ordered \$5,000 docked out of Sinclair's paycheck for four months. Pohl told Sinclair he would be allowed to retire with full benefits. Another military tribunal will decide the general's rank at retirement. Additionally, Sinclair will have to pay back the \$4,100 he spent on a military credit card when pursuing sexual visits to lower-rank officers.

The money is essentially petty cash to a general of Sinclair's stature. The sentencing amounts to a slap on the wrist and is dwarfed by the gross allegations, which will be left untried.

The accuser, a female captain under his command, testified earlier this month that "[Sinclair] told me that if I ever told her or anyone else about he and I, he would kill me and then he would kill my family." Describing one of two alleged sexual assaults by the general, she told the court, "he grabbed me by the back of the neck and pushed me down. I tried to pull back, and he put his other hand on my shoulder... It felt

disgusting. It felt like I had no control over my body."

Rather than prosecute Sinclair for alleged sexual assault, in pre-trial proceedings Judge Pohl attempted to make a plea deal and Sinclair agreed. The general confessed to intimidating lower-rank officers to take and send nude photos of themselves, he admitted that he impeded an investigation into his crimes, had sexual relations with three officers under his command, possessed pornography, and several other military crimes. However, one of the five military jurors sitting on the case, Lt. General Joseph Anderson, voted against this plea deal, forcing the case to proceed.

As the case went into its second week, the day before the accuser was to be cross-examined, an email was revealed. The email, sent to Lt. General Anderson, argued that Anderson should not accept the plea bargain because it would be bad for the military. The email had been obtained by a Freedom of Information request by Sinclair's defense team.

Though, in testimony, Anderson denied being influenced by this email, Judge Pohl ruled that that undue political influence had tainted the court's proceedings. Pohl then put a halt to the case and asked General Sinclair's defense team to request another plea bargain. Lt. General Anderson was then replaced by another officer on the jury team and the plea bargain was accepted by the new jury.

Rear Admiral Jamie Barnett, the lawyer for the accuser, made a public statement following the sentencing. "Today's sentencing is beyond disappointing," he said. "It is a travesty and a serious misstep for the Army."

In a public statement, Greg Jacob, policy director for Service Women's Action Network, wrote "Today's sentencing is reflective of a case that fell apart long before today... a system shaky enough to be rocked by

allegations of undue command influence cannot provide justice for our troops.”

The last 12 years of unending wars, military occupations and colonial-style subjugation have encouraged the most brutal and backward sentiments in the military, as witnessed by the sadistic sexual abuse of detainees at the Abu Ghraib prison in Iraq.

The military legal system, in which higher-rank officers of the accused decide what cases should be tried, and how they are tried, aids the military in covering up the abuse rife within its ranks.

In 2013, 3,553 cases of sexual assault were reported in the US Armed Forces. However, the army, by its own accounting, expects this to be roughly 10 percent of the actual occurrences of sexual assault.



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