

Minutes for the September 12, 2023 Appeals Committee Meeting

Starting Time: 1600

Location: CLE, Marshall Hall 2nd Floor Conference Room

Members Present: Mr. John Adams (Chair), Mr. Scot Marsh, Mr. Ernie Edgar, MG James Ring, Mr. James Joustra, Mr. Terrance McKnight

Honor Court Members Present: Mr. Jurak, Mr. Hagan, Ms. Virginia Townsend, Ms. Anne Townsend, Mr. Slade

Others Present: COL Timmes, LTC Noe, Mr. Pat O’Leary, MG Wins, COL Bogart, LTC Astphan

- Mr. Adams presided as chairman and called the meeting to order at 1601 and made a motion to approve the minutes from the April 2023 meeting. Approved and seconded.
- All committee members and honor court members introduced themselves.
- Mr. Adams read the sub-committee charter from the BOV by-laws. A short discussion followed of the two reasons a case could be reversed (fundamental unfairness in investigation / trial and new evidence not available at trial that would have exonerated the cadet).
- Mr. Adams mentions that the Supt could ask this committee to review other dismissal cases from disciplinary, IG, and Title IX. The Supt would initiate this request. Three members would hear the request for an appeal and just 1 can decide to allow the case to go to a hearing.
- COL Timmes gave a short update on two pending cases held over from last semester.
- CDT A. Townsend briefs the court’s educational goals. HC reps are now assigned to NCAA team and Academic Departments.
- CDT V. Townsend follows up with the numbers of hours of education and the quizzes used as evidence that rats are recalling more about the HC particulars. She provides an example that the Deputy CMDT spots trends and coordinates for the HC to send out a message to the Corps about when to self-bone (Form 24). This year 3rd and 4th classmen will receive jury training for more education and awareness.
- Mr. Marsh asked about upperclassmen training as done in previous years. LTC Noe responded that the plan from 3 years ago is generally the same being done now- the “honor is a lifestyle” concept.
- Mr. Adams gave a cautionary tale about talking with alumni in the current environment.
- Mr. Adams asked, “what do you tell rats?” V. Townsend explained the evolution of the training sessions from VMI now being a different way to live, to more daily knowledge about permits, Help Received statements, and status questions. This starts with stoops talks during the cadre week.
- Mr. Adams asked, “where do the referrals come from?”. CDT Slade responded it was a mix from academic (plagiarism, AI) mostly from other cadets not tolerating or having a suspicion, and some from the Commandant and his staff. CDT A. Townsend added that the court was developing an approach to suspected cheating from non-reported use of generative AI. COL Timmes added that the Dean of Faculty had instructed each Dept to address AI in their published Syllabi in January 2023.
- Mr. Marsh asked the cadets if classes were going well and if any Bluebook changes were of concern to the court. CDT Hagan replied all was going well and the relationship with the CMDT staff was going well and helping.
- Mr. Joustra asked how does the HC system compare to your rat year? CDT A. Townsend replied that the standard of proof is higher and the education process is better (CDT Hagan agreed).

- COL Timmes mentioned for the sake of the new members that the court uses a jury of the accused peers (not voting members of the HC) to convict. This change was made in the mid-90s. Mr. Edgar offered that he believed this system is a better one now.
- Mr. Adams asked MG Wins if he had any comments. MG Wins replied he was happy with the process.
- Mr. Adams dismissed the HC members at 1647.
- At 1650, the CMDT presented a briefing about the Disciplinary System and process VMI follows.
- At 1727, the IG, LTC Astphan presented a briefing about the IG and Title IX process.
- At 1735 MG Wins offered remarks on the GC and IG processes.
- Mr. Adams remarked that the sub-committee could look at macro-trends and provide high-level oversight.
- There being no further business, the meeting adjourned at 1738.

COL Thomas C. Timmes '92
Assistant Superintendent Representative to the Honor Court