

Minutes for the September 16, 2024 Appeals Sub-Committee Meeting

Starting Time: 1400

Location: Honor Court Jury Room (rm. 409), Shell Hall

Members Present: Mr. Hugh Fain (Chair), Lt. Col. James Joustra, Mr. C. Ernest Edgar IV, Rear Adm. Terence E. McKnight, Mr. Quintin D. Elliott, Mr. John Adams

Honor Court Members Present: CDT Elijah G. Alberti (President), CDT Harrison M. Williams (VP Education), CDT Benjamin C. Barry (2nd class Assistant Prosecutor), CDT Lukas W. Maurer (2nd class Assistant Prosecutor)

Others Present: COL George M. Brooke (Superintendent's Representative), COL Thomas C. Timmes (Superintendent's Representative)

- Mr. Fain presided as chairman and called the meeting to order at 1400.
- Mr. Fain asked all in attendance to introduce themselves.
- Mr. Fain asked CDT Alberti about the status of the Honor Court. CDT Alberti responded that the focus of the Court at present was education. He stated there have been several stoop talks with the Rats. He then asked CDT Williams to elaborate.
- CDT Williams said they had HC representatives for each of the NCAA teams. The representatives were reaching out to coaches for individual and team meetings. CDT William also stated that he plans on meetings with department heads to discuss any confusion faculty might have with the Honor Code.
- Mr. Fain made a motion to approve the minutes of the May 2024 meeting. It was seconded and approved.
- Mr. Fain asked about the current status of artificial intelligence. All those in attendance discussed the proper use and citation of AI and how the Work for Grade policy will address these concerns. COL Timmes mentioned that some Professors may use AI as a tool in classroom learning, but the cadets always need to include any help they receive from AI on their Help Received Statements when submitting Work for Grade assignments. COL Timmes reported that AI statements were required on course Syllabi starting in Jan 2023.
- Mr. Edgar mentioned he had reviewed some AI cases from the previous year and was very complimentary of the strength of the cases.
- Mr. Fain then reviewed the charter of the Appeals Committee and the role/process of the committee during an appeal. He also said that the Committee likes to hear from the Court about ongoing trends concerning honor within the Corps.
- Mr. Fain asked about the role of lawyers in honor court proceedings. COL Brooke responded that attorneys may help develop the defense of a case and attend the trial, but they may not participate in the trial or go on record.
- Mr. Fain stated that a prosecutor should advocate for the accused during the investigation and only when they are convinced beyond a reasonable doubt of guilt to move forward to pretrial.

- COL Brooke gave a summary of cases since the May meeting. There were three pretrials in May. One returned and will be going to trial; one did not return but will still go to trial. One did not return, thus admitting guilt and resulting in a drum out. There was one allegation that occurred during summer session I. There will be a Special Board of Inquiry shortly to adjudicate this.
- Mr. Elliott asked if the pretrial process had always existed. Mr. Fain said that during his time as a prosecutor on the Court in the seventies it was virtually the same. COL Timmes went through the pretrial process.
- Rear Adm. McKnight asked if there were any athletes in the new cases. COL Brooke responded that he did not believe there were. He then asked about the source of division between the athletes and nonathletes in the Corps. CDT Alberti responded that he thought the things were getting better but the source was probably the separation of the two groups during the rat year. COL Timmes mentioned that during STP this past summer, the football and basketball teams participated in STP courses and roomed with fellow STP students and ate lunch and dinner together.
- Mr. Edgar asked about sticks and accountability. He was curious if the Corps would be open to middle of the night status checks. CDT Alberti responded that there are confinement checks in the middle of the night but there is nothing for cadets not on confinement. He did not think the Corps would like middle of the night status checks.
- Lt. Col. Joustra wanted to hear more about the frequency of education. Cadet Harrison said that the rats have been given a considerable amount of education so far this year to include instruction on status and Form 24's. He also stated that rats are encouraged to ask if there is ever any question. Third-classmen will be having jury education in the next few weeks.
- Lt. Col. Joustra recommended Corps education why is important to have honor in the real world.
- There was discussion about cameras in barracks and on post. COL Brooke said that the Court does not have access to these cameras, and they are only used for law enforcement and public safety purposes.
- Lt. Col. Joustra asked about support of the system by first class privates. CDT Alberti responded that there was a considerable amount of buy-in. The first-class privates run the OGA.
- Mr. Fain asked about the jury system. The CDTs agreed that it worked well. COL Timmes explained the process of how a jury is selected.
- The meeting was adjourned at 1513.

COL George M. Brooke IV '94  
 Superintendent's Representative to the Honor Court.