

USAF Demotes Top Lawyer

In early January, Air Force leaders decided to reduce the rank of the service's former judge advocate general from major general to colonel upon his retirement Feb. 1.

Maj. Gen. Thomas J. Fiscus on Dec. 21 had been given a reprimand and ordered to forfeit pay for conduct unbecoming an officer, fraternization, obstruction of justice, and violating a general regulation.

Over the past decade, according to an Air Force inspector general investigation, Fiscus, who is married, had improper, though apparently consensual, relationships with 13 women, some of them subordinates. The IG report substantiated several allegations against Fiscus, including unprofessional relationships with officer and enlisted female subordinates, inappropriate sexual advances toward female subordinates, and improper relationships with female civilians.

The presiding officer for the nonjudicial Article 15 hearing, Gen. Donald G. Cook, levied the maximum monetary forfeiture—a full month's pay, in this case \$10,600—allowable under an Article 15. In addition to these punishments, Cook recommended that Fiscus be retired at a lower grade and face "appropriate action" from the officials overseeing judge advocate professional rules of conduct and USAF lawyer certification.

Then-Air Force Secretary James G. Roche reviewed the IG report and considered not only Cook's recommendations but those of Gen. John P. Jumper, Chief of Staff, and a panel of three lieutenant generals before making his decision.

Air Force officials said the reduction in grade carried a "substantial financial penalty" but left Fiscus some benefits for his otherwise distinguished career of more than 32 years. They estimated his pay loss to be close to \$900,000 over his lifetime.

Fiscus had been relieved of his position on Sept. 22, 2004, at his own request, pending the IG investigation. He had served as the service's top lawyer since Feb. 25, 2002.