



NEWS RELEASE



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General Carlson's Decisions in Tarnak Farms Cases

BARKSDALE AIR FORCE BASE, La.- After completing his review of the evidence and the Article 32 hearing officer's recommendations regarding the disposition of charges pending against Major Harry Schmidt and Major William Umbach, Lieutenant General Bruce Carlson, Commander, 8th Air Force, made the following decisions regarding those cases.

The charges preferred against Major William Umbach will not be referred to trial by court-martial. General Carlson has instead issued a letter of reprimand to Major Umbach for his leadership failures as the lead pilot in Coffee Flight, a two-ship flight of F-16s over Kandahar, Afghanistan on April 17, 2002.

Major Umbach recently submitted a request to be permitted to retire from the United States Air Force. General Carlson intends to recommend that his request be granted.

The charges preferred against Major Harry Schmidt will not be referred to trial by court-martial. General Carlson has instead initiated nonjudicial punishment proceedings under Article 15 of the Uniform Code of Military Justice. Nonjudicial punishment proceedings permit commanders to examine whether a military member should be held accountable for criminal offenses specified in the Uniform Code of Military Justice, unless the service member demands trial by court-martial.

Under Article 15 proceedings, a member is notified by his commander of the nature of the charged offense(s), the evidence supporting the offense(s), and the commander's intent to impose nonjudicial punishment. A member may consult with defense counsel to determine whether to accept nonjudicial punishment proceedings or demand trial. Acceptance of the nonjudicial punishment proceedings is not an admission of guilt.

If Major Schmidt chooses the nonjudicial punishment forum, the proceedings will examine the allegations that Major Schmidt, Coffee Flight's wingman, failed to ensure that the target he attacked was not friendly, failed to acknowledge and follow the direction of his flight leader to make sure that the target was not friendly, and failed to stand by as directed by the Airborne Warning and Control System (AWACS) aircraft.

A member who elects to accept nonjudicial punishment proceedings is entitled to present matters in defense, extenuation and mitigation, orally, in writing, or both. If the commander concludes that the member has committed one or more offenses, punishment may be imposed. The maximum punishment that a general officer may impose under Article 15 on an officer includes forfeiture of one half of one-month's pay per month for two months,

arrest in quarters for 30 days, restriction to specified geographical limits for 60 days, and a reprimand.

General Carlson also formally recommended to the United States Air Force Deputy Chief of Staff for Air & Space Operations that Major Schmidt's actions be reviewed by a Flying Evaluation Board to determine whether he should be permitted to fly Air Force aircraft in the future. A Flying Evaluation Board review is not dependent on the outcome of the separate Article 15 action.