



"I felt betrayed," said Pierre Saint-Fleur, a former Fresno County, California, mental health worker who said he was forced into early retirement after three deployments to Iraq as a military chaplain in the California National Guard. Saint-Fleur retired from the National Guard in 2012 as a lieutenant colonel. He thinks ethnic discrimination cost him a promotion to the rank of full-bird colonel and the position of state chaplain for the California Army National Guard.

TOMAS OVALLE — MCT

WASHINGTON — Fresno resident Pierre E. Saint-Fleur once earned distinction as California's most deployed military chaplain.

Now, following three long tours in Iraq and several decades in uniform, the Haiti native and retired California Army National Guard officer is in a different kind of fight. Thanks to a recent court ruling, Saint-Fleur is getting another shot at the final promotion he thinks was unjustly denied him.

"I am so glad I had the opportunity to serve my country," Saint-Fleur said in an interview Friday. "I believe in this country, and I believe in the justice system."

A licensed marriage and family therapist in civilian life, Saint-Fleur retired from the National Guard in 2012 as a lieutenant colonel. He thinks ethnic discrimination cost him promotion to the rank of full-bird colonel and the position of state chaplain for the California Army National Guard.

Saint-Fleur first brought his complaint to the Army Board for Correction of Military Records. Losing there in October 2012, Saint-Fleur filed suit in U.S. District Court in Washington, D.C.

In a March 17 ruling that capped what Saint-Fleur called "time consuming" and "stressful" litigation, U.S. District Judge Amit P. Mehta gave Saint-Fleur partial relief. While rejecting the argument that the Army review board had failed to adequately address Saint-Fleur's underlying discrimination claim, Mehta agreed that the board improperly ignored a second claim.

The 12-page ruling means the Army board must reconsider Sain-Fleur's surviving claim that he was unjustly placed under the command of a junior officer.

"I was hoping for a more complete conclusion," Saint-Fleur said, "but I am grateful the court acknowledged there was an injustice."

David Sheldon, Saint-Fleur's Washington-based attorney, added that "we are hopeful that the board will do the right thing this go around."

The Justice Department countered in legal filings that the Army review board correctly concluded Saint-Fleur had not proven discrimination and urged the court not to "conduct essentially an 'instant replay' of his military career path" by reviewing the decisions of Saint-Fleur's supervisors.

"He contends he was discriminated against," the Army review board noted in its original report on Saint-Fleur's case. "Yet, he does not provide any documentary evidence of specific incidents substantiated through an (equal opportunity) complaint or an Inspector General inquiry or investigation."

Brandon Honig, a spokesman for the California Army National Guard, said Friday that he could not comment on pending litigation, but he stressed that "this department highly values the diversity of its force, and the Cal Guard's personnel decisions are based on merit."

After coming to the United States as an adult and attending seminary, Saint-Fleur was ordained as a minister in Fresno in 1987. He received a direct commission as an officer in the U.S. Army Reserves in 1988, trained as a military chaplain and later transferred to the National Guard.

Domestically, Saint-Fleur served as chaplain with the Fresno-based 40th Combat Aviation Brigade. Overseas, in Iraq, he served in three different forward operating bases.

"My responsibility primarily was to care for the troops, and to assist them with counseling and religious activities," Saint-Fleur said.

Officer evaluation reports included in court records show that Saint-Fleur received consistently high marks. A supervisor who served with him at one base in Iraq called him "a fantastic chaplain," while another wrote his "winsome spirit is contagious (and) his compassion is genuine."

But while serving on the U.S.-Mexico border between November 2007 and June 2008, Saint-Fleur contends, his supervisor "yelled, cursed at and made fun" of him because of his accent and ethnic origin. Saint-Fleur also recounted that as a lieutenant colonel he was illegitimately placed under the command of a lower-ranking major, to whom he had to render salutes.

In January 2011, Saint-Fleur missed being promoted to colonel and state chaplain, in favor of a white, junior officer.

"I was the most senior chaplain in the National Guard, and they managed to pass me over," Saint-Fleur said, adding that he believes his "national origin" contributed to the snub.

In rejecting the discrimination claim, the Army review board members noted that they couldn't find any "negative reviews, derogatory information, negative and/or race-motivated comments, or promotion passover memoranda" to support Saint-Fleur's claim.

"The board fully grasped (Saint-Fleur's) claim of discrimination, thoroughly reviewed it, and ultimately rejected it," noted Mehta, the federal judge.

At the same time, Mehta said the board improperly failed to review Saint-Fleur's second claim, concerning his supervision by a junior officer. While acknowledging the government "may be correct" that this claim is frivolous, Mehta said it still needs to be examined seriously.

"I pray and hope the board does the right thing," Saint-Fleur said.

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