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His Honor Didn't Get Medal Of Honor

October 21, 1994 | By Linda Young, Tribune Staff Writer. Tribune reporter Christi Parsons contributed to this article.

A Kane County Circuit Court judge has apologized for falsely portraying himself as a recipient of the nation's highest military award.

But to men who really have earned the Congressional Medal of Honor, Judge Michael O'Brien's remorse rings hollow.

In a letter to Illinois Department of Veterans' Affairs Director Harold "Hal" Fritz and others, O'Brien admitted that he was never entitled to receive military awards and that the awards he displayed in his office were replicas.

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He said he concocted the deception during a period when he was battling alcohol and emotional problems.

Fritz, an Army lieutenant in 1969 when he was awarded a Medal of Honor for heroism in Vietnam, was unmoved.

"That's the worst kind of conduct I can fathom," Fritz said Thursday. "A man who is balancing the scales of justice deliberately goes out of his way and constructs false documents and secures false ribbons. That's totally unethical."

O'Brien, 57, declined to comment on the particulars, but indicated he intends to remain on the bench "as long as I am permitted."

Fritz, who said he spoke with a "shaken" O'Brien on the phone, has called for an investigation by the Illinois Judicial Review Board.

The incident also is receiving notice from the Congressional Medal of Honor Society, where director Michael Williams finds such misrepresentation by a judge particularly appalling.

Williams said the judge's plea for understanding based on his battle with alcohol sounded hollow.

"He says in his letter that he committed poor judgment and that he was an alcoholic on the rebound at the time," Williams said. "I sent a note back asking him if someone robbed a bank then said it was because of alcohol or drugs, would you let them off? I don't expect a reply to that."

According to Williams, O'Brien's action is a violation of federal law, and the Defense Department could initiate felony proceedings.

"He has tried to gain fame from something that he has not earned," Williams said. "That is called fraud. As a judge, he is a worse offender than those he sentences. He should know better."

O'Brien apparently began the ruse in 1992 when he unsuccessfully applied for special license plates depicting the Navy veteran as a Medal of Honor winner for heroism off the coast of Lebanon in 1958.

Secretary of State George Ryan's office quickly determined that O'Brien was not one of eight winners who lived in Illinois and refused to issue the plates, according to spokesman Mike Murphy.

No Medals of Honor were issued in 1958.

Much to Fritz's chagrin, authorities did not follow up on the phony plates request in 1992, and O'Brien continued to display what was an apparent Medal of Honor and other military awards in his court chambers at the old Kane County Courthouse in Geneva.

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O'Brien says now that they are replicas, but he never denied their authenticity to visitors. He now says the replicas will be destroyed.

O'Brien's deception might have gone unnoticed had his name and presumed military standing not come up in connection with a recent suburban campaign rally for Gov. Jim Edgar. Even though O'Brien apparently did not attend the function, when Fritz heard the name, he called authorities.

O'Brien told an Aurora newspaper that his emotional condition in 1992 was diagnosed as post-traumatic stress syndrome, but he was still working most of that time.

According to Northwestern University professor Steve Lubet, a judge's personal problems are unlikely to provide grounds for an appeal of his rulings.

"It would require an extraordinary situation to jeopardize a decision," Lubet said. "You couldn't rule it out, but there wouldn't be a wholesale problem."

Like Fritz, Clyde Choate knows about impostors. One even came through Choate's hometown of Anna in southern Illinois claiming to be the real Choate, whose heroism in France in World War II earned him a Medal of Honor.

But that a judge would falsify credentials is beyond Choate's comprehension.

"It's totally astounding to me that a man of his caliber would try to do that," Choate said. "There is no telling what kind of war stories he's told. I should think that anyone now would look askance at him doing this."

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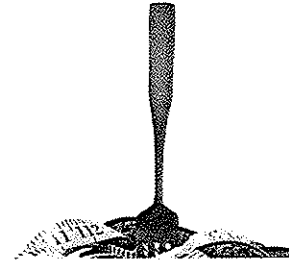


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