

Argues Against Green Berets

Central Intelligence Agency Refused To Give Witnesses

WASHINGTON (AP) — The Army abruptly dropped its entire case Monday against the Green Berets accused of drug-dealing and killing a South Vietnamese civilian who was an alleged double agent.

Secretary of the Army Stanley R. Resor said the Central Intelligence Agency had refused to provide any witnesses for scheduled October court-martials, making it impossible for the men to be tried fairly.

Resor, in a four-paragraph statement issued by the Pentagon without elaboration, said he was informed the CIA refusal was made "in the interest of national security."

"It is my judgment that under these circumstances the defendants cannot receive a fair trial," Resor stated. "Accordingly, I have directed today that all charges be dismissed immediately. The men will be assigned to duties outside of Vietnam."

The unexpected Army action brought a theoretical end to the controversial case but appears likely to set the stage for charges that the military is trying to sweep its official dirt under the rug.

The House burst into applause when Chairman L. Mendel Rivers, D-S.C., of the Armed Services Committee announced the charges had been dropped.

"These men will be returned to duty and their records cleared," Rivers said, "and we will insure that their records are clear."

For his part, Resor went on record as disapproving of the kind of act the eight Green Berets, including the former Vietnam commander Col. Robert B. Rheault, were originally accused of carrying out.

"I want to make it clear that the acts which were charged, but not proven, represent a fundamental violation of Army violations, orders and principles," Resor said. "The Army will not and cannot condone unlawful acts of the kind alleged."

Under specifications released only Friday after weeks of official secrecy, the Green Berets were accused of murder and conspiracy in the death of a South Vietnamese named Thai Khai Chuyen, who was allegedly drugged with morphine and then shot.

Col. Rheault, later relieved of command of the 3,000 Green Berets in Vietnam, was charged with premeditated murder although the legal specifications said he did not participate in the actual slaying.

The so-called trigger man was identified in the charges as Capt. Robert F. Marrasco, 27, of Bloomfield, N.J.

According to the Pentagon, Resor acted on his own in the rare, top-level legal intervention and informed Secretary of Defense Melvin R. Laird of his decision Monday morning.

"Laird supports him," Daniel Z. Henkin, Pentagon spokesman, said.

Presumably the CIA decision against allowing any of its intelligence people to testify in the court-martial was based on the fact that some of its secret operations involving the military in Vietnam might be compromised.

Resor did not explain in his statement how the national security might be affected by CIA testimony.

He stated that the CIA was "not directly involved in the alleged incident," but there have been a flood of reports from both Saigon and Washington that the super-secret spy outfit was enmeshed in the situation.

According to one account, the CIA originally ordered the assassination of Chuyen. George W. Gregory, a South Carolina lawyer representing one of the accused, Mai Thomas C. Middleton Jr., said the CIA later tried to rescind the assassination order but it came too late.

There also were reports that the glamorous Special Forces which wear the green berets and the Army were feuding about handling of the case. Those sympathetic to the case accused Gen. Creighton W. Abrams, U.S. commander in Vietnam, of taking a direct hand in making an example of the eight Green Berets. But they furnished no documentation.

There were contentions that Abrams became furious over the slaying and was using his full authority in prosecuting the case.

Although the case was a hot See ARMY, Page A-5



DROPS CHARGES AGAINST GREEN BERETS — Secretary of the Army Stanley R. Resor reads a statement Monday at the Pentagon in which the Army said it was dropping murder charges against all eight Green Berets accused of killing a supposed double agent in South Vietnam. The statement said the Central Intelligence Agency had decided it would not provide any witnesses for the scheduled trials of six of the Green Berets.—(AP Wirephoto)

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potato for the Nixon administration, the Pentagon had generally maintained a hands off policy, leaving legal disposition with the Army in Vietnam to avoid short circuiting the IMF process.

Laird revealed that at one point he had directly intervened to see that the accused men were freed from what amounted to solitary confinement in small, individual cells, and given some amount of freedom as "institution parolees" pending their trials, at the Army base at Long Binh, South Vietnam.

There had been other criticism from official quarters about the Army's handling of the legal details. Although the South Vietnamese agent was slain in mid-July, the accused men were not informed of the charges against them for several days after being arrested.

On Sept. 18, Maj. Gen. G. L. Mabry Jr., the convening authority, directed general court martial on charges of murder and conspiracy to commit murder against Col. Rheault, Capt. Marasco, Maj. Middleton, and Maj. David Crew, Capt. Leland J. Brumley and Capt. Budge E. Williams.

Charges against two others, CWO Edward M. Boyle and Sgt. I.C. Alvin L. Smith Jr., were ordered held in abeyance pending their trials.

Mabry had specified that the accused men would not face the death penalty, which he had authority to do.

There was no immediate word on where the Green Berets will be assigned next. Col. Rheault, strictly speaking, is the only career special forces man in the group, with the others having backgrounds in intelligence work, plus qualifying training in special forces operations.

In response to reporters' questions at the White House, press secretary Ronald L. Ziegler said President Nixon did not have anything to do with the dropping of charges against the eight Green Berets.