

Rep. Rodino Assails Berets' Treatment

By George C. Wilson
Washington Post Staff Writer

Rep. Peter W. Rodino (D-N.J.) said he was "shocked" to learn yesterday that the Green Beret murder suspects are being held in solitary confinement in cells five feet by seven feet.

He told an afternoon news conference that the way the Army is treating the suspects before any kind of formal case is made against them raises fundamental questions about whether their civil rights are being violated.

"I think it's a miscarriage of even military justice," he said.

Rodino also took the position that "whatever" his constituent Green Beret—Capt. Robert F. Marasco of Bloomfield, N.J.—had done, "he did as a soldier."

The congressman said he based this assertion on a letter Marasco sent to his family. He implied, without saying it flatly, that the Green Beret captain discussed the killing in the letter.

Rodino thus challenged the Army on two separate fronts—the way it is treating the imprisoned men and whether they were just carrying out as soldiers in the line the orders of higher-ups.

He met for over an hour yesterday in the Pentagon with Acting Secretary of the Army Thaddeus Beal to discuss the Green Beret case.

With the help of Army communications, Rodino said he also spoke for 20 minutes yesterday by telephone with the jailed Marasco.

The imprisoned 23-year-old officer, Rodino said, described his solitary confinement and asserted he was allowed out of his cell for only an hour a day.

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REP. PETER RODINO

... "shocked" by jailings

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He "was outraged" about the case before he talked with Marasco, the congressman said. But, he said after the talk, "I was shocked to learn that he is in solitary confinement in a five by seven cell, with one hour a day to get some fresh air."

Marasco complained during the telephone conversation that the Army had given him absolutely nothing to do during his confinement, Rodino said.

The congressman said he assumed all eight suspects were in the same kind of solitary confinement at the Longbinh stockade 18 miles northeast of Saigon.

"The only circumstances which could possibly justify the type of confinement to which Capt. Marasco has been subjected," Rodino said in a letter to Army Secretary Stanley R. Resor released yesterday at the news conference, "are those in which the arrested person is likely to do harm to others or to himself, or is likely to make an effort to escape."

Declaring Marasco's record shows he is not in any such category, Rodino wrote: "I strongly urge that he be released and be treated in a manner befitting an officer of his caliber . . ."

The congressman said his conversation with Beal indicated to him that the Pentagon is concerned about its "image" in the murder case. "I'm concerned with the rights of the individual," he asserted.

He said he will talk next to the Central Intelligence Agency to discuss its involvement in the case and might also go to Vietnam to help

represent Marasco as a lawyer.

He said the letter from Marasco shows he was "conducting himself as a good soldier—doing what he was instructed to do . . . The big question here is who ordered that something be done." He said Marasco "is the kind of individual who only acts under orders."

Highly reliable sources state that the Vietnamese killed near Nhatrang June 20 was identified as a double agent working for both the allied side and Hanoi. The Army has said the eight Green Berets are suspected of premeditated murder and conspiring to murder.

After talking with Beal, Rodino released 17 questions he left with Beal for the Army to answer. They include:

- Who was the Vietnamese killed? Was he related to "any important personages or activities in Southeast Asia?"

- What prompted the Army investigation of the killing and who ordered it? Who ordered the arrest of the Green Berets and why?

- Has the Army put investigators at the disposal of Marasco to help prepare his defense?

- "What is the nature of the general duties and functions peculiar to the Special Forces."

- "Are members of the Special Forces ever subject directly to orders—written or verbal—promulgated by the CIA or any other non-military agency of the United States? If so, specify . . ."

- "Describe the activities of Capt. Marasco's unit, participation in it by non-American personnel and its relationships with the Army and intelligence units in Vietnam."