

Army Investigation

A Dramatic Appeal for the Berets

Long Binh, South Vietnam

The Army has concluded its investigation into charges of murder and conspiracy against eight Special Forces soldiers involved in the reported death of a Vietnamese man who allegedly compromised a Green Beret operation along the Cambodian border.

According to sources at yesterday's hearing, Henry B. Rothblatt, a civilian attorney representing three of those charged, brought tears to the eyes of several military lawyers in the hearing room with his plea to dismiss the charges on the grounds that the men were only doing their duty and that Army officials had made a mistake in judgment in charging them with the crime.

Rothblatt said later that he would be "shocked" if the

Army proceeded with a courtmartial.

CONFIDENT

He said he is so confident that the Army will drop all charges against the eight defendants that he plans to return to the United States tomorrow.

The officer in charge of the investigation, Colonel H. D. Seaman, must now write a report about it and make recommendations to General George L. Mabry, who ordered it in his capacity of commander of U.S. support troops in Vietnam.

General Mabry then must decide whether to refer the charges to court-martial for trial, according to an Army spokesman.

DECISION

Mabry's decision will be made "in a few days," the spokesman said.

Asked if charges would be dropped, Rothblatt said:

"If they aren't, all I can say as a lawyer is that the civilian population and the military population will have no respect for military justice."

The session yesterday concluded five days of hearings. Three days of hearings were held before two civilian attorneys, representing four of those charged, arrived in Vietnam. Three witnesses were called in the final two days of the hearing.

TESTIMONY

An Army enlisted man and a member of an Army Criminal Investigation Detachment testified Wednesday, according to informed sources.

They said that yesterday a member of the Central Intelligence Agency gave his version of the events leading to

the Green Berets' confinement.

"Rothblatt tore him to shreds," said one source who attended the hearing. "By the time he finished both guys next to me were in tears."

Rothblatt said after the hearing that the decision to confine the eight Special Forces men "was taken as a sort of an emergency measure without any real thought or intelligence." Asked who made the decision, Rothblatt said:

"I think it was made at a pretty high level but I think they relied on subordinates who didn't know all the facts."

Rothblatt said he did not think the whole story would be known until the information involved was declassified after the war.

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