

Army Parole Unit Visits Calley In Review of 20-Year Sentence

NYTimes

By JAMES T. WOOTEN NOV 28 1972

Special to The New York Times

COLUMBUS, Ga., Nov. 27—A military panel that could recommend that First Lieut. William L. Calley Jr. be unconditionally released spent two hours today with the 29-year-old Army officer, who was convicted last year of murdering 22 South Vietnamese civilians.

The three representatives of the Army's Clemency and Parole Board declined to discuss the interview when they emerged from the tiny, red-brick apartment on the outskirts of Fort Benning where Lieutenant Calley has been under house arrest since April, 1971.

The three, Lieut. Col. Harvey C. Johnson, Capt. James E. Brawner and Capt. Ray V. Smith, returned immediately to Fort Leavenworth, Kan., to write their report.

The panel is routinely empowered to offer a variety of recommendations, including a reduction of sentence—Lieutenant Calley's has already been reduced from life imprisonment to 20 years by President Nixon—early parole, unconditional release and the continuation of present status.

Series of Decisions

The panel's suggestions will be the first in a series of chain-of-command decisions leading ultimately to Secretary of the Army Robert F. Froehlke.

In a separate avenue of relief, the Army's Court of Military Appeals is to hear a petition from Lieutenant Calley's attorneys next Monday in Falls Church, Va.

The attorneys have asked that his conviction be overturned and contend that during his four-and-one-half-month court martial, 32 errors were committed, including undue command influence, the violation of his constitutional rights and the suppression of admissible evidence.

Fort Benning March 31, 1971. The President reduced his sentence and ordered him to be held in his little apartment at 31 D Arrowhead Lane rather than in the military prison at Fort Leavenworth.

There, for the last 600 days, he has been under constant guard, receiving mail and visitors, watching television, reading and occasionally stepping outside for a breath of fresh air, a brief walk or some other exercise.

His lawyers have begun the long and complex appeal process, and today's visit by the three officers represented but one aspect of it.

In the meantime, this military-oriented city, which has been the home of hundreds of thousands of infantrymen over the years, seemed to settle into a similarly stoic attitude toward its most famous citizen.

At first there was a "Calley Rally" every week — Gov. George C. Wallace of Alabama addressed one of them after visiting the lieutenant — and Vincent P. McCauley, a lawyer here, organized a national organization based on the premise that Lieutenant Calley should go free.

Petitions were mailed nationwide with instructions to return them to the White House urging President Nixon to overturn the conviction.

Donations Total \$73

A total of \$73 has been contributed to Mr. McCauley's group. He has spent more than \$1,000 of his own funds. He says, nevertheless, that the response has been "remarkable."

Today, in a dirty storefront building wedged between two finance companies in downtown Columbus, a solitary, 18-year-old clerk sat behind a desk adorned with "Rally for Calley" bumper stickers in the Free Calley headquarters.

From 9 o'clock until noon, she had one visitor.

"We're out of flags," said the clerk, Werdna Shelhorse. "We have plenty of petitions—we mail about 100 a week, and some of them come back—and we have a lot of the bumper stickers, but we're out of flags."

Outside, in the brilliant sunshine, beyond the plate glass and the portrait of Lieutenant Calley, two elderly black women sauntered down 13th Street.

"Are they ever going to finish with that boy?" asked one.

"Shoot," said the other, "I thought they'd already done with him."

Both the board's study and the court's deliberations represent the latest scenes in a lengthy drama that began on March 16, 1968, when, according to Army investigators, more than 100 civilians, including women and children, were slain in the hamlet of My Lai 4 in South Vietnam.

Lieutenant Calley and 24 other soldiers were held on a variety of charges related to the mass slayings, but over the months the Army declined to prosecute 19 of them. Of the six finally court-martialed, the lieutenant was the only one convicted.

Sentence was pronounced at