

Reprimand and Fine For Antiwar Officer

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LAKENHEATH, England, July 14—Capt. Thomas S. Culver was reprimanded today and fined \$1,000 for taking part in an antiwar demonstration.

An eight-man military panel issued the unusually light sentence after deliberating one hour. Captain Culver, the first American officer accused of participating in an antiwar demonstration in Britain, grinned broadly as he stepped outside the courtroom.

"I'm pleased, I'm surprised," he said. "A reprimand is just about the lightest thing that they can do. It emphasized that the court didn't think this was

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a serious matter or that my conduct was reprehensible.

"My minds at ease," continued the 32-year-old legal officer, who was surrounded by American friends from Cambridge, 30 miles from this Suffolk air base. "At least I know I won't be packed off to jail."

Captain Culver, found guilty yesterday of taking part in the antiwar protest, faced four years' imprisonment, dishonorable discharge and total forfeiture of pay. "In a sense the reprimand seems a vindication of the innocence of what happened," said Captain Culver. "The Air Force made a mistake. It wasn't worth the time, the trouble and the money they spent."

Case to Be Appealed

Captain Culver, who has been in the Air Force six years, said that he expected to be discharged within a month, pending a review of the case by Maj. Gen. John H. Bell, the commanding officer of the Third Air Force, at the South Ruislip Air Base near London.

"A reprimand is no problem," said Captain Culver, who plans to return to England after his discharge to work as a civilian lawyer for American servicemen here.

"General Bell just sends me a letter and says I'm a bad boy."

Captain Culver emphasized, however, that the case would be appealed through military and, if necessary, Federal courts to test the constitutionality of regulations in the armed forces barring demonstrations by servicemen overseas.

"This is a test case and we're still going to take this through the courts," said Captain Culver, who wore a silver ring emblazoned with a peace insignia during the court-martial.

Illegal Acts Denied

Captain Culver was accused of violating regulations that state: "Members of the Air Force are prohibited from participating in demonstrations... in a foreign country." The Air Force also charged that Captain Culver "solicited other military personnel" to take part in the London protest on May 31, when 300 servicemen walked from Speaker's Corner in Hyde Park to the American Embassy to hand in antiwar petitions.

Captain Culver insisted that the servicemen were not demonstrating but petitioning, which is legal for servicemen overseas. He also said that the regulation barring demonstrations infringed on the freedom of speech of servicemen.

"I'm glad that if someone

was court-martialed it was me, not a G.I. acting on my advice," said Captain Culver. "I was the senior officer taking part in the protest and there was a feeling among the servicemen that I was taking the rap for all of them."

Today's sentencing followed a morning of debate over Captain Culver's character. Several witnesses testified in his behalf.

"His work is superb," said Lieut. Col. Michael F. Noone Jr., director of civil law at the Third Air Force Headquarters' Staff Judge Advocate's Office. "He was probably the finest trial lawyer we had in the Third Air Force. He had a first-class reputation. He still does as a trial lawyer."

Commanding Officer Critical

But Maj. Franklin P. Flatten, the 32-year-old staff judge advocate at Lakenheath Air Force Base, and Captain Culver's commanding officer, spoke disparagingly of him.

"In the past four to six months his performance has declined," said Major Flatten, who comes from San Antonio, Tex.

Captain Franklin A. Luna,

the prosecuting attorney asked: "Declined to what point?"

Major Flatten replied: "Declined to the point where I had some rather serious reservations about his judgment in presenting a case."

He added: