

Kent State Guardsman Testifies He Lied

NYTimes JUL 1 1975

Special to The New York Times

CLEVELAND, June 30—A former Ohio National Guard officer testified today that he lied to fellow guardsmen and other persons five years ago about finding a gun on the body of one of four students killed at Kent State University.

J. Ronald Snyder was a captain in the Guard on May 4, 1970, when the shootings occurred during a demonstration protesting the invasion of Cambodia by United States forces.

He testified today that two months after the Kent State deaths, he made up a story about finding a gun on the body of Jeffrey Miller of Plainview, L. I., to bolster a contention that guardsmen had fired at the students in self-defense. He later told the same story to James Michener, the author, who wrote a book about the Kent State events.

Mr. Snyder testified that he had found the gun on the campus, but nowhere near Mr. Miller's body. The weapon was rusted and had no trigger assembly, Mr. Snyder said.

In a pre-trial deposition filed in the United States District Court here, Mr. Snyder admitted under oath that he told the same false story to a special state grand jury that investigated the Kent State shootings in October, 1970.

The grand jury exonerated the National Guard but indicted 25 persons, mostly students, for rioting. State prosecutors obtained only two convictions from the indictments. Charges against the 23 remaining persons were dismissed for lack of evidence.

Mr. Snyder is one of 38 guardsmen being sued for \$46-million by the nine students who were wounded and the parents of the four students killed during the confrontation with the Guard.

Joseph Kelner, chief counsel for the victims, attempted to have admitted as evidence Mr. Snyder's testimony before the state grand jury as well as his testimony before a Federal grand jury in early 1974.

Federal Judge Don Young blocked Mr. Kelner's attempt, citing his long-standing belief that grand jury testimony must remain secret.

Mr. Snyder testified that he first mentioned the false gun story two months after the shooting to a group of fellow guardsmen who were worried about legal actions arising.

"Everybody was quite concerned about legal action against them," Mr. Snyder said. "I told them I have the answers to that problem; it was self-defense." He said he then produced the gun and a pair of brass knuckles.

The brass knuckles, Mr. Snyder said he told his comrades, were taken from a student he had beaten with a club just before the shooting.

Mr. Snyder testified that he also had concocted the story about the brass knuckles.

Mr. Snyder said he had become locked into the false story because guard superiors learned of the gun and brass knuckles and used them to perpetuate their contention that the troops had fired in self-defense.

Mr. Snyder's testimony was the first public disclosure that he had lied about the weapon and brass knuckles.

Mr. Snyder's testimony opened the seventh week of the civil trial, which by all predictions, from the judge to the attorneys, was to be completed

in six weeks.

The jury of seven women and five men has heard from 30 witnesses, mostly former students and guardsmen who have delivered conflicting stories of what happened on the campus.

Lawyers now predict the trial will run through August.