

Calley Juror Says Verdict Gave Few Options

AUG 21 1971
By JAMES T. WOOTEN
Special to The New York Times

COLUMBUS, Ga., Aug. 20—A juror in the court-martial of First Lieut. William L. Calley Jr. said today that the officer's life sentence, now substantially reduced, might have been lighter in the first place had the six officers who found him guilty of murder had such an alternative.

The sentence was changed to 20 years today by Lieut. Gen. Albert O. Connor, the commanding general of the Third Army at Fort McPherson.

Here at Fort Benning, Maj. Walter D. Kinard, a member of the court-martial panel that sentenced Lieutenant Calley last March, said the jury "might have done something entirely different" if it had been presented with options other than life imprisonment or execution.

'No Great Shock'

"Those were the only routes we had," Major Kinard said. "If there had been something else possible, it is possible we might have taken an entirely different approach."

Another juror, Maj. Harvey G. Brown, expressed little sur-

prise at the reduction in the sentence.

"It's no great shock," he said at the post hospital where he is being treated for pneumonia. "With the uproar this country was in after the verdict and everything else that's happened, I don't think any reasonable man could have anticipated anything other than a reduction."

But both Majors Brown and Kinard declined to comment on their own feelings about the reduction. This was a fairly widespread response from those who were participants in the marathon courtmartial at this sprawling military base.

Col. Reid Kennedy, the presiding officer in the court-martial, echoed Major Brown's lack of surprise, but for different reasons.

Some Unavailable

"I'm not completely uninformed about this matter," he said. "I have sources, and I don't think I could honestly say that the announcement was really much of a surprise to me."

Capt. John P. Partin, who assisted in the prosecution of Lieutenant Calley, declined comment.

"It's just not my place for

me to say anything until after it's all over," he said in his office in the gray and red building where the court-martial took place.

Capt. Ronald J. Salem, another juror, also declined comment. Maj. Charles C. McIntosh and Maj. Carl R. Bierbaum were unavailable. The other member of the jury, Col. Clifford H. Ford, is now stationed in Vietnam.

Maj. Kenneth Raby, Lieutenant Calley's chief military defense lawyer, drafted a statement in response to questions on his reaction to the reduction but refused to talk with reporters. His office referred all calls to the public information office, where a secretary read his statement.

He said he had no real comment on the decision and merely expressed appreciation to Lieutenant Calley's supporters "during our ordeal."

It was Major Raby who went to 31D Arrowhead Drive this morning and told Lieutenant Calley of the reduction in sentence. Soon afterward, a car with two military policemen parked in a drive across the street from the small apartment and remained through the day.