



**JUDGES WHO DISCUSSED MY LAI MILITARY TRIALS**  
Col. George Robinson, Col. Peter S. Wondoluski, Col. Kenneth A. Howard  
—Examiner photos

## *Military Judges Duck My Lai 'Politics'*

A panel of military judges talked freely yesterday on "The Trials and Tribulations of (being) a My Lai Judge" but refused to be drawn into a discussion of political aspects of the celebrated litigations.

The trio, speaking before the American Bar Association's Section of Judicial Administration, also deemed it "ethically inappropriate" to discuss the merits of the various cases now under appeal.

### Small Fry?

The threesome spoke at length on pre-trial problems, courtroom procedures and seating of press and public, but balked during a question and answer period on whether it was the "small fry" who had been tried.

Panelists, with Air Force Colonel William Kenney serving as moderator, included:

- Army Col. George Robinson, who presided at the trial for Sgt. David Mitchell.

- Army Col. Peter S. Wondoluski, presiding judge at the trial for Col. Oran Henderson.

- Army Col. Kenneth A. Howard, the judge in the Sgt. Charles E. Hutto and Capt. Ernest Medina trials.

### 'Political' Question

The "political" question came from a member of the large audience in the St. Francis Hotel, Robert S. Rivkin, staff attorney for CCCO Western Region, an agency for military and draft counseling.

Rivkin said he understood the judges' reluctance to answer My Lai issues, but many people have pointed out, he added, that "small fry" had been tried and suggested "high levels of command should have been taken to trial." The attorney also wanted to know how the panel felt about transferring military trials to federal courts.

The latter "would take a change of statutes," said Colonel Kenney, the Air Force's chief trial judge and chairman of the ABA's Com-

mittee on Military Judges.

"You're getting into a political question beyond the scope of the panel," he added. "You're getting into a political question beyond the scope of the panel," he added.

Colonel Howard added: "When you take a political matter, it isn't our function — our function is to deal with criminal law." This "is outside our purview or our expertise."

Colonel Wondoluski said he understood why the question came up because of the "military dealing with the military."

But Rivkin protested he didn't mean it as a question of "covering up" and that's when the moderator said:

"We'll let it hang at that."

Rivkin said he "did not intend to imply that any of the judges were covering up."

An interested spectator was New York Attorney Henry Rothblatt who represented Colonel Henderson before Judge Wondoluski.

Rothblatt praised the military judges for their patience during military trials or courts-martial.