

# Accused Former POW Seen a Suicide

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Marine Sgt. Abel Larry Kavanaugh, one of eight U.S. enlisted men charged with collaborating with the enemy while a prisoner of war in North Vietnam, was found shot to death yesterday in a relative's home in Commerce City, Colo., in what police said was an apparent suicide.

Kavanaugh's death came on the day he was to have left for Camp Pendleton, Calif., for re-assignment, and only one day after he told his lawyer he was confident of acquittal and that he planned to sue the Air Force officer who filed the charges of prison camp misconduct.

Kavanaugh was the second recently returned POW to take his own life. On June 3, Air Force Capt. Edward Allen Brudno — who had not been accused of collaborating — committed suicide in his in-

home of Mrs. Kavanaugh's father, Steven Garbo.

The move was in anticipation of Kavanaugh's return to Camp Pendleton, where he was to have undergone medical tests and received new orders, according to the victim's lawyer, Mark Amsterdam.

Amsterdam, an attorney for the Center for Constitutional Rights in New York, said he talked to Kavanaugh by telephone Tuesday and that the sergeant was planning to ask the Marine Corps for an extension of his 60-day convalescent leave.

"He was in good spirits. He was very confident that the charges would be dropped and said he was in good health," Amsterdam said in a telephone interview. "He said as soon as the charges were dropped, he wanted to sue Colonel Guy."

Kavanaugh's mood as reflecting more anger than despondency.

"He was more outraged than depressed. He felt the whole situation was just outrageous, that someone who was a prisoner five years and whose wife thought he was dead for more than three years would be charged like a criminal," Amsterdam said.

Kavanaugh was captured April 24, 1968, while on patrol in South Vietnam. He was listed as missing in action 3½ years before his family learned he was a prisoner.

Amsterdam said that Kavanaugh had received more than \$20,000 in back pay and had planned to go into business for himself. Since his tour was finished in 1971, he requested separation, but the Marine Corps held up his discharge when the charges were filed.

Guy is the Air Force colonel who, as former senior officer at a Hanoi prison camp called the Plantation, brought charges against Kavanaugh, two other Marine Corps enlisted men and five Army enlisted men. Since then, similar charges have been raised by a Navy rear admiral against two high-ranking officers who were held in the Hanoi Hilton prison camp.

Unlike some of the other accused enlisted men, Kavanaugh consistently refused to discuss the charges publicly. In one brief statement, he said, "I'm not guilty of any of them. I didn't do any of those things."

Last March, a Commerce City bank opened an account for public contributions to Kavanaugh, and local officials planned a special honorary day for the former prisoner.

There was no certainty that the charges against Kavanaugh would ever have reached the court martial stage, Pentagon officials said.

The plans for the festivities were dropped later.

The charges against Kavanaugh included disrespect to an officer, violating orders, communicating with the enemy and conspiracy to interfere with the loyalty and discipline of the military.

Navy officials were in the process of deciding whether to begin formal, grand jury-like inquiry.

Amsterdam characterized