

Navy May Drop Charges on POWs

Washington

The Navy is preparing to drop charges of mutiny and aiding the enemy which were filed in June against two of the highest ranking U.S. prisoners released by North Vietnam, Pentagon sources disclosed yesterday.

One Defense Department source said Navy Secretary John Warner plans to announce today dismissal of the charges against Marine Lieutenant Colonel Edison W. Miller, 41, of Tustin, Calif., and Navy Captain Walter E. Wilber, 43, of Columbia Cross Roads, Pa., both fighter pilots who expressed anti-war views while in captivity.

The charges were filed June 26 by Rear Admiral James B. Stockdale, who had been deputy commander of all American prisoners of war in North Vietnam.

CHARGES

Stockdale filed charges of aiding the enemy and mutiny — both of which could be punished by life imprisonment — and five lesser charges against Miller and Wilber.

In doing so, he went against the advice of top Pentagon officials and the senior American prisoner, Air Force Brigadier General John P. Flynn, who had urged a "forgive - and forget" policy.

Miller and Wilber were the only two U.S. officers charged with prison camp misconduct.

REASON

Charges had been filed earlier by Air Force Colonel Theodore Guy against five Army enlisted men and three Marine enlisted men. Those charges were dismissed for lack of evidence, but new charges were filed by Air Force Major Edward W. Leonard against four of the men — the only ones still in the service — in July. They are still pending.

Sources refused to disclose the reason Warner was dismissing the charges against Wilber and Miller. But they said it was not lack of evidence, the reason cited by Warner and Army Secretary Howard H. Calloway in throwing out the original charges against the enlisted men.

In addition to mutiny and aiding the enemy, Stockdale charged Miller and Wilber with conspiracy, soliciting other POWs to violate the Code of Conduct, failure to obey an order, and causing or attempting to cause insubordination and disloyalty. Those charges also will be dropped.

Additional details of the charges were never made public. But Defense Department sources said Stockdale's accusation were "very detailed" and "very serious."

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