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Ser 013-

0185

14 OCT 1969

CONFIDENTIAL (Unclassified upon removal of basic correspondence)

FIRST ENDORSEMENT on Rear Admiral Jerome H. KING, U.S. Navy investigative report of 18 July 1969

From: Commander SEVENTH Fleet
To: Judge Advocate General
Via: Commander in Chief U. S. Pacific Fleet

Subj: Joint USN/RAN Investigation - collision of USS FRANK E. EVANS and HMAS MELBOURNE on 3 June 1969

1. Forwarded.
2. Soon after the collision of USS FRANK E. EVANS and HMAS MELBOURNE procedures for an investigation into the circumstances were discussed by message with the Australian Commonwealth Naval Board. It was agreed that the investigation would be more complete and the circumstances more fully presented if a joint USN/RAN board of investigation was convened before which all the witnesses could testify. Out of these considerations, and after authorization from the Secretary of the Navy was granted, Commander SEVENTH Fleet issued an appointing order for the joint investigation. The proceedings were conducted generally as an informal investigation under the JAG Manual with U. S. Navy witnesses being accorded their rights under Article 31, UCMJ and the rights of Royal Australian Navy witnesses being protected under procedures applicable in an Australian investigation. The investigation was thorough, complete and effectively examined all the available evidence concerning the circumstances of the collision. The investigation was conducted expeditiously and the proceedings reflect careful consideration of the scope of the investigation and the rights of witnesses.
3. On 4 August COMSEVENTHFLT ordered a pretrial investigation into sworn charges against the conning officer, LTJG James A. HOPSON, USN, the officer of the deck, LTJG Ronald C. RAMSEY, USN, and the Commanding Officer, Commander Albert S. MCLEMORE, USN.

On 11 September, LTJG RAMSEY entered a plea of guilty to charges of dereliction in the performance of duty and negligently hazarding a vessel before a general court-martial convened by Commander SEVENTH Fleet at U. S. Naval Base, Subic Bay and was sentenced to be reprimanded and to lose 1000 numbers of the unrestricted line. The record of trial has been reviewed and forwarded to the Judge Advocate General for examination. Commander MCLEMORE, after entering

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pleas of not guilty, was found guilty on 16 September of dereliction in the performance of duty and of negligently hazarding a vessel by a general court-martial convened by Commander SEVENTH Fleet at U. S. Naval Base, Subic Bay and sentenced to be reprimanded. The record of trial is being authenticated and will be submitted to Commander Cruiser-Destroyer Force, U.S. Pacific Fleet for initial review.

4. It is noted that Captain J. P. STEVENSON, RAN, Commanding Officer of HMAS MELBOURNE, was tried by an Australian military court on charges he was negligent in failing to positively direct the movements of EVANS when she came into a collision course and for failure to take more positive action to avoid the collision. He was "acquitted with honor" on 25 August 1969.

5. The facts shows that no collision alarm or any other alarm was sounded in EVANS prior to the collision. As a consequence, only those personnel on watch topside were aware a collision was imminent and all other suffered the collision without any prior warning. The testimony of the survivors describe the disorientation and confusion of personnel awakened while the ship was being rolled 90 degrees by MELBOURNE. Although it is speculative to state that more of the crew would have survived the collision if the collision alarm had been sounded at some time prior to the collision, it is fair to say one of the reasons for sounding the alarm is to alert all ship personnel to a situation in which a collision is likely. It appears neither the conning officer nor the officer of the deck considered sounding the collision alarm.

6. Opinion 7 is a valid comment on the sufficiency of an operation order and deserves consideration by those commands that participate in the preparation of an operation order which includes a zigzag plan.

7. Except as otherwise noted, the proceedings, findings of fact and opinions are approved.

WF Bringle
W. F. BRINGLE

Copy to:

COMTRAPAC (w/basic)
NAVSACFEN (w/basic)
COMCRUDESPAC (w/basic)
COMCRUDHSGRU SEVENTHFLT (w/basic)
COMASWGRU ONE (w/o basic)

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SECOND ENDORSEMENT on Rear Admiral Jerome H. KING, USN, investigative report of 18 July 1969

From: Commander in Chief U. S. Pacific Fleet
To: Judge Advocate General

Subj: Joint USN/RAN Investigation - collision of USS FRANK E. EVANS and HMAS MELBOURNE on 3 June 1969 (U)

Ref: (f) CINCPACFLT's ltr FF1-1 5800 ser 13/8307H of 3 November 1969

1. (U) Forwarded.

2. (C) The record of this investigation is explicit on two pertinent points; one, that the tactical documents utilized by the combined task group were adequate and thus not contributory to the collision; and two, that the command and control organization was well known to all participating units prior to the commencement of the exercise. Consequently, the tragic event that transpired can be ascribed to error in individual human judgment rather than to faulty planning or to errors in the command and control organization devised for the multi-national force. Accordingly, prejudice by or towards SEATO is neither justified nor anticipated.

3. (U) Rear Admiral Jerome H. KING, Jr., USN is to be complimented for the outstanding investigation conducted under his direction. It is thorough and complete in all respects. This is particularly significant in view of the delicate and complicated nature of the proceedings which were conducted in full view of the world press.

4. (U) The Commander in Chief U. S. Pacific Fleet specifically makes no comment with respect to the culpability of CDR Albert S. McLEMORE in connection with this tragic incident. At the present time a review of the court-martial held in CDR McLEMORE's case is being conducted by Commander Cruiser Destroyer Force, U. S. Pacific Fleet and any comment bearing on the subject of culpability would be most inappropriate.

GROUP-4

Downgraded at 3-year intervals;
Declassified after 12 years.

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5. (U) Commander SEVENTH Fleet has noted in the first endorsement on subject matter

6. (U) Subject to the foregoing comments the findings of fact and opinions of the investigation as acted upon by the Commander SEVENTH Fleet, are approved.

John Hyland
JOHN J. HYLAND

Copy to:

CNO

COMTRAPAC

~~COM~~ NAVSAFCEN

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