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FIRST DAY

At
George Dewey High School
U.S. Naval Base,
Subic Bay,
Republic of the Philippines.
Monday, 9 June, 1969.

The board met at 1000 hours.

Present:-

Rear Admiral Jerome H. King, Jr., U.S. Navy;
Rear Admiral Hugh D. Stevenson, Royal Australian Navy;
Captain Clyde B. Anderson, U.S. Navy;
Captain Stephen L. Rusk, U.S. Navy;
Captain Kenneth W. Shands, Royal Australian Navy;
Captain John Davidson, Royal Australian Navy, members.
Captain Horace B. Robertson, Jr., JAGC, U.S. Navy, counsel for the board.
Commander Harold H. Glass, Q.C., Royal Australian Naval Volunteer Reserve, assistant counsel for the board.

Counsel for the board: This board having decided in preliminary session that it will meet with open doors and having determined that RADM Jerome H. King, Jr., U.S. Navy should be the senior member, is now open. At this time counsel will read the appointing orders appointing the board.

Counsel read the two appointing orders, originals prefixed hereto marked "A" and "B".

Counsel for the board: Since the board has been appointed in accordance with Chapter VI of the JAG Manual, members and counsel will not be sworn. In view of the fact that it has been directed to take testimony under oath and maintain a verbatim record, the reporter will be sworn at this time and I ask him to rise.

The appointed reporter, Winston I. Claiborne, Jr., yeoman first class, U.S. Navy, was sworn.

The senior member read a statement which is suffixed hereto marked "C".

Senior member: Counsel may proceed.

Counsel for the board: Sir, we have a procedural matter that has been brought to our attention at this moment. I think it requires that the two counsel confer with the two senior members at the table for a moment.

(The two counsel, senior member and RADM Stevenson held a discussion out of hearing of the other members of the board and the reporter).

Counsel for the board: At this time I'm sorry to announce that it will be necessary for the board to have a very short closed session. Would the spectators please leave the room. They will be admitted when it is completed.

(The spectators departed from the hearing room)

The board, in closed session, considered the matter of a communication to the board received from Lieutenant A.R. Vincent, Royal Australian Naval Volunteer Reserve, which is suffixed marked "D". The board allowed Lieutenant Vincent to appear and make an oral argument in support of his request. The record of that proceeding is suffixed, marked "E". The board having determined that Lieutenant Vincent's request should be denied, recessed at 1143 hours, 9 June 1969.

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The board reconvened at 1330, 9 June 1969.

All persons connected with the board who were present when the board recessed, were again present.

Senior member: The board has been considering a procedural matter brought to its attention and the matter has now been resolved. We regret any inconvenience to spectators.

Counsel: Sir, Counsel are ready to call their first witness.

Before continuing, however, the board asks that anyone who has been notified that he may be a witness in the pending investigation, or if he has any information that he feels might make him a witness, to withdraw from the room.

Counsel: The board calls as its first witness, RADM Crabb, Royal Australian Navy.

The appointed reporter, Orville William Wipperman, yeoman first class, U. S. Navy, was sworn.

RADM G. J. Crabb, Royal Australian Navy, was called as a witness by counsel for the board, was duly sworn and testified as follows:

Counsel: RADM Crabb, it is my duty as Counsel to advise you that you have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USF FRANK E. EVANS because it is believed that you have evidence which may assist the board in its investigation. You are advised that the evidence is being received in open session of the board and that disclosure of classified information is not authorized during open session. Should the answer to any question that you are asked require you to disclose classified information, you are requested not to answer the question, but to advise the board that the answer would require you to disclose classified information. In such case you will later be given an opportunity to testify as to the classified information in closed session. However, if you can answer the question in part or in general terms without disclosing classified information, you should do so, advising the board of your desire to amplify in a later closed session. Under Australian law it is necessary to warn you that you may refuse to answer any question the answer to which may tend to expose you to a penalty of forfeiture. It will be for you to raise the objection and for the board to decide if you must answer the question or not. Do you understand?

Witness: I understand.

Q. Would you state your name, rank and organization?

A. My name is Gordon John Crabb, I am a Rear Admiral, Royal Australian Navy, my personnel number is 08251 and my name appears in the Official Navy List for the Royal Australian Navy.

Q. In what capacity were you serving on the 3rd of June 1969?

A. Flag Officer commanding Her Majesty's Royal Australian Fleet.

Q. Did you have any additional duties at that time?

A. What day was that?

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Q. The 3rd of June 1969?

A. Yes, on the third of June 1969, I was a task force commander for a SEATO exercise.

Q. At that time was USS FRANK E. EVANS under your command?

A. Yes it was.

Q. Was HMAS MELBOURNE also under your command?

A. Yes sir, not under my command, but under my operational command.

Q. Could you describe the circumstances which placed these two ships under your command and the evolutions in which they were involved, going back far enough so the board will have a complete picture leading up to that evening?

A. Australia is a member of the Southeast Asia Treaty Organization. Under the 27th meeting of the military advisors they decided to have maritime exercises in 1969. Australia and the United States were co-sponsors for this exercise, and as Flag Officer in Command, Royal Australian Fleet, I was ordered by the Australian Commonwealth Naval Board to detail certain ships to take part in this exercise. This we did and over a period from the middle of May these ships assembled in Manila.

I came up and arrived in Manila Bay on the 21st of May on HMAS MELBOURNE. On the 21st of May and for a few days I was involved in protocol visits ashore with Philippine senior officers or else meeting with my colleagues in the task force. I arranged amongst other things to have one luncheon to which I asked RADM Rapp who is the director of the exercise, Brigadier General Caldwell who is one of the deputy directors and various other flag officers. Because of the limitations of my flag office I could only meet with 12 and was not able to meet with everybody at the dinner I had arranged. Most of the guests could not arrive because of bad weather.

On one occasion Captain Stevenson asked me if he could use my cabin for a dinner for the Captains of the various ships which would be in his particular task group, and so I made my facilities to him available and I assume that he had that function.

The exercise itself was divided into two phases. There was what they call the work up phase, - I'm sorry - so far as the Maritime part of it, from the Maritime point of view, there were two phases, one was the work-up phase, which commenced on the 22nd of May. And for the first three of four days the ships stayed in the harbor checking their communications and getting used to working with each other on the communications side. When you have ships from six different navies this communication is a little difficult to start with. And so from previous experience it had been decided by RADM King who was the task force commander for this phase of the exercise, the ships would stay in the harbor and get their communications straight first.

Then on the 26th, 27th, 28th, and 29th the whole task force went to sea for individual exercises. We exercised in the area off Manila. We did not exercise at that time with the ships we would be exercising with later on. In other words I had a group of ships with me that I would not have later on, but because I felt it was necessary, on at least three occasions we took special precautions to get those ships together to exercise as a group and once again this is not very easy when you have ships from six different nations and you get them close together maneuvering. It was during this time that I was trying to get the feel of the standard of training of the various ships which would later come under my command. We came back into the harbor on the afternoon of the 29th of May, and I assumed my duties as Task Force Commander 472 on the night of the 30th.

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Q. Could you identify the nature of the exercise in terms of what the ships were to do?

A. You are talking about the transit phase. The transit phase had been planned over many months as a maritime exercise to escort a convoy from Manila across to Sattahip. If you want more detail, I think we would have to go in closed session. For this part of the exercise I issued a special operation order.

Q. Could you identify that operation order?

A. Yes sir, I have a copy of it if you would like.

The document was produced and marked Exhibit 1 for identification.

Q. Was that operation order in effect during the evening and night of the 2nd of June?

A. Yes sir.

Q. And it also applied to HMAS MELBOURNE and USS FRANK E. EVANS?

A. Yes sir.

Counsel for the Board: Under those circumstances counsel requests that the document marked Exhibit 1 for identification be admitted into evidence and also asks that after obtaining a duplicate copy, the original be allowed to be returned.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Just for the record, counsel, if I may, I would like to have it established what amendments and/or supplements of these operation orders are included in the exhibit (Exhibit 1 handed to Rear Admiral CRABE for his inspection).

A. On the front page, amendment number one, 22nd of May, number two, 27th of May. In addition to this, I issued two separate operation orders for particular parts of the exercise which would occur later on.

DIRECT EXAMINATION

Questions by counsel for the board:

Q. Can you identify those sir?

A. I do not have a copy with me at the present time.

Q. Are they pertinent to the operation at the time, that is the operation that occurred on the 2nd or 3rd?

A. Yes, one of them had been issued for an exercise which we carried out on the night of the 2nd which actually commenced at 2000 on the night of the 2nd and the exercise had been completed by 2230 local time that night, and the other part was for a phase which came two days later which we did not use.

Q. In your opinion they are not pertinent to the incident under investigation by this board?

A. I don't think so.

Counsel for the board: Under those circumstances I request admission of the document. That "for identification" be stricken and that the document be admitted into evidence as Exhibit 1.

Senior Member: Very well.

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Q. Admiral CRABB would you describe in more detail the unit and its make-up which you commanded on the evening of 2 June and early morning of 3 June?

A. In this operation order I ordered that the ships taking part in this maritime phase should be divided into three groups. The first group was a convoy group Task Group 472.3 under the command of Captain D. H. SMYTHE, Royal Australian Navy, in Supply. With him were a number of escorts which, I'm sorry, RFA (United Kingdom Tanker TIDEREACH, HMAS VAMPIRE, HMAS STUART, HTMS TACHIN, HTMS PINKLAO, CALIENTE, HPS OUEZON. The second group, Task Group 472.2, under the command of Rear Admiral KING, U. S. Navy in USS KEARSARGE, USS KEARSARGE, HMS DANAE, HMAS PARRAMATTA, USS WALKE, USS SCHOFIELD, USS BRONSTEIN. The third group under my command Task Group 472.1, HMAS MELBOURNE, USS KYES, HMNZS BLACKPOOL, HMS CLEOPATRA, USS FRANK E. EVANS, USS EVERETT F. LARSON. The organization of those ships was that the convoy would proceed as a central group. Rear Admiral KING's group were ordered to take station as detailed in what we called "Disposition PETER".

Q. Can you testify to this in open session, sir?

A. I think I can. USS KEARSARGE and Task Force 472.2 was given the area to cover 45 to 75 miles from the central convoy. From 44 into 10 miles, in other words, for 35 miles, I beg your pardon, from 35 miles to 25 miles was a buffer zone which was kept clear for aircraft safety. HMAS MELBOURNE aircraft and my task group were to operate in the inner zone which was centered on the convoy at a radius of 25 miles. As soon as we cleared the harbor I moved my task group 10 to 15 miles westward of the convoy on a southwesterly course. Admiral KING moved his out approximately 65 to 75 miles and that is how we started out on the afternoon of the 30th. We retained that formation until we did a replenishment at sea on the 2nd of June which was completed at 1330 and then my task group went on ahead and Admiral KING's task group came in. In other words, we changed the task group and that was the condition existing on the night of the 2nd and morning of the 3rd of June.

Q. I understand then on the night of the 2nd and 3rd of June you were the distant force rather than the close force?

A. I was the distant force. Admiral KING was the close force.

Q. In addition to the operation that was referred to were there any other documents which provided for tactical doctrine for this particular exercise, if so, would you please identify them?

A. First of all there was the operation order issued by the directors and the SEATO planners and I have a copy here.

Q. In view of the classification of the document the Board would prefer not to receive it in evidence unless it is quite pertinent to the proceedings.

A. I think the pertinent parts all have been extracted and have been put into my operation order.

Counsel for the board: Subject to the approval of the Board, counsel will not develop further evidence at this time as to this order.

The board assented.

A. (Witness continued answer) Secondly, sir, my staff planners and Admiral KING's staff planners cooperated in producing what we termed maritime operating procedures, PX 39 Maritime Operating Procedures. This briefly is a condensation of the orders that my staff and Admiral KING's staff considered would be pertinent to this SEATO Exercise and would save certain ships from having a wide variety of books in front of them. We condensed it into this.

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Q. May I show you a document, sir, and ask you if it appears to be the same document to which you referred?

A. That is the same document.

Counsel for the Board: I ask that this exhibit be marked as Exhibit 2 for identification.

Q. Admiral, was that document the tactical doctrine for the operations being performed on the evening of the 2nd and 3rd of June?

A. Yes, it is.

Counsel for the Board: Under those circumstances we request that it be admitted into evidence and the "for identification" be stricken and admitted as Exhibit 2.

Senior Member: Very well.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Were there any other allied publications that were in effect as prescribed tactical doctrine for this operation? I refer specifically, sir, to the ATPIA Volume I, changes 1 through 4, Allied Naval Maneuvering Instructions, title unclassified.

A. There are a number of tactical documents which any ship taking part in an exercise like this requires. Because from my point of view we were not certain of their clearance for ships of certain countries taking part in this exercise, we produced this Maritime Operating Procedures, which in my view was sufficient to allow a ship to take part in this exercise, providing they had some naval background or training.

Q. In your view then what was the applicability of Allied Tactical Publication 1a, Volume I, through change 4?

A. That is a basic document to any ship's captain operating at sea these days, and I'm quite certain it is on the bridge of every ship.

Q. And that includes HMAS MELBOURNE and USS FRANK E. EVANS?

A. Yes sir, they should be there. Whether they were or not is not for me to say.

Counsel for the Board: Under those circumstances, sir, counsel asks that the Board take judicial notice, which is a collateral duty.

Senior Member: The board takes judicial notice.

Q. I would ask you also as to the applicability of ATP 1A, Volume II, and if it also be applicable?

A. Yes, sir.

Counsel for the Board: Under those circumstances let the court also take judicial notice of this publication, copies of which will be available.

Senior Member: Judicial notice is taken.

Witness: You were going to ask me about ATP 13 as an example.

Q. I did intend to ask you, sir, if you would like to discuss it?

A. I would just like to draw attention to the fact that there is such a publication.

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Q. Was it applicable to the operation that was in effect that evening?

A. In this Maritime Operating Procedures we did include some extracts, but we did not limit ourself to using it only, we used many other publications.

Counsel for the Board: Counsel will obtain a copy of that publication at that time we would ask that the board take judicial notice.

Q. You indicated that earlier in the evening of the 2nd of June there had been a operation involving your task group. Would you briefly describe that operation, and the progress of it and whether or not it was completed?

A. This had been laid on by the exercise commanders, and after all the ships completed fueling at approximately 1330 on the afternoon of the 2nd of June. I was just about to move MELBOURNE and her task group clear when we got the submarine contact on the screen. This was prosecuted by several of the escorts which delayed me moving MELBOURNE out till about 1430. MELBOURNE did move to the inner edge of that circle I mentioned earlier. In other words we moved out 35 miles ahead because I had noted the progress been made by the ships in my task group and I had thought that the exercise planned for that night was a little too simple, first of all, for the state of progress we had made, and, secondly, I wanted to involve if possible the aircraft from MELBOURNE. As originally planned, 3 ships were sent away to act as a Surface Attack Group.

Q. Would you describe briefly the function of the Surface Attack Group?

A. The Surface Attack Group is any group of ships that attack part of enemy surface units. They are normally sent out well beforehand, and given freedom of movement. They use their own initiative as to how they approach and the type of attack to carry out.

As planned Admiral King and his U.S. KEARSARGE Group were - I'm sorry that's wrong. The target for this surface attack group was a convoy Admiral King disposed his escort and the escorts from the convoy so as to meet this attack. It was in my mind that the ships going out knew what Admiral King was doing, so that when we separated from the convoy, I told my group that I also was going to counter this attack, unknown, in my mind, to the enemy and unknown especially that I would use naval air from MELBOURNE. As it turned out, the exercise started at 2000 local time, and within 2 minutes we had detected two of the three ships quite some way away. We watched them, they were hiding on either side of a tanker, fairly closely. I waited for the appropriate moment then detached my counter-attack group so that, by the time my counter-attack group had opened fire, I also sent off 3 A-4G's from MELBOURNE. They all attacked these two ships together at 2030. Within 10 minutes I had sunk them, either by air or by our vast superiority in surface gunfire.

We then discussed for a little while whether we would look for a missing ship since we had found two and there was a third, USS WALKE; and I said to my staff let's leave that one to Admiral King and his task group so they can have a bit of fun.

So we thought we had done our bit by getting rid of two of them, and we had some idea where the other ship was so we were quite certain, I know he had passed me some how or another, and I knew the power Admiral King's group had and was quite confident they would be able to do away with that one ship.

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to tell you exactly how long it was. I was awfully worried - to say awfully is an understatement - tremendously worried that the bow section went down so quickly as it was so obvious that a large number of men must have gone down with it. Through what I think was an extraordinarily brave action by a number of men, the after section of EVANS was secured to the starboard quarter of MELBOURNE. A large number of officers and sailors from MELBOURNE jumped on to it and searched it and brought up a number of survivors. Several officers and sailors jumped from the flight deck of MELBOURNE, which is 45 feet, straight into the water to rescue people. Others went by scrambling nets from the flight deck of MELBOURNE over onto EVANS and at this time they didn't know whether the various weapons on EVANS had been set to safety or not. We did send a message down to make sure this was so, and I understand that the weapons officer from EVANS went back to ensure that the torpedo and other weapons had been set to safe.

I would say that after that after section had been moored for half an hour, the Captain of MELBOURNE asked my permission to cast it off because it appeared that it was starting to sink. He ensured me that his commander had personally been through this after section and made certain that there was nobody else on board. So I gave permission for it to be cast off at that time, and that is why I said that the MELBOURNE moved away slightly. I know that the Captain of the MELBOURNE gave his engines a slight touch ahead. I would say that within a half an hour, the MELBOURNE, the helos and the boats had rescued everybody left alive.

Q. What is your basis for opinion in that respect sir?

A. The reports that I was receiving.

Q. Is this based on part of the weather, for example?

A. The weather as I said before was quite calm, glassy calm. My only doubt after the first half hour was if we had missed anybody in the wreckage.

Q. Do you know whether searches were made of the wreckage?

A. Every piece of wreckage was picked up. So as to be absolutely sure that in my own mind that we had picked up everybody, I ordered that every piece of wreckage be picked up, which was done.

Q. You earlier stated that after daylight you instituted a systematic search. Would you describe the nature of those searches, the number of ships involved?

A. Prior to that I would like to say once again I was absolutely certain that we had picked up every living man before we instituted this system. At approximately 0900 I detailed those four ships the names of which I have just mentioned, to do a systematic search throughout the area. And later on I called another four ships to do a search, a closer search. One group was to cover a larger area to cover every contingency. The other four closed in MELBOURNE to search the local areas. And this whole search of these eight ships went on for 10 hours. I did at one stage, I remember quite clearly discussing with my three operations officers, whether we should put out a call on 500 K.C. which is the emergency distress wave for merchant ships because in that area there are a lot of merchant ships. We debated quickly whether we had enough doctors of our own or whether we wanted any outside assistance. I finally decided against calling for outside assistance because I had a very large number of naval vessels who, as I said before, had been very generously placed under my command for rescue operations, so I considered it was better to use to the fullest the naval vessels which were under complete control rather than call in outside help which might have been slightly more difficult to control. And that is why, I just would like to explain why, I did not call in any merchant ships in the area.

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Q. And secondly did you observe any wash from the MELBOURNE?

A. No. I didn't wait. Once I had seen the bow of MELBOURNE cut the ship in half, I didn't look for anything else. I went straight to the operations room.

Q. Admiral, would you describe the lighting measures in effect as ordered at the time of the collision or as you may have observed them at the time of the collision?

A. Could I go back a little bit? Not having worked with this international groups of ships before and not having had a chance to work in the work-up phase to improve, on our first night at sea, which was the night of the 30th and 31st of May, I ordered all ships in our task group to burn their navigation lights dimly. This is a thing that in the Australian Navy we don't do under normal exercise conditions because it's an immediate give away of course to any submarines trying to find you. But because there was some doubt in my mind as to the overall expertise in the mixture of six nations we have, it was done as a precaution. But it was also a bright moonlight night.

On the night of the 2nd and 3rd, when the collision occurred, I had ordered the navigation lights to be switched out because, as I mentioned earlier, we were carrying out this Search Attack Group exercise. And when I handed tactical control to the Captain of the MELBOURNE, as far as I know, I did not give any specific instructions as to navigation lights. At that stage I had remarked to my staff that we had been at sea then the 30th, 31st, 1st, 2nd and we were now getting into our fifth day and we were becoming more and more confident of the ships in our task group. And I think I remarked that afternoon what a big improvement it had been each day in the way the ships were being handled and the way we were getting along together. I was much more confident that night than I had been four nights before. In other words I was quite happy that my task group at that time was able to maneuver without sidelights.

Questions by a member of the board (Captain Davidson):

Q. Did you in fact see whether EVANS, from the time you first caught sight of her, was burning navigation lights?

A. I'm sorry. I didn't look for that. I was attracted by the ghastly sight of MELBOURNE's bow inevitably going to plow through. My attention was focused on that.

Questions by a member of the board (Captain Shands):

Q. Sir, in order to give us some idea as to just how much you could see, do you remember any point of detail, for instance do you remember if you could see a gun?

A. I could see the whole of EVANS quite clearly. I do recall I didn't see any men on the deck of EVANS. This is one thing that surprised me. I saw her vividly to what I call the break of the forecastle. That is, the after end of the bridge superstructure. The rest of the whole aft, I saw quite clearly.

Q. Were there any points in particular, such as a gun?

A. Oh yes, I saw the after mount quite clearly, the funnel, the whole ship quite clearly. It was a bright moonlight night and anybody could see a ship 2000 yards away without using binoculars.

Questions by a member of the board (Captain Stevenson):

Q. Admiral, in your picture number two, you seem to indicate the whole of EVANS. When you first saw her, did you see the whole ship?

A. No I didn't.

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Questions by a member of the board (Captain Davidson):

Q. In that drawing, sir, number two, does it represent EVANS and all that you could see of her? Does that mean everything forward of where you had stopped was out of your sight under the bow of the frame of MELBOURNE?

A. Yes.

Q. So that is a drawing of what you could see of EVANS?

A. That represents the part of EVANS which I could see which, was from the after end of the bridge aft, about two thirds of the ship.

Q. Could we perhaps have an "X" on that to make it clear? (Admiral Crab marked an "X" on the exhibit indicating the position he was standing)

Counsel for the board: Let the record reflect that the Admiral has marked an "X" on the starboard side bridge structure of MELBOURNE.

Examination by the board, continued:

Questions by the senior member:

Q. Admiral, is it correct that you were able to see from your position both smoke stacks on EVANS?

A. Yes, I did see both smoke stacks. All I'm trying to indicate is that I saw the ship coming, moving from right to left in my vision.

Senior member: The board has no further questions.

Counsel for the board: Admiral, that completes the questions of the board in open session. We would like you to return for questions in closed session. Before terminating the open session you are at this time given the opportunity to make any statement you may wish concerning the incident you feel would help the board have a better understanding of the incident.

Witness: If I may, I have one or two points I would like to make. As I said, we sailed on the afternoon of the 30th from Manila. On the night of the 30th, 31st, as I said before, I ordered the navigation lights be put on dimly, and there was an occurrence in the early morning of the 31st of May. Because of this occurrence the night of the 31st - 1st of June, I instructed the Captain of MELBOURNE that his rescue destroyer was to be put astern of MELBOURNE at dusk and was to be left astern of MELBOURNE throughout the night till dawn.

On the 1st of June I replanned the two exercises. I replanned them so as to involve MELBOURNE's air group. Since they had been flying long hours, I ceased flying them on the night of the 1st, 2nd of June. On the 2nd of June I asked Commodore Dark, COMDESRON 23, who is in KYES, I asked him to come and see me. He very kindly came and saw me. I asked to see him for a number of reasons. First of all, I had not had a chance to meet him. We left Manila without me having a chance to meet him. As he was the senior officer in the screen in front of MELBOURNE I thought we should meet. We discussed a number of subjects, and, if I may, I would like to mention the subjects as I recall them. First of all, we discussed in some detail the incident to which I just referred which occurred at 0304 in the morning of the 31st of May. I told him as a result of that incident I had ordered MELBOURNE to keep his rescue destroyer astern throughout the night. It was obvious to both of us and I know from having talked with him that the Commodore is a very experienced destroyer man. I didn't like the idea of taking a destroyer off the screen and

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putting him astern at night. I wanted to make the best use of them from the anti-submarine protection point of view. Commodore Doak told me that providing MELBOURNE would use a wing ship of his screen, either the right hand wing ship, or the left hand wing ship, there would be no problem because this is the way they were used to operating procedure for his destroyer squadron. So I then agreed with him that I would alter my order leaving the ship astern all night, and I would instruct the Captain of MELBOURNE to use the wing ship as his rescue destroyer.

He then asked me my views of the type of screen that he was using. I am not an anti-submarine expert, but his screen that he had been using had been the subject of discussion, and I had talked it over with my staff officers. I had not signalled anything to COMDESRON 23. I was rather loath to be being a senior officer in a foreign navy whose particular job at this time was to screen carriers. I was a little loath to suggest that he might like to think about altering his plan, but as he gave me the opportunity to express my views on it, I did suggest a new type of screen and it is obvious that he took note of what I said, because when he went back and the groups broke away from replenishment, he immediately put MELBOURNE destroyers into the formation which I had asked. He also asked me how close I liked destroyers to come to carriers. He said his reason for asking this was that the commander of his anti-submarine group has a rule that destroyers should not normally take station within 2000 yards of the carrier. I said that I had been a little concerned for up to that time one of their destroyers, the BLACK-POOL, had been zig-zagging in front of the carrier at 2000 yards. I asked him from there on not to put any screening stations within 3000 yards of the carrier. Once again this he did for me.

I also did mention to him that I had a standing order in the Australian Fleet that any destroyer screening a carrier, if they had to move station, they always turned away from the carrier. I have told my captains of my ships that if he ever turned his destroyer into a carrier I would sack him, on the spot. I'm not just saying that now. I made that statement last year and other people can be called in to substantiate it. I think it's a basic rule that on a screen you turn away from a carrier.

I had a great deal of expertise available to me in the operations room, my duty staff officer was either a LCDR or a senior lieutenant. I had four LCDR's and one senior lieutenant. In addition the ship had an operations room officer, a senior lieutenant who was the duty flying officer and a number of communication sailors. This is in addition to whatever the Captain had on the bridge. We would like to discuss in closed session the incident to which I referred.

Counsel for the board: Does that complete your statement?

A. Yes sir, for now.

Counsel for the board: So that there will be no misunderstanding, you referred to an incident, an occurrence. Does this involve a collision or anything of that nature?

A. It involved a near collision, another ship passing within 50 feet of MELBOURNE.

EXAMINATION BY THE BOARD

Questions by a member of the board (RADM Stevenson):

Q. Admiral, when you were talking to Commodore Doak, you said that you wished no ship to be stationed within 2000 yards of MELBOURNE?

A. I said that it was my wish that no ship would be stationed within 3000 yards of MELBOURNE.

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Q. Did you have any conversation with him about distance other than for replenishment or transfer or how close any of his ships should approach MELBOURNE?

A. For transfer or replenishment?

Q. When you say station within 3000 yards you are talking about 3000 yards ahead or behind you. You are referring to screening MELBOURNE?

A. That's correct.

Q. Did you come to any agreement about the distance any ships should approach MELBOURNE?

A. No, as far as I can recall, that was not mentioned.

Counsel for the board: Before excusing you Admiral the board would like to instruct you that you are requested not to discuss your testimony with anyone other than members of the board and the counsel. You will be subject to recall in closed session sir. You are excused sir. In view of the hour, I recommend we call no more witnesses.

Senior member: Before we adjourn for the day, in addition to the comments at the beginning of the session the press and the public may be interested in this information: Following completion of today's session the board plans to visit USS FRANK E. EVANS and HMAS MELBOURNE for the purpose of inspecting the damage to the two ships. The sole purpose of these inspections is to permit the fullest appreciation by the board of evidence concerning the condition of the ships when it is later given by witnesses in the course of the proceedings. As no evidence will be taken, there will be no need for counsel or reporter to attend.

Adjournment.

The board adjourned at 1600, 9 June 1969.

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-SECOND DAY-

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The board reconvened at 1035 hours, 11 June 1969.

All persons connected with the board who were present when the board adjourned are again present.

Senior Member: The board has been discussing the testimony given on Monday and has determined that some matters in Admiral Crabb's testimony should be clarified and has requested that counsel recall Admiral Crabb at this time for additional testimony in open session.

Counsel for the board: Before Admiral Crabb appears we have a new appointed reporter who will be sworn at this time.

Yeoman first class Kenneth L. Himango, U.S. Navy, the new appointed reporter was sworn.

Rear Admiral Gordon J. Crabb, Royal Australian Navy, was recalled as a witness by counsel for the board, reminded that he was under oath and testified as follows:

Counsel for the board: Admiral, the board has reviewed the transcript of Monday's session and after doing so has asked that you testify further in open session as to certain matters as to which they would like clarification. At this time I would like to ask several questions in that connection.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. First of all, I believe, you were asked as to the operation order in effect and any changes, amendments and supplements that might have been pertinent. And you said that there were two supplements, neither of which applied to this particular operation in course. Were there any other remarks that you would like to add on this subject? Are there any inaccuracies that I have stated in your testimony?

A. No, I can't recall any inaccuracies. I issued one operational order for the surface attack group exercise on the night of the 2nd and 3rd of June. Subsequently, as I think you will get in the record, I amended that by signal. As I said the other day, by the time we were doing the replenishment on the 2nd of June, I felt that from my own task group point of view, I got to know the ships as they were working together as a team rather than as a group, and I felt entitled to add a little more complication to the surface attack group exercise the following night that had originally been planned by the exercise directives. This is where, as you may recall, I fed in my own anti-surface attack group and also part where I was able to employ the aircraft from MELBOURNE. That is already on the record. I did say that last time.

Q. Perhaps I am a little imprecise, but I am specifically interested in whether there were additional supplements to the two you mentioned? Were there only two supplements?

A. As far as I recall, yes, except there was one third book called "For the Ships Entering Sattahip Harbor".

Q. The next area is an internal inconsistency in our record as to the termination of time of the surface attack group exercise. Could you tell us about the time that it terminated?

A. Yes. The exercise "go" time was 2000 (8 o'clock local time) in the evening. Much to my surprise, once again this is already on the record,

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within the first five to ten minutes we detected the other ships and the whole thing was over far earlier than I thought. In my recollection it finished at 2230. I was then able to relax for the first time for quite some time.

Q. Would you then following that, clarify when you turned over tactical command to MELBOURNE and in what manner, sir?

A. First of all, you recall, I had it in my night orders that the tactical command was to be handed over to the MELBOURNE. With me in the operations room was my Fleet Operations Officer, Commander Hudson. The captain of MELBOURNE rang from the bridge to the operations room and I think in deference to my rank he spoke to my Operations Officer and he said, "What are the Admiral's intentions about tactical command?" Commander Hudson took my Night Order Book and read back what I had written in my Night Order Book. At what precise time that was done I would not know.

Q. Was a signal put out indicating that you had turned over tactical command to MELBOURNE?

A. No, the signal was not put out, but you must understand that by handing over to the MELBOURNE, that immediately under the system applying that allows the captain of the MELBOURNE to use my call sign when he wanted to maneuver.

Q. Sir, we asked you at the last session to draw a figure indicating the positions of the two ships at the time you first saw them and at the moment of impact. Could you, in words, sir, estimate for the board, if you can, the angle between the two ships' headings at the first time you saw the EVANS and following that, at the time of impact?

A. I saw EVANS moving from right to left in my view, in other words, coming in from the starboard side with his bow moving to port. I would be guessing if I tried to tell you the angle, but it was close to 090 degrees.

Q. In your observation was there a significant change between the time you first saw EVANS and the moment of impact, insofar as the angle of the two ships' headings is concerned?

A. No.

Q. You also testified, sir, following your conversation with Commodore Doak as to screening procedures, you agreed with Commodore Doak that you would instruct MELBOURNE that as long as he used the wing ships, that it would be all right to terminate this procedure of having the RESDES destroyer following along at night. And the question in the minds of the board is, did you so instruct CO MELBOURNE as you indicated you would, and when, sir?

A. What is called "OPGEN ALFA" (special type of signal) had in it that the New Zealand ship BLACKPOOL would be the rescue destroyer. After we had finished refueling on the afternoon of the 2nd of June, the BLACKPOOL was one of the center ships in the screen. Therefore, I think to demonstrate my point the fact that USS FRANK E. EVANS became the rescue destroyer is a clear demonstration of my request to Commodore Doak that he had heard what I had said. If you would like, I will draw it for you.

Q. No, the question was (and perhaps it wasn't clear) - you indicated that you would instruct CO MELBOURNE to this effect, and did you instruct CO MELBOURNE and if so, when?

A. Yes, I instructed him and it was a result of my instructions the rescue destroyer was changed from BLACKPOOL to EVANS.

Q. Do you recall when you instructed him in that manner, sir?

A. No, all I would say that it was sometime after Commodore Doak had been on board and before dark.

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Q. Sir, you also testified that you had a standing order in the Australian Fleet, "that any destroyer screening a carrier, if they had to move station, they always turned away from the carrier". I have told my captains of my ships that if they ever turned a destroyer into a carrier, I would sack him on the spot." The question is, do you regard this as an invariable rule, sir, that the turn shall always be made away from the carrier?

A. Do I understand? What you're saying is that you are talking about destroyers on the screen of the carrier?

Q. Yes.

A. I maintain that this is an inflexible rule.

Q. You do not envisage that there are any circumstances under which a turn could be made toward a carrier, by a screen destroyer changing station?

A. On a screen it depends on the type of screen you have. My rule envisages a screen ahead. If you have, for instance, a circular screen, encompassing 360 degrees, there are times when they are abaft the beam of the carrier, when they may turn towards because then the relative movement of the two ships, as you turn towards the ship from the beam or abaft the beam, you can never hit him, providing you are both doing the same speed; relative velocity. We are talking about relative velocity, and my rule applies to what used to be known as "bent line screens", screens which are normally forward of the beam of the ship being screened. I have not got that in writing. If the board queries my statement on this, I would like them to ask or get any captain who has served in the Australian Fleet for the last fifteen months.

Q. Sir, near the end of your testimony you referred to an incident or occurrence that had occurred a day or so previous to the collision between MELBOURNE and EVANS. Did you see the incident yourself, sir?

A. No, I didn't.

Q. If not, then could you tell us whom you received the report from?

A. I received it from my Duty Staff Officer in the normal course of his duties. This incident happened so quickly that he stated to me afterwards that he just did not have time to call me.

Q. Do you have knowledge as to whether the Duty Staff Officer saw it himself?

A. I prefer you to....

Q. Could you identify him, sir, so that we may determine that?

A. Yes, but I don't have the list with me at the moment. Would you like for me to do that?

Counsel for the board: Yes, sir.

Senior Member: With respect to the last answer, if Admiral Crabb would simply inform counsel as to the identity of the individual then we could have access to him.

Counsel for the board: I did have one more, sir, I'm sorry.

Q. I asked you about whether you had observed certain rescue operations and you said, no, that you were fully occupied in the operations room all day and could not observe them. I think that the inference I obtained from that was that you never left the operations room. Is that what you meant to say, sir?

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A. No, I would right now like to tell you what I did. I have the title Flag Officer Commanding Australian Fleet. This is a title, which first of all, is difficult to understand. FOCAF can be represented in a number of places. At this moment the signal title FOCAF immediately refers to my headquarters in Sydney, Australia. FOCAF Flag refers to me personally, John Crabb personally, and also to my operational staff who accompany me. Now when I made that statement I was in the operations room all day long. What you must understand is that here FOCAF Flag is me personally and my staff, and all day long either I or my Duty Staff Officer was in the operations room and if I wasn't there my Duty Staff Officer knew exactly where I was. So if I may bore you for a moment I will tell you what I did.

Counsel for the board: I don't think that's necessary unless the board would like to hear it. We just wanted to clarify that point, sir.

Witness: With due respect, sir, I would like to continue.

Senior Member: Quite agreeable Admiral.

Witness: I was called at 0312. I went to the Flag Bridge in my pajamas. By 0316 I had initiated the first signal on the collision. By 0317 I was in my sea cabin changing into uniform, as I thought it incorrect for an Admiral to be seen in an operational area in pajamas. And I was seen in my sea cabin at 0317 by my Fleet Operations Officer and I said to him, "Yes, I know." By 0319 my Flag Lieutenant, Lieutenant Scott, noted my presence in the operations room in a log, which log is not my concern. My Flag Lieutenant had been Duty Staff Officer from 2000 (8 o'clock) the night before until midnight and his cabin is right down aft in the carrier and he got back in this emergency in seven minutes and so he was with me again by 0319. Between 0317 and sunrise, I personally was in the operations room directing the rescue. At 0325 the after section of the EVANS had been secured to MELBOURNE's starboard/after quarter. And once again it was a flat, calm, glassy sea. As to this, I should have done it before, I would like to draw attention to the fact of the very accurate weather forecast which were given to me throughout this night and the following two or three days by the Meteorological Officer of MELBOURNE, Lieutenant Commander Robinson. It was vital from my point of view, from Admiral King's point of view, that we should know the weather. For once the Met people were completely accurate. Lieutenant Commander Robinson's forecast was for calm, glassy seas and we had it all that day. At twenty-three minutes past three in the morning I sent a signal to the Address Indicating Group people saying, "Sea Spirit Stopped". All AIG's concerned with "Sea Spirit" 5901, 5906 inclusive. That is all the sea, all the shore authorities involved with "Sea Spirit" stopped. I say I personally said that because we could not find the right way to stop the exercise. There were certain words that should have been used, but in the emergency I couldn't remember the particular code word. It is in the operation order. At this time I have it here. That signal was sent "stop," just stop everything. That was twenty-three minutes past three. At twenty-five past three I sent a signal to all authorities that I could think of, amplifying the report that the MELBOURNE had been in a collision with the EVANS. If you would like the signal, I have it all here. Before dawn I left the operations room to go along to flying control to see how the flying people were getting on. Lieutenant Commander Payne was the commander of operations and I was particularly concerned that he had so many helicopters in the air and could one officer control all of these helos in safety. He assured me that he could and that everything was under control.

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Senior Member: The board feels that there may be some doubts as to the relevance of this material which you are giving to the question asked by counsel, which was simply intended to clarify an impression which may have been drawn from previous testimony to the effect that you were in the operations room all day long which we felt might have not been the case. I think that the answer to that has been adequately conveyed to us.

Counsel for the board: Does the board have any additional questions for Admiral Crabb?

Senior Member: No additional questions.

Counsel for the board: Admiral Crabb, at this time, as in the previous open session, you are given the opportunity to state to the board any additional relevant information that you feel would help in assessing the incident which they have been instructed to investigate.

Witness: May I have five minutes to think about that please?

Senior Member: Certainly, we will recess for five minutes.

The board recessed at 110 hours, 11 June 1969.

The board opened at 1115 hours, 11 June 1969.

All persons connected with the board who were present when it recessed were again present.

Senior Member: The hearing is open.

Counsel for the board: Admiral, before we recessed, you were given the opportunity to make such additional amplifying remarks as you might like relevant to the subject of the inquiry. At this time we renew the offer to you.

Admiral Crabb: Thank you very much. I would just like to repeat one or two things I have already said. First of all, I would want to make quite clear that during the day of the rescue, that every piece of floating wreckage was retrieved, and in a glassy calm sea this might seem stupid. But from our thinking it was absolutely necessary to make certain that we had left no stone unturned to recover any survivors. My second point is, that I would like to make it quite clear, that my staff and I considered quite carefully as to whether we would put out the call on 500KC's for merchant ship for assistance. And I very carefully considered this decision on my part, because I didn't want to ask the merchant ships to come into the area because I had a large number of naval vessels under my personal control which I personally considered was sufficient to carry out the rescue. My third point is, that I would like to put on the record, is the cooperation which Rear Admiral King gave in immediately placing United States ships under my command for the period of the rescue. They were left under my command until after dark that day, and this was a very generous gesture. Secondly, around about the forenoon, I was called up on the radio telephone by Vice Admiral Griffin, Flag Officer Second in Command of the British Far East Fleet and he did not ask me, he said that I am coming to help. He gave me a time of arrival around 1400. His ships actually arrived around about 1300 or 1330 and we then had a personal conversation on the radio telephone where I said at that time, as you will see on the track charts, we had covered the area at least once with the ships available to us so I did not ask Admiral Griffin to join in the search. I would now like a signal placed on the record if I may. I have declassified that.

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Counsel for the board: I understand that this signal was originated by you. Is that correct?

A. Yes, sir.

Counsel for the board: Under those circumstances we request that it be admitted as Exhibit 7.

Counsel for the board: The message is from FOCAF Flag to MELBOURNE....

Member (Rear Admiral Stevenson): Excuse me if you please, do not copy down the date time group.

Counsel for the board: I will not.

Member (Rear Admiral Stevenson): Just the originator or whatever it says.

Counsel for the board: The message is from FOCAF Flag and it is to MELBOURNE; SUPPLY; PARRAMATTA; VAMPIRE; and STUART. Information to FOCAF, All Units of HMA Fleet. The text is: "Seldom are sailors subjected to such a harrowing spectacle as that which faced the Captain, officers, and ships company of HMAS MELBOURNE in the early hours of 3 June 1969. I was a witness to the event and am fully conscious of the acts of courage and bravery which were enacted around me. As the officer in tactical command of SEATO Task Force 472 when the tragedy occurred I owed responsibility to every ship in my command regardless of nationality. As the Flag Officer commanding HMA Fleet, I am proud to be associated with a team, who regardless of their age or experience in the naval service are capable of reacting efficiently and effectively in the middle of the night to the extent that they saved every man whom it was possible to save in a tragedy which few of us would ever contemplate was possible to save in a tragedy which few of us would ever contemplate was possible. For the quick reaction, for the aid given by other ships of the Task Force, for the exemplary conduct under stress and immediate response to the emergency I give credit to you all personally and to your training in the Royal Australian Navy. I am very proud to be the Fleet Commander of such a team."

Senior Member: Counsel, at this time, if Admiral Crabb has nothing further for open session, we would like to proceed with his classified testimony.

Counsel for the board: May the board recess for five minutes?

Senior Member: The board will recess for five minutes.

The board recessed at 1123 hours, 11 June 1969.

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The board reconvened in closed session at 1132 hours, 11 June 1969.

All persons connected with the board who were present when the board recessed were again present.

Counsel for the board: Admiral, you are again reminded of the oath you took earlier. At this time we have a new court reporter who at this time I will swear in.

Yeoman first class Rodney D. Knox, U.S. Navy was duly sworn as the reporter.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Admiral, even though this is closed session, the space in which we are having the hearing is only cleared up to Confidential. If you have to go above that classification, would you notify the board so that we can make arrangements for another space.

During the open session sir, you were asked in general terms as to the tactical disposition on the night of 2 and 3 June. In this closed session, sir, are there any additional details which you can provide for the board at this time?

A. Yes, I can if the board would like.

Q. Would you do so, sir, at this time?

A. I think I would like to, if I may, for the board, state the disposition of my task group before the preparations for going to sea on the 2nd of June. After I talked to Commander DESRON TWENTY-THREE, if I may...

Counsel for the board: We can have the board turned this way. (Large board holding chart paper is provided for Admiral Crabb to illustrate on).

A. I made one mistake yesterday. I referred to the ATP 13. It should have been ATP 3. This is the way the MELBOURNE was being screened at the time we cleared Manila Bay until we commenced the R.A.S. on the morning of the 2nd of June. The MELBOURNE here....

Q. Would you put an "M" there please sir, to indicate the MELBOURNE.

A. Yes, this is the MELBOURNE. This is all relative, my distances are a little off (indicating the drawing). The screen was set up, up to 7 June.

Q. Sir, would you indicate for the board the meaning of the curved line in front of the carrier?

A. Yes, the MELBOURNE had five escorts. This is one, two, three, four and this is the fifth one here.

Counsel for the board: Let the record show that the Admiral is pointing to the curved line for the carrier's screen. Now would you indicate what that curved line indicates so far as the movement?

A. This indicates that they were moving and weaving possibly 2000 yards in front of the carrier.

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Counsel for the board: Would you like then to draw the second disposition and we will take this sheet off. But, before doing so I would like to have this marked as Exhibit (8), and request that under the explanation that has been made that it be admitted into evidence as Exhibit (8) at this time.

Senior Member: It may be so done.

Admiral Crabb: On the morning of 2nd June I asked COMDESRON 23 to come over and see me, for several reasons. My first reason was I had not had an opportunity to meet with him before we left Manila. Secondly, he was the senior officer in the MELBOURNE screen, and therefore responsible for the screening given to MELBOURNE. Now an explanation. When you have a senior officer on a screen like this.....

Counsel for the board: May we interrupt? Is this distracting you (indicating the reporter and the tape recorder).

A. No. When you have a group of destroyers like this, screening one or more ships, either the screen commander is detailed or else it is based on seniority. The senior officer in the screen takes over the duty as the screen commander. From the point of view of the body or single ship being screened, I, as the senior officer present, addressed several signals to the screening commander such as "screen this unit from submarines" or "screen this unit against air attack". This then indicated to him what I considered to be the potential threat to the body that we were screening. As an experienced naval officer he then used that experience to give the best protection possible, in this case to the MELBOURNE. The screen that I draw there is a result of my instruction to COMDESRON 23 to screen this unit and defend against submarine attack. He came over on the morning of the 2nd of June and, first of all, I discussed this case of the LARSON coming close to the MELBOURNE. I showed him approximately what happened and why I was extremely worried. That this had occurred in calm weather on a moonlight night between ships of two navies who I considered to be well trained and trained to mesh.....

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the Senior Member: Excuse me Admiral. To clarify this matter. The name of LARSON has not previously arisen in this board's proceedings. First of all, When you say the matter of LARSON, do you refer to the occurrence which you mentioned in your earlier open testimony?

A. In open testimony sir, I referred to the occurrence. That occurrence was concerning the LARSON and the MELBOURNE.

Q. Would you say now how the matter of the LARSON came to your attention?

A. Yes, it was reported to me by my Duty Staff Officer. I did not see the occurrence at all.

Q. Then referring back to open testimony, could you at some later time advise counsel as to who the Duty Staff Officer was that communicated this information to you.

A. Yes, sir.

Q. I think it would be helpful Admiral if you could explain to the board at this time the details that you know of this occurrence so that we can visualize what it is about it that distressed you?

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A. As long as it's understood that I did not see it.

Q. Yes, perhaps you would care to inform us at this time of the details of the matter as they were reported to you, sir.

A. I was informed that the USS LARSON being one of the screen destroyers for MELBOURNE had been instructed to take a station astern in formation ONE on the MELBOURNE, preparatory to becoming the rescue destroyer. It was routine for the Captain of the MELBOURNE when ordering a rescue destroyer to first of all go into formation ONE. That is, the MELBOURNE placed the rescue destroyer astern of him 1000 yards. When he had that destroyer there and he was ready to fly, he then told the destroyer to take up the rescue station which was on the port quarter, 1500 yards. LARSON was detailed to do this. I was told that LARSON turned toward the carrier and came extremely close to him the extent MELBOURNE was embarrassed. The Captain of the MELBOURNE without referring to me communicated to the Captain of the LARSON, pointed out his mistakes and called for a report. The Captain of the MELBOURNE received this report and this was shown to me. With due respect at this time I do say because of the foreign flag officer having been embarrassed by a USN ship, I sent what I considered to be a mild rebuke. The last paragraph of my signal said, "Subject closed". In other words I did not want this to go any further. Once again with due respect it was difficult to do this because, well, I was a foreign flag officer and giving a rebuke. This is a little difficult. Is that sufficient?

Q. Yes, thank you sir. With respect to information just given to the board by Admiral Crabb describing the occurrence involving the LARSON and MELBOURNE, I believe the information we now have is useful to us from the background standpoint and this need not be further elaborated for the purposes of this investigation.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel of the board:

Q. I believe at this point you were discussing your conversation with COMDESRON 23. Proceed from that point if you would please?

A. It would be better from my point of view if I don't go into the details of the points that I did discuss with him, but the actual results of that conversation. First of all there was a result of when he went back we finished replenishment at sea and the MELBOURNE moved out for the next part of the exercise. Instead of having a screen like that (referring to Exhibit 8) MELBOURNE had a screen like this.

Counsel for the board: Let the record show that the Admiral has drawn a screen on a piece of paper which we show at this time and mark Exhibit 9 for purposes of identification.

A. At this time BLACKPOOL was there.

Counsel for the board: Would you indicate that by marking "B", Admiral?

A. He had previously detailed as the rescue destroyer but as a result of our conversation, BLACKPOOL was removed as the rescue destroyer duty and it was given to this ship here (marking a point on the paper). That is the second result of our conversation. The third result of our conversation. I'm sorry, you have the plans for the screening?

Counsel for the board: Yes, sir.

A. This screen here (indicating plexiglass plotting chart held by the counsel for the board).

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Q. I was going to introduce this after you had drawn that (indicating the drawing the Admiral was making on Exhibit 9).

A. The third result of our conversation was that, you will note that the ship in my previous diagram which was moving across here (pointing to the diagram again), and you will see from the screening diagram which shows no ship screening the MELBOURNE was closer than 3000 yards. This is what is called a sector screen. Each ship had it's own little box. When ordering them into position they are given bearings and ranges from the flag ship and they have freedom of movement within this sector.

Counsel for the board: Let the record show that the Admiral is drawing dotted lines around the ships.

A. This is strictly diagrammatic, the screens can be obtained from various other sources.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Admiral, counsel has obtained in the course of his initial effort to preserve information on this, a diagram which may have been the screening diagram in effect at the time. Instead of the one you have drawn here that is marked Exhibit 9 for identification, would you examine counsel's material and see if it is an exact duplication of it so that we may use this?

Counsel for the board: Before doing this sir, may I have it marked Exhibit 10 for identification?

Senior Member: Yes.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board:

Q. Admiral, I show you this which has been marked for identification and ask if you do recognize it?

A. I recognize it as a plotting board. I recognize the relative positions of the ships, but I did not order this. I think with due respect you should ask Officer of the Watch if these were the sectors that were ordered.

Q. To your knowledge have you seen this plotting board previously?

A. Yes.

Q. Where did you see it?

A. In my operations room. I had a similar board.

Q. Who maintained this board?

A. Mine is maintained by my staff chief yeoman.

Q. Do you believe this is either the same board or the identical board?

A. Yes, to my belief this is the same board.

Q. Let me rephrase the question. Do you believe this is either the same board or a board that is identical to the one that is maintained in your flag section of the operations office.

A. Yes, the board is - the board that I am referring this diagram from.

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Q. Does, however, the diagram drawn on the board reflect the screen more accurately than the schematic you have drawn on Exhibit 9 for identification?

A. If you're asking for a comparison between my drawing there and this drawing on that board, yes, I would say that is more accurate. But I did not, I maintain, go into the details of the screen. I should not be asked about this.

Senior Member: Since that is marked Exhibit 10, may the board look at it please?

(The board examined Exhibit 10 marked for identification)

Witness: May I say a little bit more about this please?

EXAMINATION BY COUNSEL FOR THE BOARD

Q. Yes, please.

Admiral Crabb: I'd just like quickly to say that I'm not an Anti-Submarine specialist, but the reason I ordered this, I would like it to be quite clear for the record, the reason I asked Commodore Doak to do this is because I think it's obvious to us all that the limiting lines of an approaching submarine are like that. This screen gives far more depth to the protection of the MELBOURNE than we were getting before with one line destroyers.

Counsel for the board: May I interrupt. At this point let the record reflect that the Admiral at this point drew two diagonal lines on the diagram indicating the limiting lines of approach.

Witness: One final point. You see from that diagram this distance is 3000 yards (indicating Exhibit 10 for identification).

Q. By this distance you mean the distance from the MELBLURNE to be the inner screen sector, is that correct?

A. That is correct. I will mark it as such on the diagram.

Q. Do you have knowledge as to the outer limit of the inner screen sector and the screen established by Commodore Doak?

A. I would prefer that you ask Commodore Doak that.

Counsel for the board: I would ask at this time that Exhibit 9 marked for identification be admitted.

Senior Member: I have one question before responding to that counsel.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Admiral are the boxes that you have drawn indicating the stations or the area which each ship is to patrol? Are they separated from each other deliberately to indicate that, for example, MELBOURNE and EVANS had a buffer zone in between their respective stations? Excuse me, the BLACKPOOL and the EVANS had a buffer zone between their respective positions?

A. You will recall while I was doing this I said this is the sector diagram. I did not say that this was accurate. In actual fact there is no space in between them, but there is, you'll find, in the rules governing sector screens, no ship is allowed to come within a certain distance of this boundary here because it's adjacent to another ship on the screen. Whereas, this ship here while he can not go within a certain distance of that line, he may go right up to the edge of this side with no adjacent ship. In actual fact these boxes, these sectors, they are right together.

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DIRECT EXAMINATION

Questions by the counsel for the board:

Q. So that the record may reflect what you are pointing to sir, may I restate it sir, in words, and correct me if I'm wrong? The ships on the wing are permitted to go to the outer edges of their sectors but there is a buffer zone between the inner boundaries so that the ships will not come too close to each other. Is that what you said there, what you pointed to?

A. I did say that there was a buffer zone within the inner boundaries, yes. The reason is naturally so the ships will not come too close together.

Q. Admiral, that covers the questions that I have as to the screen procedures and acreens that were in effect and changes made during the exercise. If you have no further remarks on that point I will move on to the question of the zig-zags.

A. I think that's all.

Counsel for the board: You may be seated now sir.

Senior Member: Let's recess for lunch now.

The board recessed at 1200 hours, 11 June 1969.

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All persons connected with the board who were present when the board recessed were again present.

The board opened at 1355, 11 June 1969.

Counsel for the board: Admiral, you are reminded that the oath that you took is still binding and you are also reminded that this session is closed and the classification is Confidential.

Prior to asking questions of Admiral Crabb, counsel will ask that Exhibit 9, marked for identification, be admitted into evidence as Exhibit 9, and requests the opportunity to substitute photographs of it for the record.

Senior member: (nodded in the affirmative).

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board:

Q. Admiral Crabb, on the evening of 2 June and the early morning of 3 June, do you know of a zig-zag plan that was in affect in the MELBOURNE group?

A. No. You are talking about the night of the 2nd and the 3rd of June?

Q. Yes.

A. Well, I must just reiterate that on that night we had this special exercise, this surface attack group exercise where I was exercising control and that was a particular part of the exercise. And you are now asking me whether we were zig-zagging at that time? You are now asking me the tactics that I employed during this surface attack task group exercise, is that what you mean?

Q. I was asking primarily as to any knowledge you had of zig-zagging during the night of 2-3 June?

A. Yes. A zig-zag was being carried out during that night, but not the whole night.

Q. Do you have knowledge as to what zig-zag plan was being used?

A. I do, yes.

Q. Would you state that, please?

A. 13 Sierra.

Q. And is that contained in any of the documents which have been admitted into evidence?

A. It's in my operational plan. It's also in ATP 3.

Q. I deliver to you Exhibit 1 and ask that you identify where the zig-zag plan may be found in that document?

A. The plan that I am about to show you is what I am worried about. The plan that I am about to show you, the plan that you see here, is only a copy from the official document.

Q. By here, you mean where, sir?

A. I mean in my operation order.

Q. What annex or what appendix is that, sir?

A. Appendix 6, annex D, to CTF 472 (FOCAF) OPORDER 1-69.

Q. Had that zig-zag plan been used previously to the night of 2 June

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to your knowledge, sir? By your group?

A. I think that would show in the record. I think that I would prefer if I may, for the board to check the carrier's logs to see when the zig-zag was ordered.

Q. Is there anything particular about that plan that you would like to bring to the attention of the board in terms of length of legs, of radical turns or anything of that nature?

A. It's a normal - as far as I am concerned it's normal - all of these are normal zig-zags. My staff selected these zig-zags out of ATP 3 for use in this particular exercise. To me there is nothing unusual about any of these zig-zags. They are official zig-zags for naval vessels, to be used by naval vessels who are entitled to use the book from which we extracted them. Because we weren't certain, because neither my staff nor the staff of Admiral King was certain whether everybody, every nation taking part in this exercise would have available the book from which these were taken, ATP-3, had these copied under the same security level as is in the original book.

Counsel for the board. Counsel has no further questions.

Senior member. I have some.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. Admiral Crabb, you stated that in the OpOrder that the zig-zag plan diagram are merely copies of those which are in ATP-3.

A. Yes, sir.

Q. You would nevertheless, I presume, have the impression that there is no doubt in anybody's mind that either could be used, either the 13 Sierra from ATP-3 or 13 Sierra from your Operation Order.

A. There is no doubt in my mind, but I can't go any further in answering that question than to ask some expert to compare them. This diagram and the diagram in ATP-3.

Q. And one further question, sir. You have stated that this plan, 13 SIERRA was in effect for some period of time during the night of 2 and 3 June.

A. Yes, I stated that.

Q. Can you state precisely the period of time during which the ships were expected to be zig-zagging - were ordered to be zig-zagging?

A. I would prefer, if I may, sir, for you to ask the officer who ordered that zig-zag.

Q. May I take it then, Admiral, that at no time did you personally while you had tactical control or command of your task group, at no time did you order a zig-zag plan?

A. No, sir. Not that night. No.

Q. Thank you. One further point to clarify, Admiral in some of your previous testimony. During the period in which you turned over tactical command of your task group to the Commanding Officer, MELBOURNE, whenever MELBOURNE during such period issued a tactical signal to the task group, in whose name or whose call sign did they use to originate such signal?

A. I have it laid down, there are two different methods. And this is laid down on the form which I think you asked me that question and I think the form should be before you, sir. It is a self-explanatory situation of when I hand over, exactly what it means and what call signs may be used.

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Q. Could you identify the document in which this procedure is laid down?

A. Yes. The form which I issue. A typewritten form which I issue.

Q. And to whom is it issued?

A. Captain of the MELBOURNE.

Senior member. The board will recess for approximately five minutes to discuss a procedural matter.

The board recessed at 1406, 11 June 1969.

The board opened at 1450, 11 June 1969.

All persons connected with the board who were present when the board recessed were present.

Counsel for the board: The hearing is now open in closed session. Admiral, the board has no further questions of you which it believes requires classified answers. It does have some questions which it believes the answers to are unclassified, which it believes is obligated to ask you in open session. However, at this time, before going to open session we would like to give you the opportunity, sir, to state anything related to the subject matter of the inquiry of a classified nature that you think should be a matter of record in connection with the investigation, which has not been fully brought out by the previous questions.

Admiral Crabb: I would like to carry on where I was yesterday with my Night Order Book to point out the different types of commands which could be enforced in my flag ship.

Senior member: Excuse me, Admiral. Do you regard this material as classified information?

Admiral Crabb: I think that's up to the board, sir, really.

Senior member: Well, we have examined the Night Order Book and noticed that it bore no classification. Now it's quite evident that perhaps classified matter could arise in the nature of a discussion of the contents of the Night Order Book, and we would defer to your judgment. But if the material is unclassified, we believe that the board should hear it in open session.

Admiral Crabb: There's one other point - two points if I may then, to draw your attention with respect, that in my Night Orders for Monday, the 2nd of June, I say here and I quote, "CTU 472.1.0 has been handed control of this task group." And I would ask, if I may, to have a copy of my operation order so that I can show you what is exactly CTU 472.1.0. Now the organization for CTU 472.1.0 is on page C-2, Annex C to CTF 472 (FOCAF) OpOrder 1/69 and that is the organization which I brought into force after the surface attack group exercise on that night. And that organization remained in force until I reassumed tactical control at fifteen minutes past three the next morning. Unless you want me to quit, I have one more question, one more that I think is a classified question.

Senior member: Please proceed.

Admiral Crabb: I don't wish to hurt anybody, but one thing - one of the many things that has been worrying me ever since this collision occurred, and I'm not quite sure if it is in your records, just why that bow section of the EVANS went down so quickly. And what worries me about it - the reason why I am worried is that the bow section slid down backwards. It did not turn turtle. If it had turned turtle it might have trapped some air and might have stayed on the surface, which might have been some help to it. The bow section slid back. Now I understand - I am no constructor, but there was a lot of weight in that bow section. Of course there were the two turrets. I could not leave this inquiry, sir, without bringing this point up. I don't know how to do it, but I ask that it be recorded that I have made this - that I have this worry.

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Senior member: Admiral, you used one phrase and I do not understand and that is "turn turtle."

Admiral Crabb: By turn turtle, I mean that the ship was floating like that and turned on its side and on its back so the keel is up, and by doing that occasionally air is trapped inside the hull and the hull floats for a period of time.

Senior member: Admiral, were you a witness to the actual sinking of the bow section?

Admiral Crabb: No, I was not, sir. The bow section sank on the port side of MELBOURNE and so I would think it would have been in the shadow as it is called. My view, even if I had had a chance, my view would have been blocked.

Counsel for the board: Counsel has no further questions.

Senior member: Admiral, could you elaborate a little bit on the nature of your concern. You have said you were worried because the bow section went down so quickly. Is your concern one of feeling that there may have been a defect in the stability of the ship?

Admiral Crabb: No. Quite honestly, my basic concern is, one of the ships under my command - in one of the ships under my command, over 70 men were killed. I am concerned as to how those men were killed.

Senior member: Admiral, on various occasions in your testimony you have referred to ships under your tactical command. Now, would you agree that at the time certain of these ships reported to you, namely those from countries other than your own, that they reported for what is known as exercise control?

Admiral Crabb: That was my understanding, sir. Yes.

Senior member: And do you regard this as in any way different from tactical command?

Admiral Crabb: No, not for the period they were under my exercise control.

Senior member: Thank you.

Admiral Crabb: Let me elaborate on just one small point. When I, at midnight on the 30th, when I assumed command of Task Force 472, there was no difference in my mind regarding the responsibility or my power over any ship, no matter what nation it belonged to during that exercise.

Senior member: Thank you. The board has no further questions, or questions which may require classified information.

The board recessed at 1500, 11 June 1969.

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The board opened at 1502, 11 June 1969.

All persons connected with the board who were present when the board adjourned are again present.

Counsel for the board: The hearing is now open in open session.

Senior member: The board has been discussing and receiving testimony from Admiral Crabb material involving some maneuvers described in classified documents. Incident to this the board has developed some additional questions for Admiral Crabb involving unclassified material and counsel will proceed with those at this time.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board.

Q. Admiral, on Monday, you, sir, referred to your Night Order Book and stated that at a period late in the evening about midnight, you handed over tactical command to the flag ship. And I believe that you testified that the flag operations officer read to the flag captain, a quotation from your Night Order Book for 2 June as follows: "CTU 472.1.0 has been handed control of this task group." Were you present and did you hear this conversation?

A. No, I didn't.

Q. Under your Standing Night Orders, sir, you list three ways to exercise tactical command. Namely, flag command, flagship command and ship command. Under the Night Orders for 2 June, as I read them, sir, which of these categories was intended to be conveyed to the Commanding Officer MELBOURNE by the language used? And I will give you your Night Order Book at this time. It is Exhibit 3.

A. As I say here in paragraph 8A, Flag Command, FOCAF CTC CTG and/or CTU exercising full tactical command. And my operation order CTU 472.1.0, the Captain of the MELBOURNE and his task unit. This is the area in which I meant to apply. Where I say CTU.

Q. As a result of passing over tactical command, which call sign would you have expected the Commanding Officer, MELBOURNE to use?

A. The call sign which applied to CTU 472.1.0 and task unit 472.1.0.

Q. The board understands that you used a typewritten form for the actual handing over of command to Commanding Officer, MELBOURNE. Is the form actually used on 2 June available to the board?

A. I think the form to which you are referring only lays down slightly more officially what I have just said here. It is not a form which I make out every night and I think you have the wrong impression in that way. But in that form - just lay it down in three columns what I have listed here.

Q. Could you provide the board a copy of the form so that they could understand it?

A. Yes.

Q. Is that available here or could it be forwarded to the board?

A. I'll make one available. And to clear just one point. This is to put on the record that flag command, and it's in in writing here. I'll just read it out. You asked me about call signs. I am not a communicator, but I lay it down here. "The duty Staff officer is to be closed up on the flag bridge or in the operations room when MELBOURNE or SYDNEY is flag ship. And on the bridge when any other ship is flag ship. TACPRI, that is the tactical circuit which is used when controlling ships, TACPRI is to be controlled by the staff radio operator using FOCAF's call sign. That is the answer to your question, sir, which is on the record.

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Q. Is that distributed - -

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. I would like to review, Admiral, you have just said that under these conditions wherein you intended as I understand it, that flag command was to be used pursuant to the language in your Night Orders of 2 June.

A. Yes.

Q. And that the call sign applicable to CTU 472.1.0 would have been used.

A. No. I don't say this, sir. I did say, as you recall, I am not a communicator. But I don't consider it is my point to worry - to be concerned with the actual voice call sign used in transmitting an order. What I have laid down here is passing control to CTU 472.1.0. My technical, my specialist communicators, officers and sailors then use the call sign which are appropriate.

Q. Admiral, at any time in relation to the handover of tactical command of the task group to the Commanding Officer, MELBOURNE, on the night of 2 June/3 June, was a signal made to the ships of the task group or the task unit conveying the fact that tactical command had been so transferred?

A. I made no such signal. I had no reason to.

Counsel for the board: Are there any questions from any member of the board?

(The senior member nodded in the negative).

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board.

Q. What is the distribution of the form to which you referred, the typewritten form?

A. I couldn't tell you the full distribution. I see what you are inferring. I would ask that you ask Captain MELBOURNE or my staff.

Q. The last question may not have been clear, sir. To whom is the form, about which we have been talking, distributed other than the Commanding Officer of MELBOURNE?

A. Every commanding officer of my fleet and my staff. I think that would be in my records.

Q. In case of an Allied Fleet such as this, would it also be distributed to the members in company with you in your group?

A. No, I don't think it was. I don't think that that is relevant.

Counsel for the board. Any questions by members of the board? Counsel has none.

EXAMINATION BY THE BOARD

Questions by the Senior Member.

Q. Admiral, is it normal practice for the commanding officer of the flagship to read the Admiral's Night Orders for a given night?

A. There were certain people to sign the Night Orders here. That is my Fleet Operations Officer, the Duty Staff Officer for the first watch which is from 8 o'clock at night until midnight and the middle watch from midnight until 4 o'clock in the morning and the morning watch. Those officers sign the orders each night. The Captain does not sign these. That is the answer to your question.

Q. Yes, sir, I understand that the Captain does not sign these, but is it normal practice for the Captain to read the orders?

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A. The normal practice is for the Captain to ring up my Fleet Operations Officer and ask him what are the Admiral's desires for the night.

Questions by a member (Rear Admiral Stevenson).

Q. In your answers to the questions about command, you said you turned over the command to the commander of the task unit, who under the exercise would have his own call sign. But you were also asked by counsel, and I'm sure that you didn't mean to omit the answer, did you consider this in the terms of your orders as Flag, Flagship, or Ship command? Or do you think it doesn't come under your orders at all?

A. The point is, I have written CTU 472.1.0 which corresponds with an organization in these particular exercises. And I might have caused a bit of confusion here, but having written that, that immediately indicates that everybody concerned, that I am taking an extract from these orders which were agreed orders for this particular exercise and therefore that brings into the command structure, the CTU 472.1.0 and my organization of flag ship command obviously which is not relevant in these exercises.

Admiral Stevenson: Thank you.

Counsel for the board: May I ask one more question, sir?

Senior Member: Yes.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board:

Q. Is there a document or signal by which command was actually turned over that evening? This Night Order Book indicates that it has been turned over. Is the document by which it is done or the signal available? Is there such?

A. As I said, no, I did not send a signal. The passing of command from me personally to the Captain of the MELBOURNE was done through my Fleet Operations Officer who spoke to the Captain of the MELBOURNE. I think you ought to ask those two.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. Admiral, I think it might help clarify this matter if you could answer this question. How can we identify the exact moment at which the responsibility as described of Commanding Officer MELBOURNE as CTU 472.1.0, commenced and yours left off as the officer in tactical command of the ships in company with MELBOURNE on the night of 2-3 June?

A. You can't, because mine never left off. If you look at the organization you will see that I am CTF 472. The Captain of the MELBOURNE is only one of the unit commanders under my command. I delegated to him temporary control. I didn't pass him command. The command is mine.

Q. Perhaps I can clarify my question in this way. There is a passage in your Night Orders for 2-3 June which says, "CTU 472.1.0 has been handed control of this task group."

A. Yes.

Q. Can we establish at what moment that became effective?

A. Yes, you can.

Q. Would you assist us, sir?

A. At the end of the Surface Attack Group Exercise which to my recollection was 2230.

Q. Admiral, is 2230 the time at which the Fleet Operations Officer read that passage to the Commanding Officer MELBOURNE in response to Commanding Officer MELBOURNE's inquiry?

A. I am afraid you will have to ask the Fleet Operations Officer that question, sir.

Senior Member: The board has no further questions of the witness at this time.

Counsel for the board: Admiral, at this time you are privileged to make any further statement, any further unclassified statement, concerning anything related to the subject matter of the inquiry that you think should be a matter of record in connection therewith which has not been fully brought out by the previous questioning?

Admiral Crabb: I think that you should look at the log books of the TACPRI circuit to clear the point you have been making. It is there. The actual time is there. I think I would ask you to please check it.

EXAMINATION BY THE BOARD

Questions by the board.

Q. You have stated that the actual times that we are interested in are in the TACPRI log book. Does this mean that you are saying that there was a signal to the ships in company relative to the handing over of tactical command?

A. No, but there's a - no. The answer to this is no.

Q. What is it then in the TACPRI log books to which you are referring?

A. The end of the Surface Attack Group Exercise.

Q. Admiral, was there a signal prior to the end of the SAGEX or at the end of the SAGEX saying that at the end of the SAGEX the handover of command would take place?

A. No.

Senior Member. The board has no further questions.

The witness was warned, excused and withdrew from the board room.

The board recessed at 1522, 11 June 1969.

The Board opened at 1540, 11 June 1969.

All persons connected with the board who were present when the board recessed are again present.

Counsel for the Board: At this time counsel have been made custodians of two documents, the MELBOURNE Tactical Primary Log for the 2nd of June and the same document for CTF 472/CTG 472.1. We would tender them into evidence at this time subject to later proof by appropriate witnesses. I ask that they be marked Exhibits 11 and 12 respectively.

Senior Member: Yes, these may be received.

Counsel for the board: At this time counsel for the board calls Commander McLemore.

Commander McLemore was called as a witness for the board, was duly sworn and examined as follows:

Counsel for the board: Commander McLemore, you have been called as a witness for this investigation which is inquiring into the circumstances

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surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you may have evidence that will assist the board in its investigation. You are advised that the evidence is being received in open session of the board, and that disclosure of classified information is not authorized during open session. Should the answer to any question that you are asked requires you to disclose classified information, you are requested not to answer the question but to advise the board that the answer would require you to disclose classified information. In such cases you will later be given the opportunity to testify as to such classified information in closed session. However, if you can answer the question either in part or in general terms without disclosing specific classified details, you should do so, advising the board of your desire to amplify later in closed session. Do you understand what I have said?

Witness: Yes sir.

Counsel for the board. You are also advised that under United States law, no witness may be compelled to answer any question the answer to which may tend to incriminate him and you may refuse to answer any such question. Do you understand?

Witness: Yes sir.

EXAMINATION BY COUNSEL FOR THE BOARD.

Questions by counsel for the board.

Q. Would you state your name, grade and organization?

A. Albert S. McLemore, Commander, U.S. Navy, Commanding Officer, USS FRANK E. EVANS, hull number 754.

Q. And were your duties the same on 3 June 1969?

A. Yes, they were.

Q. So that the board may know your background, we ask at this time you outline the duties you have had since commissioning in the U.S. Navy?

A. I was commissioned on the 17th of September 1949 upon graduation from the California Maritime Academy. At that time I graduated as a merchant marine engineer, with a third engineer's license, and a reserve commission. My first duty was in USS TITANIA (AKA 13) as Assistant Engineer until late 1950 when I was transferred to USS SUISON (AVP 53) as Assistant Engineer. I was then transferred to Electronics School, Treasure Island. I then joined USS ARNOLD J. ISRELL (DD 869) as Electronics Officer and served on this ship for 36 months moving up to the position of Chief Engineer and qualifying as a Fleet OOD. I was then, and if you will excuse me for dates because I am doing this from memory and unfortunately I haven't been able to find my records as of this time. We are now in the early 1953 or 1954 time frame. I was then transferred to Las Vegas, Nevada, for about six months in connection with the TEAPOT nuclear tests series and from there to Monterey for General Line School. Upon completion of duty under instruction at General Line School I was ordered to Treasure Island as Officer in Charge of the Radarman School. In 1956 I was ordered to USS ALUDRA (AF 55) as Executive Officer and from there to the staff of Commander Cruiser Destroyer Squadron 25 at Pearl Harbor as Chief Staff Officer and Operations Officer.

Q. Could you give the approximate times of those two occurrences?

A. It was 1960 that I went to Pearl Harbor.

Q. What were your duties at that Staff?

A. Chief Staff Officer and Operations Officer. I was ordered to Staff, Commander in Chief, U.S. Pacific Fleet, as Assistant Surface Operations

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Officer for major warships, submarines and special operations. In 1966 I was ordered to USS BON HOMME RICHARD (CVA 31) as Chief Engineer. I served in her until February 1968 when I was ordered to the Staff Commander Cruiser-Destroyer Force, U.S. Pacific Fleet, for indoctrination preparatory to taking command of USS FRANK E. EVANS. I assumed Command of USS FRANK E. EVANS in April 1968.

Q. At that time, where was FRANK E. EVANS?

A. FRANK E. EVANS was in SASERO When I joined her. She got underway the night after I joined her to return to CONUS after a WESTPAC deployment.

Q. Excuse me would you define CONUS please?

A. I'm sorry, continental United States.

Q. Please complete the remainder of your answer?

A. She was in Sasebo when I joined her, preparatory to returning to the Continental United States from a normal WESTPAC deployment. I got underway with her and relieved three days later at sea and returned her to the United States.

Q. Could you briefly tell the Board what has been the employment of USS FRANK E. EVANS? Since you relieved, that is?

A. We returned to the United States arriving back approximately 1 May and the normal routine for a ship is to go into a period of post-deployment upkeep, which would normally last about 30 days. After that the ship was scheduled for a normal routine overhaul and refit, which was conducted at Long Beach Naval Shipyard. The refit completed, in late July or early August the FRANK E. EVANS went to San Diego, after a short work-up period, for refresher training.

Q. As a result of the yard overhaul, can you state the material condition of the FRANK E. EVANS at that time?

A. The condition of the major systems, electronics, machinery, the basic hull was excellent. There was a tremendous amount of work that had to be done and was done in getting some of the ancillary systems up to the standard that was required.

Q. After completion of the yard overhaul, you may continue?

A. After the yard overhaul and refresher training -

Q. Could you briefly describe what is meant by refresher training?

A. Refresher training is a period normally six weeks, sometimes seven weeks for destroyers, in our case it was seven weeks; where the ship is considered to be an untrained ship having just completed overhaul and she is taken through all the basic exercises, all the basic steps required to demonstrate her readiness for war. This is consummated with a battle problem, which is usually at the end of refresher training. There are many exercises - anti-aircraft, anti-surface, anti-submarine and all of these are put into one as the final battle problem.

Q. Did FRANK E. EVANS successfully complete its battle problem?

A. It did.

Q. Following refresher training and battle problem what was the employment of EVANS until it deployed to WESTPAC?

A. Almost immediately upon completion of training we chopped to the operational control -

Q. Could you define "chop" please?

A. I'm sorry, we changed our operational control from Commander Cruiser-Destroyer Force Pacific under whose command we were during the overhaul period

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to Commander Anti-Submarine Group ONE, who took command of the ship and its associated squadrons as we conducted exercises on the west coast of the United States to prepare the ship for deployment to WESTPAC.

Q. What type of exercises were these?

A. Primarily anti-submarine exercises. To go any further than that I'm afraid I'd have to ask for -

Q. Did they include screening of aircraft carriers?

A. Affirmative.

Q. And did you participate as a member of the screen for ASWGROUP ONE?

A. I did.

Q. Could you give the Board the approximate length of time or the number of such evolutions that may have occurred?

A. There were five at-sea exercises conducted with ASWGROUP ONE. Each of these lasted approximately 10 to 12 days. In some cases we did not act as a group the entire period but rather some of the ships were, at least in the first two exercises or during some part of it, the ships operated semi-independently, conducting the exercises required for completion prior to deployment to WESTPAC. On the latter three exercises we operated almost exclusively as a group and a great deal of screening was done.

Q. Did the screening duties also include plane guard duties?

A. Yes they did.

Q. Was FRANK E. EVANS involved in such plane guard duties?

A. Yes, he was.

Q. Could you give an approximate estimate as to the frequency and duration?

A. I probably plane guarded a good third of the time that a plane guard was required or possibly more than that.

Q. What day did FRANK E. EVANS deploy to WESTPAC?

A. 29th of March sir.

Q. That is departure from where?

A. Long Beach.

Q. Were there any evolutions or training enroute to WESTPAC?

A. Yes there were. Let me break that down into two parts. The task group deployed on the 29th of March 1969 enroute Pearl Harbor. Upon arrival Pearl Harbor we underwent a short in-port period and then got underway for approximately ten days for what is called the Hunter-Killer Operational Readiness Evaluation.

Q. What does "hunter-killer" mean?

A. This is an anti-submarine term.

Q. What are the types of ships involved?

A. The CVS KEARSARGE and destroyers, submarines, of course, and the associated aircraft that go with the carriers. Upon completion of the Operational readiness evaluation at Pearl Harbor, the task group then went as a body to WESTPAC.

Q. Did the transit to WESTPAC involve screening exercises?

A. The ships were formed as a screen but - I would like to take this up separately if I might.

Q. Could you indicate the date you arrived in WESTPAC? Maybe that's a bad question, I'll rephrase it. What was your first port of call in

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WESTPAC and when did you arrive at it?

A. My first port of call was Yokosuka, Japan, and we arrived the latter part of April. The exact date I can't recall.

Q. And following arrival there, could you briefly relate the operations that have been conducted by FRANK E. EVANS since then?

A. Yes, we had a short period of what is called upkeep, for the opportunity to do any maintenance or repairs that is necessary after a transit voyage, in Yokosuka and then as a group proceed south passing into the Philippine Sea.

Q. As a group, you mean which group?

A. ASW GROUP ONE, consisting of KEARSARGE and her six assigned escorts. There were some material problems on some of the ships during this transit and all of us did not proceed together, but I did remain with KEARSARGE.

Q. Did you have any material problem?

A. No, I did not. Upon arrival in the Vietnam area, myself and one other ship were detached to report to Commander Task Unit 70.8.9 as naval gunfire support ships and I was on the gunline for approximately two weeks in support of the Republic of Korea Marines and the United States Marine Corps. Upon completion of naval gunfire duties, I rejoined Task Group 70.4 enroute Subic Bay for a short upkeep period in preparation for the exercise SEA SPIRIT.

EXAMINATION BY THE BOARD

Questions by the senior member.

Q. Would you clarify this use of the term task group 70.4?

A. Task Group 70.4 is the Anti-Submarine Unit of the Seventh Fleet which normally consist of the CVS and whatever escorts she is assigned.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by the counsel for the board.

Q. Would you describe the operations of EVANS during the period immediately preceding 3 June 1969? Beginning with the Operation SEA SPIRIT which you have mentioned.

A. Yes. We, of course, along with the rest of the task group, had a 4 day period in Manila which was called the in-port work-up, during which we attended briefings, had many communication exercises and generally got to know each other in an in-port environment. We were then underway from Manila. I was in the group which was associated with MELBOURNE during this period, consisting of 8 ships, plus MELBOURNE. And we were broken off into two ship units in which we conducted during the day, and sometimes during the night, many individual exercises designed to test the ships' capability and as a side bonus, I think, it gave us an opportunity to get many training exercises done that are most difficult in the Western Pacific. I was fortunate enough to work with HMNZS BLACKPOOL. We did gunnery, anti-submarine warfare, communication, seamanship exercises, normally rejoining MELBOURNE at night upon the completion of exercises.

Q. Did you have any opportunity to work with the MELBOURNE as a screening unit or plane guard during this period?

A. Yes, sir, I did.

Q. Following that period, following individual ship and two ships

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exercises and operations with MELBOURNE what was the schedule for SEA SPIRIT?

A. Generally, without going into any detail which I prefer not to do in open session, SEA SPIRIT was an exercise designed to test the ability of the SEATO navies and it generally ran a devious track from Manila and would have terminated in Thailand.

Q. To which group were you assigned to that operation?

A. I was assigned to the MELBOURNE group.

Q. Could you give the names of the other ships assigned to that group?

A. Yes, there was MELBOURNE of course, FRANK E. EVANS, BLACKPOOL, JAMES E. KYES, EVERETT F. LARSON, CLEOPATRA.

Q. Could you give the nationalities of those ships also?

A. CLEOPATRA was British, BLACKPOOL was New Zealand and the others were United States, FRANK E. EVANS, JAMES E. KYES, EVERETT F. LARSON were United States and MELBOURNE of course, Australian.

Q. After you joined this group and left the Manila area what was the nature, in general terms, of the operations you were performing?

A. This was a very complex exercise in its concept, I think designed that way, there were many things coming up all the time, but, generally speaking, it was the protection and escort of the convoy under various types of opposition.

Q. Did it involve screening of aircraft carrier MELBOURNE by EVANS?

A. Yes, it did.

Q. Were the screening procedures in any way similar to those that had been used in ASW GROUP ONM?

A. They were similar.

Q. Could you indicate who the screen commander was?

A. The screen commander in this group was Commander Destroyer Squadron 23, embarked in USS JAMES E. KYES.

Q. Did you also have the opportunity in this group to do plane guard duties?

A. Yes sir.

Q. Could you indicate generally the nature of the operations being conducted by this group on the night of 2 and 3 June?

A. Generally speaking, we were in a transit situation making good a certain course and a certain speed over the ground to reach a destination.

Q. In what sort of general formation was the group in?

A. It was a fairly standard advance screen type formation. Any further details of this I would like to defer.

Q. Had any exercises been conducted early in the evening?

A. Yes, in fact the day had started early with an underway replenishment and there had been an exercise conducted in the evening actively concerning some of the ships, not actively concerning FRANK E. EVANS, although I was most interested and was participating as best I could in it.

Q. What was EVANS role in that exercise?

A. I was screening MELBOURNE.

Q. At that time were there any prescribed conditions of readiness in force?

A. I would like to defer that question if I might.

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Q. Can you say then the condition of readiness of your ship during the screening that evening?

A. I was at condition III.

Q. Can you define that in terms of what stations are generally manned, the conditions of closure of water-tight doors and so forth?

A. Well I can answer part of it, I don't think I can answer all of it. Generally it's a modified wartime cruising condition, condition YOKE is set, -

Q. Can you indicate what condition YOKE means?

A. Condition YOKE means that certain designated fittings in the ship, and by fittings I mean doors, hatches, ports, scuttles are closed. Generally it means that sufficient are left open so that the ship can operate and people can get from space to space, that you can still feel that there is still a bit of habitability but the ship can be closed up rapidly. Very few doors have to be closed to set the next higher condition which is ZEBRA in which the maximum degree of watertight integrity is achieved. Additionally, it is normal routine of FRANK E. EVANS at sea to darken ship every night whether we were required to darken ship or not, and as a result my main deck doors which are not necessarily required to be closed for the setting of condition YOKE were closed.

Q. By darken ship, did you also mean the extinguishing of navigation lights?

A. No, not necessarily. I prepare to darken ship and do darken ship simply means that I don't show any light other than those that can be controlled by the running lights panel on the bridge.

Q. We've heard previous testimony -- going back to the darken ship question, could you give us your reason for darkening ship when its not required?"

A. Yes I can, it's in my judgment that it does not reduce the habitability of the ship to any great extent and it keeps people on the step in that we learn to keep a darken ship so that it does not become a flail when its ordered by higher authority.

Q. What do you mean by "on the step?"

A. The people expect every night to be required to go through and darken ship and inspect it and ensure that there are no lights showing which are not controlled by the bridge and these are those on the running light panel.

Q. We've heard previous testimony that there was an exercise of surface attack group and heard your testimony of an exercise on the early evening of the second of June. Following that were there any evolutions for the task group planned?

A. Not that I'm aware of sir.

Q. Did you make any preparations for the night steaming of your ship?

A. I don't understand the question.

Q. Did you leave any orders that might be carried out during the evening, etc.

A. I prepared a Night Order Book, which is a normal routine at sea.

Q. Do you recall at approximately what time - I'll rephrase the question - after the completion of the exercise could you relate your activities on board ship?

A. Yes, as I recall I went below to my inport cabin and wrote a couple of letters and came back to the bridge and I retired about midnight or a little later. The Night Order Book was prepared and on the bridge at about 2100.

Q. By night order book you mean what, could you briefly describe it?

A. Yes, it is the orders to the Officer of the Deck for the night.

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Q. Who prepares the book?

A. The Executive Officer normally prepares it and I review it and add any comments I desire.

Q. Is it normal to prepare it each evening?

A. Yes it is. Let me clarify that by saying a Night Order Book is really 3 separate parts, there are first of all the standing night orders which are those orders to the Officer of the Deck which are to be carried out as a normal routine which are not restricted to the night but apply equally during the day, in other words, standing orders to the Officer of the Deck. The second part of the Night Order Book is a review of the current status of the formation at the time the book is prepared, and this may change during the night and frequently does and what any expectations are during the night. The third part are the Captain's orders during the night.

Q. Do you have a copy of the night orders that were in effect on 2 and 3 June?

A. No sir I do not.

Q. Why do you not?

A. They went down with the ship.

Q. Do you have a document that would indicate what was contained in those night orders?

A. I have a copy of the standing night orders.

Q. Could you produce that at this time?

A. Yes I can.

Q. Could you do so please?

A. This is a copy, the standing night orders of course were lost with the ship, this is a copy of the orders which were in effect, it has been written in pen and ink in some areas of changes that the Executive Officer and I had discussed and intended to promulgate. These had not yet been promulgated.

Q. Where did you obtain this copy?

Senior Member: May we clarify. The changes had not yet been promulgated?

Witness: They had not been promulgated in writing Admiral.

Senior Member: But the typewritten material was in effect?

A. Was exactly the same material that was contained in the Officer of the Deck Night Order Book.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board.

Q. Can you indicate where you obtained this?

A. This was obtained from some of the files that were still dry in the ship's office.

Counsel for the board: I ask that the reporter mark this as exhibit 13 for identification.

Witness: I would like to clarify one point, if I might. I think that the standard orders for a Captain at sea, and I don't think this peculiar to me, require the Captain to be called whenever the course or speed is changed, but in the type of screening that we were doing, course and speed changes are continuous and frequent. As a result there was a modification that had been written in that did not require the Captain to be called for courses and speed changes which took place as a matter of patrolling our station.

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Q. If I may understand clearly, the copy I have in front of us, the part of the document that is printed is the one that was in effect.

A. That's correct.

Q. Are we to understand that all the pen and ink changes indicated here were ^{NOT} in effect on EVANS during the night of 2 June?

A. I would like to study that for a moment if I may before I answer that.

Q. What does the term "new rough please" at the top of the page mean?

A. That's a direction to the yeoman from the Executive Officer saying please type me another one so I can read what I wrote. And whether the yeoman had complied with that or not I don't know. It's a possibility that he had, and the new rough was in the Executive Officer's cabin.

Counsel for the board: At this time the Counsel tenders the document and ask that it be admitted into evidence.

There being no objection exhibit 13 was received into evidence.

At this time I would ask for a short recess.

Senior Member: The Board will recess for 5 minutes.

The Board recess at 1630 hours, 11 June 1969.

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The board opened at 1635 hours, 11 June 1969.

All persons connected with the board who were present when the board recessed were again present.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Commander McLemore, you indicated that you had these Night Orders in effect. Is there any way of assuring that the people that had to have them knew about them?

A. I think that there are two ways. The standing Night Orders are contained in the Night Order Book which the various officer and key petty officers who stand watch on the bridge and in the Combat Information Center acknowledge that they have read and understand these standing Night Orders.

Q. Do you have any personal recollection that Lieutenant (jg) Ramsey and Lieutenant (jg) Hopson had so indicated?

A. They had. All officers who were standing watch on the bridge and in CIC had done this. This was something that was simply required. Now additionally, each evening the nightly Night Orders, if you will, were also initialed by those key positions such as the Officer of the Deck; the Junior Officer of the Deck; the CIC Watch Officer; the CIC Leading Petty Officer, that they understood the Night Orders in effect for the night.

Q. Were there any other orders in effect for the night of 2 to 3 June, particularly applicable to your ship, for the purpose of night steaming?

A. No, not that I can recall.

Q. Could you indicate the operations orders under which you were operating if you recall them?

A. Yes. We were operating basically under two operations orders I think at the time. FOCAF (Flag Officer in Command of the Australian Fleet) Operation Order for the transit phase of Exercise Sea Spirit. I can't recall the exact number of this book, but it is rather long.

Q. I show you Exhibit 1 and ask you if that appears to be the document (handing the document to the witness)?

A. That is CTF 472's 1-69. That is it.

Q. And it was in effect for the EVANS on the evening of 2 to 3 June?

A. That is correct. The second document is called the Maritime Operating Procedures which was issued jointly by FOCAF and Commander ASW Group ONE and was a procedural book.

Q. I show you Exhibit 2 and I ask you if that is the document?

A. That is the MOP. I cannot attest that all the changes are in it, but that is the book.

Q. I notice here in my notes that I omitted one item, the condition of engineering readiness that you were in on the evening of 2 and 3 June.

A. I was in Engineering Readiness Condition II.

Q. What does that mean, basically?

A. That means that I had boiler power for half power available and split plant and boiler power for full power available within two hours.

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Q. By split plant you mean what?

A. This means that, let me go back just a bit. A destroyer, a 2200 class such as the FRANK E. EVANS has two firerooms and two engine rooms. Normally one fireroom with its associated boilers will provide the steam for one engineroom. The second fireroom with its associated boilers provides the steam for the second engineroom and split-plant means that these two were entirely separated. In other words, there was no steam common to both. It also means that the generator forward was on and a generator aft was on separately providing power to the ship. Now this is basically about the same degree of readiness that you would have for battle.

Q. Following the promulgation of your Night Order, did you then retire for the night?

A. As I recall I retired sometime after midnight.

Q. At the time that you retired do you recall the formation course and speed and whether or not the formation was zig-zagging?

A. The base course was 220 and our speed as I recall was 18 knots and we were zig-zagging plan thirteen.

Q. Were you aware of any task group commanders orders for the evening of events coming up?

A. I had the air plan from MELBOURNE for the night.

Q. What did that encompass, if you recall?

A. A recovery and a launch at around, in the time frame of 0300 to 0330.

Q. Did you leave any specific instructions as to whether or not you should be called for that evolution?

A. No, I did not.

Q. What was it that your standing Night Orders had required?

A. They required that I be called if our ship was required to change station.

Q. After you retired at about midnight, what was the next event that you recall?

A. I recall being violently awakened, being completely disoriented, to this moment having no clear recollection of actually where I was although I had retired in the sea cabin. There was a loud crash, I recall seeing what appeared to be an explosion or fire or at least bright light and then silence. I had absolutely no concept of where I was or what had happened. I could see light, I think in my own mind I put together how I got out of the ship, but I am not confident that this is accurate. Anyway, I saw light. I had to bend some metal aside to make a hole large enough to get through. What I could see as I broke into the clear, I could see the ship lying on its side well over on beam end. My first reaction was that, we'd been bombed. (Text garbled).

Q. Yes, and I would like to interrupt at that point. Had you received any calls to your recollection prior to that?

A. No, I had not.

Q. Did you have any indication as to what evolution the ship might be involved in?

A. No.

Q. Going back one step, do you know who might have been on watch at that time?

A. Yes.

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Q. The officers?

A. Yes I do.

Q. Who would have that been?

A. Lieutenant Junior Grade Ramsey was the Officer of the Deck, Lieutenant Junior Grade Hopson was the Junior Officer of the Deck, and I had two officers in CIC.

Q. Could you identify them?

A. Yes, Ensign Armstrong and Ensign Brandon.

Q. And what were the qualifications of the Officer of the Deck and the Junior Officer of the Watch.

A. The Officer of the Deck, Lieutenant (jg) Ramsey, was qualified as an Officer of the Deck.

Q. Under what conditions?

A. He was a Fleet Officer of the Deck.

Q. By that you mean what?

A. He was qualified to operate the ship in a fleet task force maneuvering environment.

Q. And how long had he been so qualified?

A. As a Fleet OOD?

Q. Yes.

A. His formal qualification was about ten days old.

Q. Say again?

A. His formal qualification was about ten days old. He had been standing watches as FOD for some time previous to that.

Q. What do you mean by formal qualification?

A. I better clarify that to the extent that the qualification of the Officer of the Deck, or any watch keeper for that matter, is the prerogative of the Commanding Officer. And it is a matter of the Commanding Officer's judgement as to whether a particular officer should be qualified to stand a particular watch. In FRANK E. EVANS to add formality to this proceedings although there is no preference or requirement for it, we did have a qualification board for Fleet OD, which met from time to time to examine a particular candidate. But again, the board recommendations were certainly considered by the Commanding Officer, and I sat as a member of the board, but the final determination as to qualification or non qualification rested solely with me.

Q. You indicated Fleet OD. Are there any degrees of qualification?

A. Yes there is the - these are not defined in Navy Regulations, but in the destroyer community we have three grades - the OD inport, who is called OODP, who has to know certain of the emergency procedures, basic honors, attending the side, etiquette, ship's routine, items such as this; emergency procedures, fire fighting, the SOPA regulations for the particular port in which the ship is and one of those qualified as an OODP he is assigned a watch, and there is a fourth category too. I'll take this up. CDO is formally a Fleet OD and has the qualification to take the ship to sea should the need arise. The next category is ODI - Officer of the Deck Independent Steaming - he is essentially on his way up to OODP.

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Q. And he is qualified to do what?

A. Basically to operate the ship and to con the ship in a fleet environment under the direction of a qualified Fleet OD. In other words he has been instructed on the basic bridge layout, the organization of the watch, the tactical characteristics of the ship. Experience is the basic thing, that is the difference.

Q. How much experience has Mr. Ramsey had?

A. Mr. Ramsey has been in the ship for approximately 20 months.

Q. Had he had any prior naval experience?

A. No, sir.

Q. Could you state the qualifications of Lieutenant (jg) Hopson?

A. Lieutenant (jg) Hopson was not qualified yet as Fleet OD. He was an OOD (Independent Steaming). He was well on the way to becoming Fleet OD. He had been in the ship for approximately 15 months. However, some of this time had been spent at school.

Q. And you indicated that CIC had been manned by two officers and others. Could you state the qualifications of the two CIC officers?

A. Yes, Ensign Brandon, he did not survive, was probably one of the officers showing the most promise among the junior officers on the ship. He was detailed as the ship's First Lieutenant. He had a fine feel for the ship. He was qualified as a CIC Watch Officer and as a Gunnery Liaison Officer and he was doing well. Mr. Armstrong, the other officer in CIC, was again among the strongest Ensigns on board. He was an enlisted electronics technician who had gotten a commission. He had initially set his sights on submarining but had quickly decided that that was no way to make a living and had come to destroyers. He was most anxious to qualify in destroyers and his primary duty was Electronics Officer, and, of course, this was his electronics technician background. He made a fine Electronics Officer. The decision had been made a few days before that when the cruise got a little bit further along to send Ensign Brandon, who was the CIC Officer, back early for ASW School, to make him the ASW Officer and to move Ensign Armstrong to the First Lieutenant's billet, simply to break him out of the electronics field before he got stabilized in it and it hurt him.

Q. What were Mr. Ramsey's primary duties?

A. He was the Communications Officer.

Q. And Mr. Hopson?

A. Main Propulsion Assistant.

Counsel for the board: May I have a minute to confer with co-counsel?

The senior member indicated in the affirmative.

The senior member called counsel to his table and a brief conversation was held.

Q. Would you define the term First Lieutenant?

A. Yes, I can see why that would come up. The First Lieutenant in the United States Navy Ship, warship, is an assistant to the Weapons Officer and is charged with the responsibility for the maintenance and deck leadership. Sometimes he is referred to as the ship's janitor, and this certainly is not a true reflection of his duties.

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Q. I would like to divide this basically into two parts, that pertaining to action prior to the collision and that pertaining to rescue and salvage operations. At this point then I would like to divert slightly and discuss something about tactical characteristics of EVANS and I would like to ask you several questions in that respect. First of all, you indicated that the speed of EVANS was 18 knots, the formation speed was about 18 knots. Could you indicate at that speed the turning diameter of the EVANS, if this is unclassified?

A. This of course is dependent on rudder angle as you can see. Are you looking for her turning radius with full rudder?

Q. Would you give her turning radius at various degrees of rudder if you could? Starting from ten degrees if you can from memory.

A. May I refer to notes on this particular thing?

Q. May we ask what notes you are referring to?

A. Yes, the various combinations and so forth of speed and rudder angle are quite complex and are normally derived as class data for a particular class of destroyer. This is the class data for a 2250 class destroyer. Our class tactical data was destroyed on the ship. This particular data belongs to a long hull, which is essentially same data except she is sixteen feet longer. In reviewing this against the tactical diameters I think they are essentially identical.

Counsel for the board: I think that the board would probably like to have that entered into evidence unless we can obtain something specifically applicable to the EVANS.

Senior Member: We certainly have a desire to obtain proper data to ships of the exact class of the EVANS and I believe that this can be done. The difference will undoubtedly be small, but nevertheless, I think for the record we would prefer to admit into evidence precise data.

Counsel for the board: We would then ask you to use these to refresh your memory and testify from your own knowledge.

Q. Could you tell us at 18 knots the approximate turning circle of the EVANS?

A. With standard rudder....

Q. By standard you mean?

A. I mean twenty degrees rudder, the approximate final turning circle of the ship is about 850 yards.

Q. Could you give a turning circle with ten degrees rudder?

A. Yes, approximately fifteen hundred yards.

Q. Do you have any indication as to the rate, perhaps in degrees per second, that your turn would be made at ten degrees rudder, twenty degrees rudder, and thirty degrees rudder at 18 knots?

A. Well, this is directly proportionate to the time the rudder is put over that we start timing. For example, when initially putting the rudder over nothing happens for a few seconds until the rudder takes effect and then the inertia of the ship has to be overcome so the initial swing is quite slow and as the inertia is overcome and the rate of swing builds up, then she will start turning a constant rate. I think all the board members are all well versed in advance transfer and the fact that a ship doesn't start turning very quickly immediately.

Q. What rate would it reach at this constant rate of the rudder angles I have given?

A. With full rudder....

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Q. Maybe I can phrase the question a little better. Can you give an estimate how long it would take the ship to turn 180 degrees with ten degrees rudder, twenty degrees rudder, and thirty degrees rudder at 18 knots?

A. Using no combination, except nothing to turn the ship except the rudder?

Q. Right.

A. I would guess with ten degrees rudder probably five minutes and I must admit that that is strictly a guess. There are data for this but I don't have them here.

Counsel for the board: Counsel will attempt to attain these data.

Senior Member: Yes, I would suggest that a guess would not serve our purposes here, counsel.

Witness: Now there are better tactical data available for ships of this class, but unfortunately mine was in the bridge folder.

Q. I assume that that means that it was lost?

A. That is correct. It was lost.

Q. Going back to Lieutenant (jg) Ramsey's qualifications you indicated that he had been formally qualified only for ten days. Can you state actually how long he had been standing Fleet OOD watches?

A. Yes, he had been standing them for four months. I think I might divert here just a bit. There is no requirement in the Bureau of Naval Personnel, for example, that these particular qualification for OOD, OODP or OODF be the governing factor concerning the watch an officer is assigned to. We use them primarily to assist the Bureau of Naval Personnel in deciding if this officer, well, in deciding the slot he should fit in this ship and any other ship that he is transferred to. In other words, if he has this qualification in this ship he is a certain value to another ship that he is transferred to whereas if he didn't have it he might not be of value.

Q. So on the basis of formal qualification you report his qualification to the Bureau of Naval Personnel?

A. That is correct.

Counsel for the board: That is all the questions the counsel has as to pre-collision matters.

Senior Member: The board has some questions.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Commander McLemore, could you give a little more on the background of the changes which you have testified were in preparation to the present draft of your standing Night Orders?

A. Yes, Admiral, with one exception, these were changes to clarify wording and did not make a substantive change in the Night Orders at all. The only substantive change that I have previously indicated was to permit the Officer of the Deck to ^{patrol} a sector type screening assignment, staying within his sector limits, without calling the Commanding Officer for each and every course and speed change. And this was simply to clarify for the Officer of the Deck that he had the authority to stay within his limits.

Q. And does the patrolling of the sector screen involve speed changes?

A. Yes, it should involve both course and speed changes.

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Q. Commander, in relation to qualification for OODF (Fleet Officer of the Deck) are any written examinations, or formal courses of study required or any particular length of time or experience required for qualification in addition to the final judgment of the commanding officer?

A. No, sir. Not associated with Fleet OOD per se but there are things that any officer coming on board must do, the junior officer training courses have to be completed by all officers within a period after they come on board. But directly associated with Fleet OOD, no, sir.

Q. When you retired for the night which you testified was sometime after midnight on early morning of 2 June, did you have any information which would lead you to suspect that your ship would be required to move from screen station to plane guard station, incident to the flying operations which you indicated had been planned for 3:00 or 3:30?

A. No, I really didn't know, Admiral. I had not received the assignments for the day on destroyer duties.

Q. For what day had you not received them?

A. Well for the day from 0800 on the 2nd to 0800 on the 3rd which was the normal 24-hour planning message which was put out. I might add since then I have gotten a copy on this subject and I was not the designated plane guard.

Q. Would you describe the content of the message and the originator thereof?

A. The message is classified, Admiral.

Q. Can you describe the content and the originator as unclassified?

A. Yes, sir. This is a message which is a formal type message which is called an OPGEN ALFA and it is designed to give you a warning of what you might expect and a handy guide as to what you might do about it. It is originated by CTG 472.1 which if FOCAF, addressed to Task Group 472.1 and information to some other people.

Q. Then if I understand it correctly it was addressed to a group which includes FRANK E. EVANS?

A. That is correct, sir.

Q. Does this message, the OPGEN ALFA, designate the rescue destroyer or plane guard for the period in question and for what period?

A. Yes, sir, it does. The OPGEN was in effect from the replenishment which you will recall was the previous morning until 030800 Hotel.

Q. Then what ship was assigned in this message for rescue destroyer?

A. BLACKPOOL. Not having received this message I don't really think with respect to rescue destroyer with me I don't think it was that particularly important as we were evidently ordered into rescue destroyer station and that is enough.

Q. Commander, you have testified that prior to retiring on the night of 2 June, zig-zag plan thirteen was in effect, if I understood you correctly?

A. Yes, sir.

Q. In what document may we find zig-zag plan 13?

A. That is contained in FOCAF OPORDER 1-69.

Q. Ant that document is classified?

A. Yes, sir.

Q. Commander, I believe that you had stated that you retired in your sea cabin. Could you describe the location of the sea cabin in relation to the pilot house or the bridge?

A. Could I use the board, please? Do you have a grease pencil or something?

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Q. Yes, you may.

A. I think that this will be the easiest way to do it. (Witness drawing the forward half of a destroyer bridge) This is forward and this is starboard and I am now on the 03 level of the ship, which is three decks above the main deck. This is the area which we call the open bridge (witness indicating section forward of bridge). This is the open bridge where the Officer of the Deck stands his watch.

Counsel for the board: Let the record indicate that OB means open bridge.

Witness: I can spell that out if you want.

Counsel for the board: No, that is all right.

A. PH is the pilot house (witness indicating the area behind the open bridge). The pilot house contains the helm which is a steering station, the engine order telegraph, the navigator's table and also many other pieces of equipment, also a radar repeater and has doors on each side opening out onto the bridge wings. There are ports all around the pilot house. I can't recall exactly, but eight rings a bell. These are portholes (witness indicating dots in front of pilot house). So the Officer of the Deck in giving his orders to the steersman will give them through the port.

Counsel for the board: May I suggest that the witness direct his testimony to the board.

Witness: I'm sorry. These doors leading out of the pilot house to the open bridge (indicating the doors on each side of pilot house). And this is a bulkhead....

Counsel for the board: By bulkhead you mean?

A. A solid wall. (Indicating the wall aft of the pilot house). There is a door at approximately this location which leads to the Captain's sea cabin directly from the bridge.

Counsel for the board: Would you indicate that door by an "X"?

A. An "X"?

Counsel for the board: Yes, you have it there.

A. This also is a door (indicating the starboard door of the pilot house) and this also is a door (indicating the port side door of the pilot house).

Counsel for the board: Would you indicate the door of the sea cabin with an "X" so that they will know which door?

A. The sea cabin is a figure something like this (witness drawing a room on the starboard side just aft of the pilot house).

Counsel for the board: Would you write sea cabin in it?

A. I think I have the door off just a little bit. I should be inboard a little bit (witness moved the door inboard a little on the drawing) but nonetheless. In fact I'd like to move it if I might. The door is here, two steps down and which location there is a water closet.

Counsel for the board: Indicated by "WC".

A. Transom type bunk. By transom type bunk I mean a bunk that can fold up during the day as a settee or folded down at night as a bunk. And a desk (witness drawing each of these in the picture). At this point there is a door (indicating the aft part of the sea cabin). This door leads to the Combat Information Center.

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Counsel for the board: At this point you mean the farthest point aft on your diagram. Is that correct?

A. This is the door leading into the Combat Information Center. There is another door on this side of the pilot house. I am going to, if I may, show the complete layout in this area because I am sure that it will come up.

Senior Member: I would like to suggest that the question has been adequately answered and by other means the board will familiarize itself as to the remaining layout.

Counsel for the board: If the board please I would like that diagram just made admitted into evidence as Exhibit 14.

The senior member indicated in the affirmative.

Q. Commander McLemore, you have stated that at the time you retired on the night of 2-3 June you had not received the effective OPGEN ALFA which designated BLACKPOOL the rescue destroyer, but that since then you have acquired copies. Can you shed any light on why you did not receive that message by the time that you had retired, and, secondly, would you have normally expected to receive a copy?

A. Admiral, of course in the collision my communications files which were in radio central were destroyed. Now, there were a few messages that were of interest to me in the last few days in just reviewing where we stood and I asked my communications officer or my assistant communications officer, I'm sorry, to get copies of the OPGEN ALFA for the preceding several days from the other destroyers of the squadron. I can't testify to this as a fact, but he reported to me that none of the American destroyers, neither KYES or LARSON, which he visited, had the OPGEN for this period. The copy that I have....

Q. Your request to him was made at what time? After the collision?

A. Yes, sir. The copy that I have came off the monitor roll of the KEARSARGE.

Q. Would you have expected to receive this particular OPGEN ALFA by late on the night of 2-3 June?

A. No, I really wasn't concerned about it Admiral, at this point because I had received a separate message which could have provided adequate intentions for the period until early the next morning. This was a message which took effect and I insert the date time group into the record at this

Senior Member: No.

A. Well, in general terms, this particular document set forth CTG 472.1's intentions for the period that a certain exercise was going on and it was considered that this exercise could have extended well into the night.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Can you give us the name of the exercise?

A. This was the SAG.

Q. Commander McLemore, I would like to suggest that the message which you have just referred as well as the OPGEN ALFA which you state was effective but not received on board the EVANS and which you have since obtained be offered for inclusion in the record.

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Counsel for the board: Would you produce the two messages to which you have referred?

Witness: Yes, sir. (Witness handing the documents to the counsel)

Counsel for the board: I ask the reporter to mark the message identified as OPGEN ALFA as Exhibit 15 for the purpose of identification and the second one will be Exhibit 16.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Would you at this time indicate the source of Exhibit 15? Where did you obtain Exhibit 15?

A. This message was obtained by my Assistant Communications Officer from the USS KEARSARGE Communications Center.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. On approximately what date?

A. This morning, Admiral. No, I take that back. Last night, Admiral. I have noted the name of the officer that gave me the copies.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. And the other message, Exhibit 16, was obtained where and when?

A. This was a message that I had recalled having seen, I don't know where that particular copy exactly came from.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. But you had seen that message on board the EVANS prior to the collision?

A. Yes, sir. I believe that came from the LARSON, but I am not one hundred percent confident.

Counsel for the board: Does the board have any more questions after this phase?

(A negative response from the board).

Counsel for the board: Counsel may have a few after reviewing the testimony. We would suggest that this is an appropriate time to terminate for tonight and suggest an adjournment until 0830 tomorrow morning.

Senior Member: Concur, except that tomorrow morning at 0830 the determination as to whether to have a deliberative or open session at 0230 tomorrow morning be reserved until later tonight.

The witness was duly warned and requested to return at 0830 tomorrow morning.

Counsel for the board: The board is adjourned.

The board adjourned at 1731 hours, 11 June 1969.

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