

CODE A FOLDER

COMMANDANT OF THE MARINE CORPS BRIEFING FOLDER

SECRETSERIOUS INCIDENTS ALLEGEDLY COMMITTED AGAINST VIETNAMESE
CIVILIANS BY MEMBERS OF THE III MAF

ITEM	DATE	SUBJECT	TAB
1.	26 Oct 64	<u>MCO 05740.2</u> REPORTING INFORMATION OF CONCERN TO NATIONAL AUTHORITIES (U)	A
2.	4 Oct 66	Recruiting Station, Pittsburgh, forwards to HQMC letter from parents of PFC MC GHEN requesting to know his status and validity of accusations against him	B
3.	4 Oct 66	CMC Message to CG FMFPAC 042345ZOct66 REQUESTING HQMC BE NOTIFIED EARLIEST OF DETAILS RE MARINES BEING HELD IN STOCKADE ACCUSED OF KILLING VN CIVILIANS	C
4.	6 Oct 66	DIR INFO Memo to CMC re Adverse Publicity Potential	D
5.	26 Oct 66	Memorandum relating details of accusations against Marines as related by CG 1stMarDiv ltr of 19 Oct w/preliminary investigative report enclosed	E
6.	8 Nov 66	Dep Dir of Pers memo to C/S enclosing MEMO FOR F SECRETARY OF THE NAVY which forwards Proposed Congressional Information Plan ...and Proposed Public Information Plan	F
7.	10 Nov 66	CMC letter to GENERAL KRULAK bringing to his personal attention the serious breakdown in command-to-command notification of grave incident	G
8.		All message traffic pertaining to incident	H
9	17Nov66	CG FMFPac ltr 6/dfa to CMC which forwards several enclosures and gives supplemental information about incidents, reasons for failures to report certain cases, etc. (C)	I

SECRET

10	23 Nov 66	Position Paper and Spread Sheet, subj: Serious Incidents allegedly committed against VN civilians by members of the III MAF (Orig to SecNav)	J
11	25 Nov 66	CG FMFPac Personal to CMC 232133Z Report of visit to RVN to look into series of serious incidents within III MAF.	K
12	25 Nov 66	MEMORANDUM FOR SECRETARY OF DEFENSE from SecNav subj: Public Information policy concerning serious incidents involving Marines in Vietnam -- and CMC NOTES	L
13	28 Nov 66	MCB 5370 - Personal Conduct of Marines in the Republic of Vietnam (signed by CMC)	M
14	2 & 16 Dec 66	MCCC Memos relating two different incidents involving Marines of III MAF	N
15	18 Jan 67	Chief of Staff Memo to Distribution List, Subj: Responses to correspondence concerning the PFC KEENAN court martial	O
16	Dec-Jan	Additional Message Traffic	P
17	24 Jan 67	CMC MEMORANDUM FOR SECNAV 07B2467 which summarizes visit to III MAF by Keenan's lawyers	Q
18	Jan-Feb 67	Correspondence regarding Cases (DKE)	R
19			



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CONFIDENTIAL

MCO 05740.2
AO3H12-dnw
03D25964
26 Oct 1964

MARINE CORPS ORDER 05740.2 *w/ Ch. 1, 2*

From: Commandant of the Marine Corps
To: Distribution List

Subj: Reporting Information of Concern to National Authorities (U)

Encl: (1) Accidents, Incidents or Disturbances to be Reported
(2) Locator Sheet

1. Purpose. The Commandant of the Marine Corps is responsible for reporting immediately to the National Military Command Center all incidents, operational or otherwise, in which Marines are involved or in which Marine units may be employed and which, because of their nature, have national or international implications. These incidents specifically include civil disorders involving or affecting Marine Corps personnel or installations (see enclosure (1)).

2. Action. All addressees will report incidents of potential national or international significance in which Marine Corps personnel, units or installations are involved. Addressees who are required to report such incidents in accordance with directives of their normal operational commanders, will submit information copies of such reports to Commandant of the Marine Corps. All other addressees will report as follows:

a. If possible, an initial telephone report to the Marine Corps Command Center, at Headquarters Marine Corps, will be made using the following format.

- (1) Nature of incident.
- (2) Number of Marine Corps personnel involved.
- (3) Units and/or installations involved.
- (4) Brief description of the possible national or international significance.

DIV INFO	
Director	✓
Deputy	✓
Admin	✓
Plans/Policy	✓
Media	✓
Speech	✓
Civil Relations	✓
COMMENT ON SHEET	

DOWNGRADED AT 3 YEAR INTERVALS
DECLASSIFIED AFTER 12 YEARS
DOD DIR 5500.1

23

CONFIDENTIAL

CONFIDENTIAL

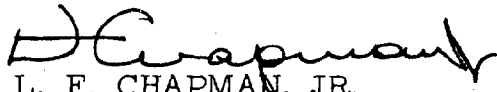
MCO 05740.2
26 Oct 1964

b. Additional reports will be submitted as appropriate in order that the Commandant of the Marine Corps may be kept advised of a developing situation.

c. Reports required by other directives will be submitted in accordance with such directives.

d. (see below)

3. Reserve Applicability. This order is applicable to the Marine Corps Reserve.


L. F. CHAPMAN, JR.
Chief of Staff

DISTRIBUTION: "A"

Ch.1

2.d. Enclosure (1) is declassified when removed from the basic Order.



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

MCO 05740.2 Ch 1
AO3H12-dnw
28 Jan 1965

UNCLASSIFIED

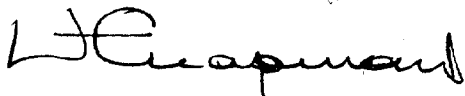
MARINE CORPS ORDER 05740.2 Ch 1

From: Commandant of the Marine Corps
To: Distribution List

Subj: Reporting Information of Concern to National Authorities (U)

1. Purpose. To direct a pen change to the basic Order.
2. Action. In paragraph 2 insert the following new subparagraph:

"d. Enclosure (1) is declassified when removed from the basic Order."


L. F. CHAPMAN, Jr.
Chief of Staff

DISTRIBUTION: "A"



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

MCO 05740.2 Ch 2
AO3H12-dnw
18 Feb 1965

UNCLASSIFIED

MARINE CORPS ORDER 05740.2 Ch 2

From: Commandant of the Marine Corps
To: Distribution List

Subj: Reporting Information of Concern to National Authorities (U)

1. Purpose. To direct a pen change to the basic Order.
2. Action. Adjacent to and in conjunction with the classification marking at the bottom of the first page of the basic Order insert:

DOWNGRADED AT 3 YEAR INTERVALS,
DECLASSIFIED AFTER 12 YEARS
DOD DIR 5200.10

R. G. Weede
R. G. WEEDE
By direction

DISTRIBUTION: "A"

UNCLASSIFIED

CONFIDENTIAL

MCO 05740.2
26 Oct 1964ACCIDENTS, INCIDENTS OR DISTURBANCESTO BE REPORTED

1. The following accidents, incidents, or disturbances will be reported:

a. Military/Political Incidents. Any incidents of a military/political nature, domestic or foreign, that involve individual Marines or Marine Corps units or installations, and may result in local or national official reaction or extensive press interest.

b. Civil Disorders

(1) All requests for Marine Corps assistance in connection with civil disorders to include the type of assistance requested, its purpose, estimated duration of assistance, capability to furnish assistance, effect on accomplishment of unit mission, and anticipated local repercussions.

(2) Any civil disorder in which individual Marines or Marine Corps units and/or installations are involved.

c. Operational Incidents. Any operational incident which may result in unusual interest by the public news media.

d. Serious Aircraft Accidents/Incidents. Any accidents/incidents that cause casualties or extensive damage to civilian or military property.

e. Ground Accidents. All ground accidents which occur on or at Marine Corps installations which result in loss of life or extensive property damage.

f. Near-Collisions in Flight. All near-collisions with civilian aircraft.

g. Accidents Involving Ammunition, Explosives or Nuclear Material. Any explosion of ammunition or other explosive material that causes casualties or serious property damage.

ENCLOSURE (1)

CONFIDENTIAL

CONFIDENTIAL

MCO 05740.2
26 Oct 1964

h. Fires. Any fire that may impair the operational readiness of a Marine Corps unit, or which causes casualties, or extensive Marine Corps property damage.

i. Epidemic

(1) The presumptive diagnosis of any international quarantinable disease, or the diagnosis of any disease of potential epidemic significance.

(2) The diagnosis of any disease so widespread among Marine Corps personnel that it constitutes a premonition of an outbreak extensive enough to affect mission accomplishment.

j. Serious Crimes, Mishaps or Disturbances That May Result in Extensive News Coverage

(1) Any mishap or occurrence that may arouse extensive news interest or congressional interest. Examples of public reaction or contributing conditions should be included.

(2) Any serious crime or incident that may involve possible exercise of domestic or foreign criminal jurisdiction over Marine Corps personnel and their dependents if it may arouse public or congressional interest.

k. Objects Dropped From Marine Corps Aircraft. Any incident in which an object dropped from a Marine Corps aircraft in flight may result in property damage or casualties.

l. "Acts of God" Occurrences. Any incident caused by a hurricane, typhoon, tornado, sandstorm, snow, hailstorm, earthquake, ice, lightning, etc., which may impair a unit or installation in the accomplishment of its mission.

m. Covert Acts of Sabotage. Any actual or suspected sabotage or covert acts against any Marine Corps unit or installation.

n. Compromise of Classified Information. Any incident involving the loss or compromise of classified information which may compromise operational plans, cause national news coverage, or create misunderstanding in public news media.

ENCLOSURE (1)

U. S. MARINE CORPS RECRUITING STATION
 ROOM 1501 NEW FEDERAL BUILDING
 1000 LIBERTY AVENUE
 PITTSBURGH, PENNSYLVANIA 15222

VEJifc
 2030
 4 Oct 1966

AIR MAIL

From: Officer in Charge
To: Commandant of the Marine Corps (Code DX)

Subj: Alleged adverse incident; report of

Encl: (1) Copy of ltr received from SFC Danny L. MC GREN
 2065144 USMC dtd 7 Sep 1966

1. Enclosure (1) was brought to the attention of this Station by the parents of Private First Class MC GREN. The parents requested information as to their son's status and the validity of his accusations.
2. The letter was written to MC GREN's girl friend and she in turn gave it to his parents. The parents are Mr. and Mrs. Leo A. MC GREN, 117 Pettigrew Road, Irwin, Pennsylvania. Private First Class MC GREN is presently assigned to Company "B", 1st Battalion, 3th Marines.
3. The information contained herein and enclosure (1) are forwarded, on behalf of the parents, for your information and action as deemed appropriate.

VERNON E. JONES

7 Sept. 66

Dear Lydia,

Honey this is going to be one of the hardest letters in the world for me to write. The other will be a similar one to my parents. My goes. On our last sweep the last night my squad was given the job of an ambush and a raid. On the raid were were told to kill, rape or do any thing we wanted. After searching out a couple of huts we came to the last one. A man was found with an American hand grenade.

I was near security I never saw it thought. This made him us. Some of our squad ~~two~~ took a lady out and raped her.

Please believe me honey I

ENCLOSURE (1)

Had no part in it. I'm sure
 you know I didn't. But the
 man was making all kinds
 of noise. He started to run.
 We had to shoot him, blades, &
 little beads. I'm now in a
 detention facility (sp) waiting for
 probably a court martial. Sent
 back to U.S. and maybe put in
 jail. That's about it. Except for
 us. What does it do for me and
 you. First of all I still love
 you. I definitely have to get out
 of Pa. Go somewhere else. I'd
 like to still have you for a wife.
 Well I write more late Enclord
 is letter I wrote you day before.
 Just like North + South Pole
 Remember I love you Spat, I
 need you honey. I miss you Lydon
 Forever and a Day
 Danny
 as I Love You

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

NNNN
PP RUHLBP RUMNMF RUMNLA
DE RUECEM 518 2772345
ZNY CCCCC
P 042345Z OCT 65
FM CMC
TO RUHLBP/CG PNEPAC
INFO RUMNMF/CG THIRD MAF
RUMNLA/CG FIRST MARDIV
BT

C O N F I D E N T I A L

1. INFORMATION RECEIVED THIS HQ FROM MOTHER OF LCPL ROBERT W MONROE 2122739 USMC COMPANY B. FIRST BN FIFTH MAR DERIVED FROM LTR FROM MARINE THAT "HE AND NINE OTHER MARINES ARE BEING HELD IN STOCKADE ACCUSED OF WANTONLY KILLING VN CIVILIAN."
 2. REQUEST INFORMATION ON ABOVE ALLEGATION BE FORWARDED TO THIS HQ EARLIEST.
 3. PRESS INTEREST
- GP-4
BT

11-486/4

(AG)

CONFIDENTIAL

CONFIDENTIAL

HEADQUARTERS MARINE CORPS ROUTING SHEET
NAVMC HQ 3351-CMC (REV. 9-64)

S&C NO.

NIS-688-6

[illegible]

RETURN TO:

DO NOT DETACH - THIS FORM IS A PERMANENT PART
OF THE DOCUMENT TO WHICH IT IS ATTACHED

WHEN FILLED IN,
THIS FORM BECOMES

CONFIDENTIAL

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

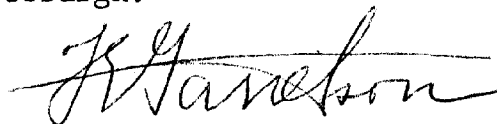
TO : Commandant of the Marine Corps

AG-rss
DATE: OCT 6 1966

FROM : Director of Information

SUBJECT: Adverse Publicity Potential

1. At 1900 on 4 October, DivInfo was called by OinC, MCRS, Indianapolis concerning a call, to him, by the irate mother of a LCpl MONROE (B/1/5). She stated she'd received a letter from her son to the effect that he and nine other Marines were confined on a charge of wantonly killing Vietnamese civilians.
2. Colonel SEVIER (Discipline Branch) was queried at home as was Colonel ATKINSON. Neither had any information on the matter. DivInfo then released the CONFIDENTIAL message at TAB A for which no reply has yet been received.
3. This morning the letter at TAB B was received concerning a similar letter to his girlfriend from a PFC MC GHEN (B/1/5). TAB B tends to corroborate the call received from Indianapolis. The Discipline Branch now holds the original of the letter at TAB B from the OinC, MCRS, Pittsburgh.



F. E. GARRETSON



5010-108

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FOR OFFICIAL USE ONLY

MEMORANDUM

Subj: Serious incidents allegedly committed against
Vietnamese civilians by members of the III Marine
Amphibious Force

1. The Commanding General, 1st Marine Division, by letter dated 19 October 1966, with a copy of a preliminary investigative report enclosed, informed this Headquarters that on 23 September 1966 members of the 1st Squad, 2d Platoon, Company B, 1st Battalion, 5th Marines, murdered with premeditation five Vietnamese civilians (one 2 year old male child, one 5 year old female child, two women 29 and 50 years of age, and one 20 year old man). Two additional girls (ages 16 and 18) were raped and one rape victim was the victim of assault with intent to murder. At least eight homes were broken into and damaged. At least four additional Vietnamese civilians were the victims of assault and battery. The investigative facts indicate that most of these offenses were planned and intended before the Marines entered Xuan Ngoc Hamlet. The Marines, who were supposed to be at an ambush site, entered the hamlet at 800 meters distance from their ordered destination. They reported that they had been attacked at their ambush site and in the return fire three Vietnamese civilians were killed. The platoon leader investigated the incident. When he discovered the crimes, he attempted to conceal them and made false reports to his superiors.

a. The patrol was composed of Sergeant Ronald L. Vogel, Lance Corporal Robert W. Monroe, Privates First Class John D. Potter, Jr., James H. Boyd, Jr., James W. Henderson, Clifton G. Hobson, Danny L. McGhee, Jerry D. Sullivan, and Hospitalman Jon R. Bretag. The platoon leader, Second Lieutenant Stephen J. Talty, Jr., was not present with the patrol.

b. The report of preliminary investigation shows that Sergeant Vogel was senior Marine but that Lance Corporal Monroe and Private First Class Potter actually assumed direction of the group and made plans for the "raid." They entered the hamlet at about eight p.m., entered into and searched houses, evicted the occupants, and damaged the huts and personal property therein. During this time the occupants of the hamlet were physically abused by the patrol members. Two women were raped, one by several men. This was in the sight and hearing of other Vietnamese civilians. As the patrol was preparing to leave, several of the Vietnamese were crying and protesting. Members of the patrol fired into this group, killing four persons and wounding two. They then departed the hamlet and made the false report. After their return, they were debriefed by Lieutenant

FOR OFFICIAL USE ONLY

Talty who was not satisfied with the report. After questioning, the patrol members took Lieutenant Talty to the hamlet where he quickly learned what had happened. He then devised a plan to conceal the crimes. The body of the Vietnamese man was carried to the ambush site where they attempted to prepare the ground to look as if a fire fight had occurred. Five of the men returned to the hamlet and attempted to further conceal their crimes. While carrying the bodies into a hut, it was noticed that one child was still alive. The child was struck on the head with a rifle butt and killed.

c. The next day a Vietnamese serviceman brought the wounded female rape victim to the 1st Battalion, 5th Marines command post for medical aid. The battalion commander was informed and immediately ordered an investigation. The company commander had already become suspicious and ordered an investigation. The information in the preliminary investigative report was obtained from Vietnamese witnesses, the members of the patrol, and observations of the investigating officer. A formal pretrial investigation was completed on 4 November 1966 and the transcript of proceedings is being prepared. This record will probably exceed 700 pages.

2. On 22 September 1966 a patrol from K Company, 3d Battalion, 7th Marines, allegedly murdered two Vietnamese civilians. Corporal Stanley J. Luczko, Private First Class Charles W. Keenan and Private First Class Ronald A. Pietkowski have been charged with murder and are awaiting trial. The copy of the preliminary investigative report indicates that the three accused were part of a patrol. They separated from the main body to investigate an abandoned dwelling where they found an elderly Vietnamese woman feeding a domestic animal. Corporal Luczko, for no known reason, drew his 45 pistol and fired three shots. Private First Class Keenan then fired several shots with a rifle. The woman's body was placed on a haystack, covered with hay and the haystack set afire. This element of the patrol moved down a path where they encountered a second victim, an elderly Vietnamese man. They checked the man's ID card, then Corporal Luczko fired at the man with his 45 pistol. When the man started to run, Private First Class Keenan also fired at the man. Members of the other element of the patrol heard the firing, saw the man running and also fired at him. After the man was stopped, Private First Class Pietkowski walked over to the man, fired his 45 into the body, and then cut off the left ear with a bayonet. The body was then moved off the trail and hidden in the surrounding brush. A report of these shootings was made by the Republic of Vietnam Army Liaison Officer to the 3d Battalion, 7th Marines. That officer had received his information from inhabitants of the nearby hamlet. There was one elderly Vietnamese female witness to the shooting. An Article 32 pretrial investigation was completed on 17 October 1966 and the

FOR OFFICIAL USE ONLY

three accused are awaiting trial by general court-martial. Date of trial has not been set. The accused, Corporal Lucsko, has requested a Medical Board of Officers on the issue of sanity.

3. Information of other reported offenses against Vietnamese civilians include the case of Corporal Frank C. Schultz, 3d Battalion, 1st Marines 1st Marine Division. Allegedly Schultz was searching a hut, ordered an elderly Vietnamese civilian male out of the hut and marched the man a short distance from the hut wherein he shot him. The shooting was witnessed by the victim's wife and other Vietnamese civilians. There was no known provocation for the shooting. Schultz has been convicted by general court-martial of this offense and sentenced to dishonorable discharge, confinement at hard labor for life, total forfeitures and reduction to private. III

4. Hospitalman James R. Smith was tried by general court-martial for the alleged murder of a VCS on or about 20 October 1966. This Headquarters has been informed that Smith was found not guilty of this offense. IV

FOR OFFICIAL USE ONLY
 Chief of Staff

D-edb
 8 Nov 1966

Deputy Director of Personnel

Serious Incidents allegedly committed against Vietnamese civilians
 by members of the III Marine Amphibious Force

Encl: (1) Memo to the Under Secretary of the Navy enclosing
 (a) Proposed Congressional Information Plan
 (b) Proposed Public Information Plan

1. The Chief of Staff Memorandum of 7 November directed that the following plans and information be developed concerning the subject incidents for forwarding to the Under Secretary of the Navy:

- a. Proposed Congressional Information Plan
- b. Proposed Public Information Plan
- c. Specific answers to questions asked by the Under Secretary of the Navy.
- d. Examples of directives issued at the MACV, III MAF, and/or FMFPac level prescribing the conduct of Marines on operations in relation to Vietnam Nationals.

2. Enclosure (1) is in response to a. and b. above. It is forwarded at this time in order to expedite action in the areas indicated. The answers and information requested in c. and d. above have been requested from FMFPac by telephone; however, it may be several days before all answers and information can be obtained and reviewed by this Headquarters. A call received from the Chief of Staff, FMFPac, at 1800, 7 November, indicated that they are working on the matter and would provide the information earliest.

3. Upon receipt of the answers and information requested in c. and d. above, a second memorandum will be prepared for forwarding to the Under Secretary of the Navy. It is believed appropriate to process the request in this manner in order to implement immediately the Congressional and Public Information Plans and have sufficient time to carefully review the other information received at this Headquarters.

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

Subj: Serious incidents allegedly committed against Vietnamese civilians by members of the III Marine Amphibious Force

4. The Under Secretary of the Navy asked if the Legislative Assistant and the Director of Information are sufficiently senior to effect the notification of the interested parties and suggested that perhaps a prior alerting should be accomplished by the Commandant of the Marine Corps. It is my considered opinion that the Legislative Assistant and the Director of Information are the appropriate personnel to effect notification of the interested parties. I believe that it is our desire to play this matter in the "Lowest Key Possible." A call from the Legislative Assistant to the interested parties indicating that the Commandant desires that I arrange an appointment to provide them some information will indicate that the Commandant is concerned and wants them appraised of the circumstances. On the other hand, a personal call from the Commandant would tend to indicate that he was "Alarmed," and could possibly precipitate an unwarranted Congressional investigation.

5. Following my interview with the interested parties, I will advise the Commandant of the reaction of all parties. If, at that time, it is believed advisable to have the Commandant and possibly the Secretary of the Navy intervene, I will so recommend; however, I do not believe that they should enter the case initially.

6. It is believed mandatory that we establish the position that these incidents are the unfortunate by-products of any war, but that the Marine Corps will not tolerate such conduct and has taken prompt and appropriate action to correct the matter. At the same time, we will ensure that all parties to the matter are given a full and fair hearing and that justice is done. I believe that this will preclude sensationalism and magnification of the problem beyond its proportions.

7. The detail included in the talking paper to be used to advise the parties concerned is believed necessary. To withhold any known facts and later have them published in the press would tend to destroy the credibility of the Marine Corps.

8. The previous plan for notification of interested Congressional personnel was approved by the Commandant on 4 November 1966. It remains valid and is therefore resubmitted with amplification as to the order and manner for notification of the individuals concerned.

9. The Public Information Plan is in consonance with the Congressional Information Plan with regard to processing of inquiries regarding individuals involved. An appropriate response for the information media is included for inquiries relating to the overall problem.

FOR OFFICIAL USE ONLY

Subj: Serious incidents allegedly committed against Vietnamese civilians
by members of the III Marine Amphibious Force

10. In view of the foregoing, it is recommended that the enclosed memorandum be forwarded to the Under Secretary of the Navy.

Respectfully,

W. G. THRASH

FOR OFFICIAL USE ONLY

8 NOV 1965

FOR OFFICIAL USE ONLY**MEMORANDUM FOR THE UNDER SECRETARY OF THE NAVY**

Subj: Serious Incidents Allegedly Committed Against Vietnamese Civilians by Members of the III Marine Amphibious Force

**Encl: (1) Proposed Congressional Information Plan
(2) Proposed Public Information Plan**

1. In response to your telephonic request concerning the subject matter, Enclosures (1) and (2) are forwarded for your consideration.
2. The additional information which you asked for has been requested from the Commanding General, Fleet Marine Force Pacific, and will be forwarded by separate correspondence.
3. It is believed that Brigadier General Thrash, Legislative Assistant to the Commandant, is the appropriate party to effect initial notification of the Congressional parties concerned. General Thrash is personally known to all of the individuals listed, and has served approximately three years in Congressional Liaison. Following this initial interview and possible outcome of the several trials indicated, it may be desirable to have the Commandant of the Marine Corps or the Secretary of the Navy provide additional information; however, their personal intervention at this time is not recommended.
4. The detailed information to be provided to the individuals concerned, Tab A to Enclosure (1), is believed necessary. To withhold any known facts with the possibility that they might be published later in the press would adversely affect the credibility of the Marine Corps.
5. In order to maintain this matter as an internal Marine Corps problem, insofar as practicable, and preclude over-emphasis by the information media, it is recommended that Brigadier

MEMO
for
SEC
NAV

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

Subj: Serious Incidents Allegedly Committed Against Vietnamese
Civilians by Members of the III Marine Amphibious Force

General Garretson, Director of Information, Marine Corps, be
authorized to implement the Public Information Plan as set forth
in Enclosure (2).

5. Subject to your approval, appropriate action will be taken as
indicated herein.

L. F. CHAPMAN, JR.

Lieutenant General, U. S. Marine Corps
Chief of Staff, Headquarters, Marine Corps

FOR OFFICIAL USE ONLY

FOR OFFICIAL USE ONLY

NOV 1966

PROPOSED CONGRESSIONAL INFORMATION PLAN

Subj: Notification of selected members of Congress and Senior Staff Personnel regarding serious incidents allegedly committed against Vietnamese civilians by members of the III Marine Amphibious Force

1. Notify the following members of Congress and Senior Staff Personnel of the alleged incidents in the order listed below:

a. Mr. William Darden, Chief Counsel, Senate Armed Services Committee

b. Mr. Russ Blandford, Chief Counsel, House Armed Services Committee

c. Chairman L. Mendel Rivers, House Armed Services Committee

d. Chairman Richard B. Russell, Senate Armed Services Committee

e. Senator John Stennis, Senate Armed Services Committee

NOTE: The order shown above is established for the following reasons:

(1) Mr. William Darden is presently in Washington and can be seen at any time.

(2) Mr. Russ Blandford is presently out of the city but will return on the evening of the 8th of November.

(3) Chairman L. Mendel Rivers is expected to return to Washington on the 9th or 10th of November, following the elections and may be seen at that time prior to his departure for Europe.

Enclosure (1)

8 NOV

FOR OFFICIAL USE ONLY

(4) Chairman Richard B. Russell is presently in Winder, Georgia and is expected to remain there for perhaps a week following the election.

(5) Senator John Stennis is presently in DeKalb, Mississippi and is expected to remain in Mississippi until Congress reconvenes.

2. General Thrash, Legislative Assistant to the Commandant of the Marine Corps, is currently scheduled for an address in Atlanta, Georgia on 11 November 1966. As an adjunct to this trip, General Thrash could call on Chairman Russell in Winder, Georgia and also on Senator Stennis in DeKalb, Mississippi prior to returning to Washington. The other personnel could be notified here in Washington.

3. The appended memorandum, Tab (A), be utilized as a vehicle to inform the above personnel.

NOTE: In view of the possible release by the press of certain aspects of the cases involved, it is deemed advisable to provide the above personnel with all of the facts that are known at this Headquarters at this time.

4. A personal call by a member of the Office of the Legislative Assistant be made to all congressional offices who have made an inquiry concerning a specific case. The offices of the subject congressmen would be provided the following:

a. The Marine Corps is aware of the case and is following it very closely.

b. Any additional inquiries concerning the individual case be directed to the Office of the Legislative Assistant to the Commandant.

c. The office of the congressman be provided only such information as necessary for a response to the inquiry; i.e.:

Enclosure (1)

FOR OFFICIAL USE ONLY

(1) What charges have been preferred against the individual.

(2) Name of counsel provided to defend the individual concerned.

(3) Status of case. Whether trial has been completed, whether date for trial has been set or awaiting scheduling. If trial has been completed, the results of the trial, including the sentence.

NOTE: By keeping the congressional offices apprised of the status of the individual cases, it is believed that it would preempt any attempt to obtain information from the press or other media which might result in the release of erroneous or conflicting information.

5. As new inquiries are received from congressional offices, concerning individual cases, additional visits will be made and information provided as shown above.

FOR OFFICIAL USE ONLY

PROPOSED PUBLIC INFORMATION PLAN

Subj: Public Information Plan for VN incidents resulting in serious charges against Marines and Navy Corpsmen

1. The following procedures are proposed should press interest in the incidents develop:

a. That OSD(PA) officials be notified of the seriousness of the offenses but that all queries be handled by Marine Corps officials (ISO's).

b. That no release be made on these incidents or allegations but that responses only be made to queries.

c. That responses be made by Marine Corps officials at the level at which the query is received with regard to the involvement of specific individuals. In this connection, it is proposed that the Directors of MCD's be notified of the names, addresses of HOK, charges against, and name of appointed counsel for each individual named in the investigations. Further, that the proposed response, as stated below, be provided each District Director, CG III MAF, CG, FMFPac for the purpose of responding to this type of query:

"(Name of Marine/Corpsman) has been made a party to an investigation involving (charges) against Vietnamese civilians. A Marine lawyer (name of counsel) has been appointed to represent (Marine/Corpsman) in these proceedings."

"This investigation is being conducted by the Third Marine Amphibious Force in Vietnam and, in the interest of protecting the rights of the (Marine/Corpsman), no additional discussion on this matter is possible until after legal action has been completed."

2. If a general query on the overall seriousness of one or several of the incidents is received, it is proposed that CG FMFPac, CG, III MAF or HQMC respond to the query in language as follows:

Enclosure (2)

FOR OFFICIAL USE ONLY

"There have been some serious charges made against individual Marines/Corpsmen in Vietnam for offenses committed against Vietnamese civilians. These charges are now under investigation and upon completion of the investigation, appropriate legal or disciplinary action will be taken, if warranted. However, in the interest of protecting the rights of individuals concerned, no additional information can be provided until legal action has been completed. The individuals concerned have been provided with military lawyers to represent them in the investigative proceedings."

3. In order to be able to respond to press queries on this subject in the proposed manner, this Headquarters must be notified as soon as possible of any change in the status or charges of any individual named in the investigation. This information will be relayed to the appropriate District Director for his use in working with the local press.

Enclosure (2)

- (1) no release Congress notified (man)
- (2) no release Man Corp. sent d
- (3) Release by III MAF

(A) - no hold - but not time -

(Release not made)

(1) - Low key want work -

(2) - Hawaii can pick up -
(tigger)

(3) - Rights of accused

(4) - Cuban affair

(5) - 2 Lieut. affair
Patricia Malone 089430

Copy to Chief of Staff and DirInfo

(drafted by DirInfo)
(closely held)

10 Nov 1966

Lieutenant General Victor H. KRULAK, USMC
Commanding General
Fleet Marine Force, Pacific
c/o FPO, San Francisco, California 96601

Dear Brute:

The purpose of this letter is to bring to your personal attention a serious breakdown in the command-to-command notification of the very grave incidents involving personnel of III MAF. I refer, of course, to the atrocities allegedly committed against Vietnamese nationals by members of 1/5 and 3/7, and which are now either before a general court-martial or undergoing formal pre-trial investigation.

These matters first came to my attention when I was informed of a telephone call received at this Headquarters from a recruiting officer in the field. He had received a call from a mother of a Marine in Vietnam who had just received a letter from her son informing her that he and nine other Marines were being held for "wantonly killing Vietnamese civilians." A quick check of the cognizant staff sections at this Headquarters elicited the fact that no one here knew anything about the case. Consequently, a priority message 042345Z OCT (C), was sent to your Headquarters with information copies to III MAF and 1stMarDiv requesting information on the allegations. Our records indicate that no reply to that message was ever received, and subsequently my first official information on either case came on 26 October, when a copy of the completed investigation on the 1/5 case was received at Headquarters Marine Corps.

I'm sure that you are aware, Brute, that I must keep our civilian superiors informed of these matters as soon as information can be provided and, in this regard, MCO 05740.2 applies.

CMC FILE COPY (Code A)

Both the Secretary and the Under Secretary have been most upset recently about not being informed of tragic accidents in the Navy and, of course, these serious Marine Corps cases have just added fuel to the fire.

Best regards,

Wally

P.S.

What troubles me as much as the nature of the cases and the resulting public relations problem for the Marine Corps and our country is the failure to notify on the part of the general officers concerned. Ask -

- (1) - Who was the general officer(s) commanding the division(s)?
- (2) Did he comply with MCO 35748.2?
- (3) If not, why not?
- (4) Did the Division Commander command notify C 311 MAF?
- (5) Have COMUSMACV and CINCPAC been notified?
- (6) - Why was no reply made to MacGys priority message 042345Z Oct (C) sent to your Hq?

I am involved in a major way today in the handling of this problem with the Secretary of Navy and Secretary of Defense.

We will send you information as it develops here. I intend to pursue this matter further with the division commanders.

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CI ZENAS05ECF210

PP RUECEM
DE RUMLOP 04223 3310658
ZNY CCCCC
P 270658Z NOV 65
FM CG FMFPAC
TO RUECEM/CMC
BT

CONFIDENTIAL

REPLIES TO PRESS QUERIES CONCERNING ADVERSE INCIDENTS (U)

1. FOLLOWING ARE SPECIMEN REPLIES TO PRESS INQUIRIES ON SERIOUS INCIDENT CASES, SUCH AS THOSE WHICH ARE NOW IN SOME PHASE OF INVESTIGATION OR TRIAL IN III MAF. OBVIOUSLY, THE STATUS OF EACH CASE WILL CHANGE WITH THE PASSAGE OF TIME; HOWEVER THESE ARE SUBMITTED FOR YOUR CONSIDERATION AS A GENERAL PATTERN TO BE FOLLOWED IN RESPONDING TO PRESS INQUIRY, WHEN AND IF INQUIRY OCCURS, IN CONNECTION WITH SUCH HAPPENINGS.

2. SAMPLE QUERIES AND RESPONSES:

A. QUERY: WHAT IS BEHIND THE RUMOR ABOUT ONE OF YOUR MARINE PATROLS SHOOTING UP A VILLAGE, RAPING, MURDERING, AND PILLAGING LAST SEPTEMBER?

RESPONSE: SUCH A REPORTED INCIDENT IS UNDER INVESTIGATION. WE ARE HOLDING SEVERAL MARINES UNTIL A FORMAL INVESTIGATION DETERMINES WHETHER THE FACTS WARRANT COURT MARTIAL.

CONFIDENTIAL

270658Z

B-6120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

QUERY: WHO ARE THE MARINES INVOLVED?

RESPONSE: TO PROTECT THEIR OWN INTERESTS, AS WELL AS THOSE OF THE GOVERNMENT, WE CANNOT RELEASE THEIR NAMES UNTIL AND UNLESS THEY ARE BROUGHT TO TRIAL. THE DEGREE OF ALLEGED IMPLICATION OF THE INDIVIDUAL MARINES HAS NOT YET BEEN DETERMINED. I CAN TELL YOU, HOWEVER, THAT EACH OF THE MEN INVOLVED IS REPRESENTED BY EITHER MARINE OR NAVY LAWYER COUNSEL.

QUERY: WHAT ARE THE ACCUSATIONS?

RESPONSE: THEY ARE ALLEGATIONS AT THIS TIME; - - NOT YET ACCUSATIONS. THEY INCLUDE ALLEGATIONS CONCERNING MURDER OF FIVE VIETNAMESE CIVILIANS, RAPE OF TWO WOMEN, BURGLARY OF SEVERAL HOMES, ASSAULT OF A NUMBER OF VIETNAMESE CIVILIANS, BUT THE ALLEGATIONS ARE NOT YET SUBSTANTIATED.

QUERY: WHAT CAN YOU SAY REGARDING ANOTHER CASE IN WHICH IT IS REPORTED THAT THREE MEMBERS OF A MARINE PATROL ARE CHARGED WITH MURDER - - ALSO FROM LAST SEPTEMBER?

RESPONSE: THIS IS CORRECT. THE INVESTIGATION HAS BEEN COMPLETED AND THE THREE MARINES WILL GO ON TRIAL BY GENERAL COURT MARTIAL ON OR ABOUT DECEMBER 19, 1966.

PAGE 3 RUHLBP 4223 C O N F I D E N T I A L

QUERY: WHAT HAPPENS IF THEY ARE CONVICTED?

RESPONSE: THE MAN OR MEN CONVICTED WOULD BE TRANSFERRED FROM THE DETENTION FACILITY HERE TO THE U. S. NAVAL DISCIPLINARY BARRACKS AT PORTSMOUTH, NEW HAMPSHIRE. A NAVY BOARD OF REVIEW WOULD ACT NEXT ON THE CASE, AND THE CONVICTED HAVE SEVERAL ADDITIONAL AVENUES OF APPEAL AFTER THAT.

QUERY: THE ASSOCIATED PRESS BACK IN SALINAS, KANSAS, QUOTES A MOTHER AS SAYING HER SON, PFC JOHN X. DOUGH, IS BEING TRIED ON A MURDER CHARGE. IS THIS CORRECT?

RESPONSE: HE IS BEING TRIED.

QUERY: ARE THERE ANY OTHERS BEING TRIED FOR THE SAME OFFENSE?

RESPONSE: YES. TWO OTHERS. THEIR NAMES ARE:

QUERY: THREE OF YOUR MARINES WERE CONVICTED OF RAPE BACK IN AUGUST AND THEIR SENTENCES HAVE NOW BEEN APPROVED BY A NAVY BOARD OF REVIEW. WHY WAS THIS NOT MADE PUBLIC IN AUGUST?

RESPONSE: NOBODY ASKED. WITH A WAR GOING ON, IT DID NOT SEEM TO BE VITAL NEWS WHICH WE SHOULD ACTIVELY SEEK TO

CONFIDENTIAL

DEPARTMENT OF THE NAVY

HEADQUARTERS UNITED STATES MARINE CORPS

WASHINGTON, D. C. 20380

CONFIDENTIAL

PUBLICISE, SINCE IT IS UNQUESTIONABLY OF USE TO THE ENEMY. BUT IT WAS NOT KEPT SECRET. AS IN ALL SUCH CASES, IT WAS PROMULGATED TO TROOPS THROUGHOUT THE DIVISION. FOR SOUND DISCIPLINARY REASONS WE WANT EVERY MARINE TO GET THE WORD CONCERNING SERIOUS ACTS OF MISBEHAVIOR.

QUERY: ARE YOU HAVING A RASH OF SUCH MAJOR INCIDENTS?

RESPONSE: NO. THE GREAT BULK OF OUR MARINES IN VIETNAM ARE WELL-DISCIPLINED AND WELL-BEHAVED. THERE ARE ACTUALLY FEWER SUCH CASES NOW, IN PROPORTION TO OUR PRESENT STRENGTH OF 62,000, THEN THERE WERE SOME MONTHS AGO, AND FEWER THAN IN A PEACETIME ENVIRONMENT.

QUERY: COULD I HAVE A LIST OF ALL SUCH CASES AND THE COURT-MARTIAL FINDINGS FOR THE LAST SIX MONTHS?

RESPONSE: WE CANNOT RELEASE STATISTICS ON DISCIPLINARY CASES. ONLY THE SECRETARY OF THE NAVY HAS THAT AUTHORITY.

3. THE FOREGOING SPECIMEN QUERIES AND RESPONSES GENERALLY COVER THE VARIED SITUATIONS WHICH WE ARE NOW FACING, AND ARE CONSIDERED TO BE RESPONSIVE TO THE FOLLOWING BASIC PRINCIPLES:

A. INFORMATION ON SERIOUS CRIMES WILL NOT BE VOLUNTEERED

PAGE 5 RUHLBP 4223 C O N F I D E N T I A L
TO THE PRESS.

B. IF QUERIED BY THE PRESS, RESPONSES WILL BE LIMITED BY THE NECESSITY TO PROTECT THE INTEREST OF ANY ACCUSED OR POTENTIAL ACCUSED. SPECIFICALLY:

(1) THE REPORT OF AN OCCURRENCE MAY BE CONFIRMED, BUT NOT THE CERTAINTY OF THE OCCURRENCE.

(2) THE FACT THAT MATTERS WHICH ARE THE SUBJECT OF PRESS INQUIRY ARE UNDER INVESTIGATION MAY BE CONFIRMED.

(3) THE NAMES OF PERSONS INVOLVED IN AN INVESTIGATION MAY NOT BE DIVULGED OR CONFIRMED.

(4) THE FACT THAT TRIAL IS IN PROGRESS, CONCERNING AN INCIDENT UNDER PRESS INQUIRY, MAY BE CONFIRMED, ALONG WITH THE GENERAL NATURE OF THE TRIAL AND THE NAMES OF ACCUSED, IF REQUESTED.

(5) AT ALL PHASES OF INVESTIGATION AND/OR TRIAL, PRESS INQUIRIES SHOULD BE MET WITH THE INFORMATION OUTLINED IN THE PRECEDING SUB-PARAGRAPHS ONLY, PLUS THE CATEGORIC ASSURANCE

PAGE 6 RUHLBP 4223 C O N F I D E N T I A L
THAT, AT SUCH TIME AS THE INTERESTS OF THE ACCUSED WILL NOT BE JEOPARDIZED BY PUBLICITY, THE PRESS WILL BE KEPT INFORMED.

4. YOUR CONCURRENCE IS REQUESTED IN THE FOREGOING APPROACH TO MEETING PRESS PROBLEMS IN THE SERIOUS CRIMES AREA.

GP-4
BT

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

XNZCZCWN667VV YVNA129
 PP WND
 DE DDKE 2104 3310116
 ZNY CCCCC
 P 272116Z NOV 66
 FM CG III MAF
 TO ZEN/CG FIRST MARDIV
 ZEN/CG FIRST MAW
 ZEN/CG THIRD MARDIV
 ZEN/CG FORLOGCOMD
 INFO YVNA/CG FMFPAC
 WND/CMC

BT

CONFIDENTIAL PERSONAL FOR MGEN NICKERSON, MGEN ROBERTSHAW, MGEN KYLE AND BGEN HERBOLD INFO GEN GREENE AND LTGEN KRULAK FROM LTGEN WALT.

OUR NUMBER ONE PROBLEM

1. I KNOW THAT ALL OF YOU ARE DEEPLY CONCERNED AND ARE TAKING THE ACTIONS YOU CONSIDER APPROPRIATE TO MEET THE PROBLEMS REFLECTED IN THE SHARP RISE OF SERIOUS INCIDENTS WITHIN YOUR COMMANDS. IN PLANNING YOUR EFFORTS, THE FOLLOWING OBSERVATIONS AND SUGGESTIONS APPEAR TO ME TO BE WORTHY OF YOUR CONSIDERATION.

2. IT IS AN OVER SIMPLIFICATION TO LAY THE BLAME ON THE QUALITY OF OUR LEADERSHIP, AT LEAST NOT AS A BLANKET INDICTMENT AS IT IS USUALLY

PAGE TWO DDKE 2104 CONFIDENTIAL
EMPLOYED. I BELIEVE, HOWEVER, THAT PERHAPS THE FOCUS OF OUR LEADERSHIP HAS BEEN TOO SHARPLY CONCENTRATED ON OUR OPERATIONAL PROBLEMS AND WE MAY NEED TO REORIENT AND BROADEN THIS FOCUS TO DEVOTE MORE TIME AND ATTENTION TO THE TRAINING OF OUR YOUNGER, LESS MATURE LEADERS AND TO MORE EYE BALL TO EYE BALL TALKS WITH ALL OUR TROOPS. WE HAVE BEEN

THROUGH A PERIOD OF ACUTE SHORTAGES IN OUR COMPANY OFFICERS, WE HAVE HAD TO RELY FREQUENTLY UPON INEXPERIENCED NON-COMMISSIONED OFFICERS IN POSITIONS OF GREAT RESPONSIBILITY. TO OVERCOME THE EFFECTS OF THIS, WE NEED A PERIOD OF INTENSIVE PERSONAL EFFORT BY OUR MATURE, EXPERIENCED OFFICERS AND NONCOMMISSIONED OFFICERS TO COUNSEL AND TRAIN THEIR JUNIORS. FORMAL SCHOOLS ARE NOT PRACTICAL IN OUR PRESENT TACTICAL DISPOSITIONS, BUT FREQUENT INFORMAL SESSIONS ARE POSSIBLE AND OFFER POTENTIALLY RICH REWARDS. WE NEED DISCUSSIONS OF SUCH FUNDAMENTAL SUBJECTS AS ARE ILLUSTRATED IN THE MATERIAL PUBLISHED IN CONNECTION WITH THE PERSONAL RESPONSE STUDY. RECENT EVENTS OFFER CONVINCING EVIDENCE THAT THE GENERAL ATTITUDE TOWARD THE VIETNAMESE PEOPLE IS MANIFESTLY POOR AND MUST BE CHANGED. THERE ARE ALSO STRONG INDICATIONS THAT WE NEED PERSONAL ATTENTION TO THE RESPONSIBILITIES OF LEADERSHIP AND VIGOROUS EFFORTS TO WEED OUT THOSE WHO ARE INEFFECTIVE.

3. IN COORDINATION WITH THESE EFFORTS, I BELIEVE WE CAN ELIMINATE SOME

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

OF OUR FUTURE PROBLEMS BY SCREENING OUR COMMANDS TO SEPARATE THOSE MEN WHOSE RECORDS DEMONSTRATE THEIR UNFITNESS OR UNSUITABILITY FOR RETENTION, PARTICULARLY AT A TIME WHEN THE DEMANDS OF OQY SERVICE CALL FOR SELF DISCIPLINE IN A GREATER MEASURE THAN EVER BEFORE. TO ILLUSTRATE THE POINT, ONE OF OUR MEN WHO IS FACING TRIAL FOR MURDER HAS SIX NONJUDICIAL PUNISHMENTS IN HIS RECORD. TRUE, THERE ARE OTHERS FACING SERIOUS CHARGES WHO HAVE NO DISCIPLINARY RECORDS, BUT JUDICIOUS SCREENING MAY ELIMINATE SOME OF OUR POTENTIAL PROBLEMS.

4. A MORE CAREFUL EXAMINATION OF OUR DISCIPLINARY REPORTS AND INCREASED EFFORTS TO MAKE OUR TRIALS AND PUNISHMENTS AS PROMPT AS WE CAN MAKE THEM, WITHIN THE LAW, OFFERS ANOTHER AREA FOR ATTACK AGAINST A SITUATION THAT WE ALL RECOGNIZE IS NOT GOING TO BE RESOLVED BY ANY ONE MAGIC FORMULA.

5. I CANNOT BELIEVE THAT OUR MEN FULLY UNDERSTAND AND APPRECIATE HOW DISASTROUS THEIR SOMETIMES THOUGHTLESS ACTIONS CAN BE TO OUR EFFORTS HERE. ONE MAN, THROUGH CRIME, OR JUST PLAIN WANTON DISREGARD OF HUMAN DIGNITY, CAN UNDO IN A FEW MINUTES THE PROLONGED EFFORTS OF A REINFORCED BATTALION. WE MAKE PROPAGANDA FOR THE ENEMY WITH EVERY HEEDLESS ACT TOWARD THE VIETNAMESE AS A PEOPLE AND AS INDIVIDUALS. AT THE SAME TIME, WE UNDO ALL THE GOOD THAT HAS BEEN DONE. WE MUST GET THIS

PAGE FOUR DDKE 2104 C O N F I D E N T I A L
MESSAGE ACROSS.

GP-4

BT

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

JH

NNNNXXXXXXXXXXXXXXXXXXXXXEMB775EC1892

PP RUECEM

DE RUMNMF 2012 3290738

ZNY NCCCC

P 250738Z NOV 66

FM CG III MAF

TO RUECEM/CMCN

INFO RUHLBP/CG FMFPAC

BT

C O N F I D E N T I A L

SERIOUS INCIDENT REPORT

1. MCO 05740.2

B. CG FMFPAC 171906Z NOV 66

1. CG FMFPAC 240204Z NOV 66

D. TELECON C/ 888 -1 59 ://S FMFPAC 251105H NO 66

1. FOLLOWING CONFICMS REF D.

2. AT 231930H NOV 66, FOUR UNIDENTIFIED MARINES OF SC. C 1/2 ARE ALLEGED TO HAVE ENTERED PRIVATE HOME ON VILLAGE OF KHE SANH AND SEXUALLY MOLESTED TWO WOMEN OCCUPANTS. WOMEN INVOLVED ARE WIVES OF LOCAL CIVIL IREGULAR DEFENSE GROUP (CIDG). MARINES ALSO ALLEGED TO HAVE THREATENED ELDERLY MAN AT RIFLE POINT.

3. INVESTIGATION STILL IN PROGRESS

GP-4

BT

A

25 NOV 66 1313Z

①
AR
AG
AD
A

250738Z

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

OYUHEMB703LPA727

PP RUECEM
DE RUMNMF 2013 3290736
ZNY CCCCCN
P 250736Z NOV 66
FM CG III MAF
TO RUECEM/CMCN
INFO RUHLBP/CG FMFPAC
BTC O N F I D E N T I A L
SERIOUS INCIDENT REPORT
MCO 05740.2B. CG FMFPAC 171906Z NOV 66
C. CG FMFPAC 240204Z NOV 66
D. TELCON C/S III MAF TO C/S FMFPAC 251105H NOV 66

1. FOLLOWING CONFICMS REF D.

2. AT 241800H NOV 66, MARINES RIDING IN TRUCK MOVING SOUTH ON ROAD FROM RED BEACH AT INTERSECTION OF HIGHWAY 1 AND 18, BT 985884, ALLEGEDLY COMMENCED FICING INTO NGA BA HUE HAMLET. VIETNAMESE NATIONAL POLICE GAVE CHASE. ONE POLICEMAN REPORTED SHOT WHILE PURSUING TRUCK. ONE VIETNAMESE KILLED AND TWO OTHERS WOUNDED. TRUCK WAS STOPPED BY MP AND FOUR SUSPECTS APPREHENDED:

LCPL S.W. BORROW, 2131007, USMCN
LCPL T.H. ESPINZA, 1968939, USMCNPAGE TWO RUMNMF 2013 C O N F I D E N T I A L
LCPL J.D. WIDENER, 2128450, USMC
PVT D.R. COLLARD, 2168551, USMC ALL OF 7TH MT BN.
3. SUSPECTS IN COUSTODY.
4. INVESTIGATION IN PROGRESS.
5. POPULACE ANGERED.GP-4
BT250736 1115Z
D
AR
AG
AD
A

A

CONFIDENTIAL

2507362

B-0120

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

MESSAGE REPRODUCTION FORM (2100)
NAVMC HQ 534 (REV. 12-65)

NNNN*:22,575ICA296VZCZCPH0213V MFP608

PP RUECEM

DE GKMNMF 2014 3290734

ZNY CCCCC

P 250734Z NOV 66

FM CG III MAF

TO RUECEM/CMC

INFO RUHLBP/CG FMFPAC

BT

OEONNTFIIA L

SERIOUS INCIDENT REPORT

A. MCO 05740.2

B. CG FMFPAC 171906Z NOV 66

C. CG FMFPAC 240204Z NOV 66

D. TELCON C/S III MAF TO FMFPAC C/S 251105H NOV 66

JMJ FOLLOWING CONFIRMS REF D.

2. PFC CHARLES E. FERGUSON 2099611, USMC, UNDER ARREST FOR ALLEGED RAPE AND MURDER WHICH OCCURED AT 241330H NOV 66, IN AN HOA RVN, AT 875473 VICTIM AZS TRAN THI BON, 39 YEAR OLD WOMAN.

3. AT APPROXIMATELY, 1330, 24 NOV, MR. TAN, VIETNAMESE DIRECTOR OF AN HOA INDUSTRIAL COMPLEX, REPORTED TO CO, 3/9 THAT A MARINE HAD KIDNAPPED A VIETNAMESE FEMALE AND HAD TAKEN HER TO A HOUSE IN THE AREA. BN SGT MAJ, ACCOMPANIED BY A MEDICAL OFFICER, WENT IMMEDIATELY TO HOUSE DESIGNATED BY MR. TAN. AS THEY ARRIVED, FERGUSON RAN FROM

PAGE TWO RUNNMF 2014 C O N F I D E N T I A L

THE HOUSE AND SAS APPREHENDED BY THE SGT MAJ. THE SGT MAJ ENTERED THE HOUSE AND VICTIM WAS FOUND SAVAGELY BEATEN, APPARENTLY RAPED, LYING OF THE FLOOR. SHE DIED SHORTLY THEREAFTER. BODY TRANSPORTED TO NSA HOSPITAL, DANANG. AUTOPSY WILL BE PERFORMED.

4. CIVIL POPULACE EXPECTED TONNE ANGRY.

5. 3D BN, 9TH MARINES INVESTIGATING.

GP-4

BT

250734Z

CONFIDENTIAL

MESSAGE REPRODUCTION FORM
NAVMC HQ 547-ADM (6-66)

MESSAGE REPRODUCTION FORM
NAVMC HQ 547-ADM (6-66)

28 MAR 66 15 51
 (D)
 AR
 AC
 AD
 AR

BT

DK	DL	DM	DN	DP	DS

☆ U.S. GOVERNMENT PRINTING OFFICE : 1966 O-224-600

DECLASSIFIED

SECRETDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CMC	<i>Has</i>	
<u>ACMC</u>		<i>h</i>
MILSEC		
CofS	<i>Has</i>	
DC/S(P&P)	<i>Has</i>	
SGS		

**RETURN
TO
MCCC**MARINE CORPS
COMMAD CENTER
NOV 25 17 55 '66

NNNNWZCZCWWN593ICA317VZCZCPHO255VV MFP682

PP RUECEM

DE RUMNMF 2779D 3281315

ZNY SSSSS

P 241315Z NOV 66ZFD

FM CG THIRD MARDIV

TO RUECEM/CMC

INFO RUHLBP/CG FMFPAC

BT

SECRETPOSSIBLE SERIOUS INCIDENT

A. MCO 05740.2

1. IAW REF A, THE FOLLOWING REPORT IS SUBMITTED:

A. NATURE OF INCIDENT: ALLEGED MOLESTING OF TWO FEMALES
ON 23NOV66.B. NUMBER OF MARINE CORPS PERSONNEL INVOLVED: FOUR,
HOWEVER, SEE NARRATIVE SUMMARY BELOW.

C. UNIT: 1STBN, 3DMAR, 3D MARDIV.

D. NATIONAL OR INTERNATIONAL SIGNIFICANCE. UNDETERMINED
AT THIS TIME.2. NARRATIVE SUMMARY: IT IS ALLEGED THAT FOUR MARINES ENTERED
A PROVATE HOME VIC. KHE SANH, RVN, AND SEXUALLY MOLESTED TWO
FEMALE OCCUPANTS. IT IS FURTHER ALLEGED THAT AN ELDERLY MAN
PRESENT WAS THREATENED AT GUNPOINT. THE IDENTITY OF THE PERSONS
INVOLVED HAS NOT BEEN ESTABLISHED.PAGE TWO RUMNMF 2779D **SECRET**3. THE COMMANDING OFFICER, 1STBN, 3DMAR HAS ORDERED AN
INVESTIGATION.SUBSEQUENT REPORT WILL BE MADE UPON COMPLETION OF
THE INVESTIGATION.

BT

25 NOV 66 17 55

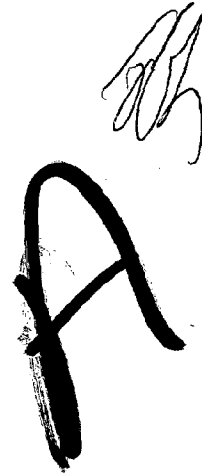
D
AR
AG
AD
A

24

13

15

SECRET

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**CONFIDENTIAL**


EMB20RECD396

PP RUECEM
DE RUABQL 1151B 3262010
ZNY CCCCC
BT

CONFIDENTIAL SVC
 ZUI RUABQL 11251 3260207 220207Z NOV66. H/W ZDK
 PP RUECEM
 DE RUABQL 1125B 3260207
 ZNY CCCCC
 P 220207Z NOV 66
 FM CG NINTH MAB
 TO RUECEM/CHC
 INFO RUHLBP/CG FMFIAC
 ZEN/CG FMFPAC (FWD)
 ZEN/CAMP BUTLER
 ZEN/RLT TWENTY SIX
 ZEN/PROV SERV BN
 BT

CONFIDENTIAL
REPORT OF SERIOUS INCIDENTS

A. MCO 05740.2

1. FOL INCIDENT RPTS SLB IN ACCORD REF A. INCIDENT RPTS FORWARDED TO
 CG FMFPAC BY CG CAMP BUTLER BUT WERE NOT SUBMITTED IN ACCORD REF (A)
 DUE TO A PROCEDURAL ERROR WITHIN THIS HQS WHICH HAS BEEN CORRECTED.

A. APPROX 301700I AUG66 LSG-26, 25T TRACTOR TRLR COLLIDED WITH CIVILIAN
 BUS APPROX 4 MILES NORTH CAMP HANSEN. TWO RYUKYUAN PASSENGERS KILLED.
 ONE RYUKYUAN PASSENGER RECD MAJOR INJURIES. REMAINDER OF PASSENGERS WERE
 UNINJURED OR RECD ONLY MINOR INJURIES. MARINE DRIVER OF SEMI-TRLR SUS-
 TAINED MINOR INJURIES.

0 FOR 01
 AR
 AD
 AG
 A
 22Z

PAGE TWO ENABOL

CONFIDENTIAL

220207Z

R-0320

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS

WASHINGTON, D.C. 20380

CONFIDENTIAL

(1) INFO SERVS AND COMMUNITY RELATIONS HAVE BEEN PURSUED AGGRESSIVELY. FACTUAL RELEASE MADE LOCAL NEWS MEDIA IN COORD WITH CINCPACREPRY INFO COORDINATOR. LOCAL MEDIA COVERAGE AT TIME OF ACCIDENT ROUTINE. SUBSEQUENT INTEREST NEGLIGIBLE. CONDOLENCE CALLS MADE BY FEP OF UNIT CONCERNED.

(2) FOREIGN CLAIMS RESULTING FROM COLLISION BEING PROCESSED AND SETTLED IAW ESTAB PROCEDURES.

(3) DRIVER TRIED AND ACQUITTED BY SPCM FOR VIOL 1CMJ ART 134, NEGLIGENT HOMICIDE.

B. APPROX 270932Z OCT66 ONE ROUND 90MM WP MK 3W3 RICOCHETED FROM CAMP BUTLER HANSEN IMPACT AREA AND IMPACTED ON PRIVATE PROPERTY IN ONNA VILLAGE. MINOR PROPERTY DAMAGE SUSTAINED. AND NO PERSONNEL INJURIES.

(1) REPORTS IN JAPANESE-LANGUAGE PRESS SUBSEQUENT TO INCIDENT REFLECTED AGITATION IN ONNA VILLAGE AND SOME GROUP EFFORT TO ORGANIZE PROTEST. EFFORTS CULMINATED IN VISIT OF 9-MAN DELEGATION LEAD BY MAYOR OF ONNA AND CHAIRMAN OF ONNA VILLAGE COUNCIL TO HQS, CAMP BUTLER.

(2) DELEGATION WAS MET BY OFFICER OF CAMP BUTLER STAFF WHO ACCEPTED WRITTEN PROTEST AND DISCUSSED ITS CONTENTS. PROTEST DETAILED 26 INCIDENTS OF ORDNANCE IMPACTING INTO ONNA VILLAGE SINCE 1957; OUTLINED ANXIETY OF VILLAGERS AWAITING THE IMPACT OF NEXT ROUND; AND THAT ANXIETY NOT ASSUAGED BY THE FACT THAT NO FATALITIES HAVE OCCURED AS

PAGE THREE RUABQL 1125B C O N F I D E N T I A L

Y. IT CONCLUDED WITH A DEMAND FOR ACTION THAT WOULD RESULT IN ELI7 MINORATING ONNA VILLAGE AS IMPACT AREA.

(3) MAYOR AND HIS DELEGATION WERE INVITED TO VISIT CAMP HANSEN RANGE ON 11 NOV. DELEGATION ACCEPTED INVITATION IMMEDIATELY. DURING VISIT THEY OBSERVED FIRING POINTS AND WERE GIVEN EXPLANATION OF SAFETY PRECAUTIONS BY CAMP BUTLER RANGE PERSONNEL. VISIT WAS CONCLUDED AMICABLY.

(4) THE FOLLOWING ACTION HAS BEEN TAKEN BY THIS COMMAND AND/OR CAMP BUTLER.

(A) ALL DIRECT FIRE (90MM, 106MM AND ARTILLERY) HAS BEEN TEMPORARILY SUSPENDED ON THE CAMP HANSEN IMPACT AREA. DIRECT FIRE WILL CONTINUE AT CAMP SCHWAB AND IN THE NORTHERN TRAINING AREA.

(B) CAMP BUTLER RANGE REGULATIONS ARE BEING REVIEWED WITH A VIEW TOWARD IMPROVING SAFETY. RECOMMENDED CHANGE WILL BE FORWARDED TO CAMP BUTLER BY THIS HQS.

(C) NINTH MAB RANGE INSTRUCTIONS ARE BEING REVIEWED WITH THE SAME OBJECTIVE AS ABOVE.

(D) FEASIBILITY OF MORE EXTENSIVE USE OF THE CAMP FUJI GUN TANK RANGE IS BEING STUDIED.

2. ANTICIPATE THIS FINAL REPORT ABOVE INCIDENTS AS OTHER THAN ROUTINE COMPLETION OF CLAIMS PROCESSING FURTHER ACTIVITY NOT EXPECTED.

GP-4

BT

CONFIDENTIAL

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

MESSAGE REPRODUCTION FORM (2100)
NAVMC HQ 534 (REV. 12-65)

Nov 21 23 10 '66 *Asia*

PP RUWDFH RUCKER
DE RUECEM 134 3252114
ZNY CCCCC
P 212114Z NOV66
FM CMC
TO RUWDFH/CG MARCONE CAMPEN
RUCKER/CG MARCONE CAMLEJ
BT

CONFIDENTIAL
PERSONAL CONDUCT IN RVN (C)

- A. FIVECON OF 18NOV66 BETWEEN AC/S G-3 REP MCB CAMPEN AND LTCOL E.W. HANLON, HQMC
- B. FIVECON OF 21NOV66 BETWEEN AC/S G-3 MCB CAMLEJ AND LTCOL E.W. HANLON, HQMC
1. FOL CONFIRMS AND AMPLIFIES REF A AND REF B
2. IMMEDIATE UPON RECEIPT HEREOF, THEATER ORIENTATION TRNG CONDUCTED AT THE STAGING BN MCB CAMPEN AND ICT CONDUCTED BY THE ITR'S WILL INCLUDE INSTN IN PERSONAL CONDUCT IN RVN
3. SUCH INSTN SHOULD INCLUDE FOL TEACHING POINTS:
- A. RESPECT FOR LIVES AND PROPERTY OF CIVILIANS
 - B. ACTS OF VIOLENCE ARE VIOLATION OF UCMJ
 - C. WANTON DESTRUCTION OF PROPERTY; INJURY OR DEATH OF CIVILIAN PERS MILITATES AGAINST EFFECTIVE INTEL EFFORTS

PAGE TWO RUECEM 134 **CONFIDENTIAL**

D. ANIMOSITY BETWEEN US FORCES AND RVN POPULATION MATERIALLY CONTRIBUTES TO DEFEAT OF US AIMS

E. AGGRESSIVE LEADERSHIP AT ALL LEVELS OF COMB IS NECESSARY IN ORDER TO PROTECT THE LIVES AND PROPERTY OF FRIENDLY FOREIGN NATIONALS

GP-4

BT

CMC	<i>huc</i>	<i>(4)</i>
ACMC	<i>Copy</i>	
MILSEC		
<i>(CoIS)</i>	<i>Copy</i>	
DC/S(PGP)	<i>huc</i>	
SGS	<i>C</i>	<i>82</i>

RETURN

TO

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**A**

XZCZCWWN 303H0629 MFP791
 PP RUECEM
 DE RUMNMF 2285D 251107
 ZNY CCCCC
 P 211107Z NOV 66
 FM CG THIRD MARDIV
 TO RUECEM/CMC
 INFO RUHLBP/CG FMFPAC
 ZEN/CG III MAF
 BT

C O N F I D E N T I A L
 SERIOUS INCIDENT REPORTS (U)
 A. CG FMFPAC 172052Z NOV 66
 B. CG FMFPAC 180501Z NOV 66
 C. MCO 05740.2

D. CG THIRD MARDIV 100319Z NOV 66
 E. CG THIRD MARDIV 120353Z NOV 66
 F. CG THIRD MARDIV 170546Z NOV 66

1. REF A DIRECTED A REPORT OF EVERY INCIDENT WITHIN THE PURVIEW OF REF C UPON WHICH FULL INFORMATION HAS NOT BEEN PROVIDED CMC AND CG FMFPAC. THE SCOPE OF REF C IS NOT CLEARLY UNDERSTOOD AS RESPECTS THE DEFINITION OF A "SERIOUS INCIDENT". INTERPRETING CASES OF NATIONAL OR INTERNATIONAL IMPLICATIONS" AT SET FORTH IN REF C, AS THOSE WHICH WOULD BE TRIED BY GCM, THIS REPORT IS SO ORIENTED.

23 NOV 66 0120Z
 D FORD
 AM
 AG
 AD
 A

CONFIDENTIAL**211107Z**

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

2. ALL ADDEES ARE ON DISTRIBUTION OF CMOS FROM THIS COMMAND. THE FIRST GCM CMO ISSUED IN 1965 BY THIS COMMAND IN VIETNAM WAS ON 8 SEP 1965 - A TOTAL OF 20 GCM CMOS WERE ISSUED IN 1965. THUS FAR, 44 GCM CMOS HAVE BEEN ISSUED IN 1966. ASSUMING THAT CMOS IN THE HANDS OF ADDEES ADEQUATELY FURNISH THE INFORMATION DESIRED CONCERNING SERIOUS INCIDENTS, THE FOLLOWING INFORMATION IS SUBMITTED REGARDING CASES NOW PENDING:

- A. PVT TERRY LEE WILSON 2156065 USMC. REFS D AND E APPLY.
- B. PVT JIMMIE L GOODMAN 2141624 USMC. REF F APPLIES. ARTICLE 2 SCHEDULED 21NOV66.
- C. CPL LINWOOD R NEWBY JR., 2090057 USMC. CHARGED VIOLATION ART 119 (BY CULPABLE NEGLIGENCE KILL TRUONG DUC CHAU, A VIETNAMESE NATIONAL BY SHOOTING HER WITH AN M-14 RIFLE ON 4AUG66). TRIED BY GCM 1NOV66. NOT GUILTY.
- D. PFC COURTNEY A MOORE 2177800 USMC. CHARGED VIOLATION ART 118 (MURDER LCPL JAMES T BAYNE USMC BY SHOOTING HIM ON 18SEP66 WITH M-14 RIFLE). TRIED GCM 27OCT66 CONVICTED VOLUNTARY MANSLAUGHTER. SENTENCE APPROVED BY CA: BCD CHL 1 YR PARTIAL FORFEITURES REDUCTION E-1.
- E. LCPL JOHN C LANPHEAR 2099160 USMC, CHARGED VIOLATION ART 119 (BY CULPABLE NEGLIGENCE KILL LCPL DANIEL T FLOWERS 2169948 USMC ON

PAGE THREE RUMNMF 2285D C O N F I D E N T I A L
28OCT66 BY SHOOTING HIM WITH M714 RIFLE). CO RECON BN CONVENED ART 32 INVES 19NOV66.

- F. HM3 RONALD L GARRETT 7943562, U.S. NAVY, CHARGED VIOLATION ART 119 (BY CULPABLE NEGLIGENCE KILL LCPL ROBERT W. KRALL USMC BY SHOOTING HIM WITH A .45 PISTOL ON 17OCT66. TRIAL GCM SCHEDULED 29NOV66.
- G. LCPL ROBERT F WADE 2132269 USMC, FLSU72, ATTACHED 1ST BN, 3D MARINES, CHARGED VIOLATION ART 119 (BY CULPABLE NEGLIGENCE KILL LCPL JAMES W. WASHKUH 2135294 USMC ON 8NOV66 BY SHOOTING HIM WITH M-14 RIFLE). CO 1ST BN 3D MARINE'S CONVENED ART 2 ON 14NOV66.

3. FOLLOWING SPCM, TRIED 14NOV66 BY 1ST BN D MARINES, USING LAWER COUNSEL:

- A. LCPL GREGORY A THOMPSON 2143288 USMC, CONVICTED VIOLATION 119, (BY CULPABLE NEGLIGENCE KILL PFC DONALD DINGLEDEIN 2201412 USMC BY SHOOTING HIM ON 14SEP66 WITH M71 CARBINE). SENTENCE: 4 MO CHL; FOR FEIT 2/3 PAY/MO FOR 4 MO; REDUCTION TO E71.
- 4. IAW REF B, SPDLTR REPORT IN SAME FORMAT AS ABOVE WILL BE SUBMITTED RECAPING ALL GCM CMOS ISSUED SINCE 8SEP65.

GP-4
BT**CONFIDENTIAL**

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**RETURN
TO
MCC**AR
AG
AD
A

542

CMC	
ACMC	<i>Not</i>
MILSEC	<i>Not</i>
CoIS	<i>Not</i>
DC/S(P&P)	<i>Not</i>
SGS	

PP RUECEM
DE RUMNL 2728E 3250529
ZNY CCCCC
O P 210529Z NOV 66
FM CG FIRST MARDIV
TO RUECEM/CMC
8, 19 47 370/CG FMFPAC (K009)
ZEN/CG III MAF
BT

CONFIDENTIAL
SERIOUS INCIDENT REPORTS (U)
A. CG FMFPAC 172052Z NOV 66
B. MCO 0V540.2
C. CG FMFPAC 180501Z NOV 66

WOM IN ACCORDANCE WITH THE DIRECTIVE CONTAINED IN PARA 2 OF REF A THE FOLLOWING INFORMATION SUBMITTED IN COMPLIANCE WITH REFERENCE B. CASES OF "NATIONAL OR INTERNATIONAL INTEREST" IS CONSIDERED TO MEAN THOSE WHICH WOULD NORMALLY BE TRIED BY GCM. ON CASES WHICH HAVE ALREADY BEEN COMPLETED DISTRIBUTION OF THE GCM CMO IS DEEMED TO HAVE PROVIDED THE DESIRED INFORMATION.

U. PFC EDDIE D. HARRIS, 2051062, AND LCPL WAYNE W. HARDICK, 2105642. HARRIS CHARGED WITH RAPE OF VN FEMALE ON 5 OCT 66. HARDICK CHARGED WITH ASSAULT WITH INTENT TO COMMIT SODOMY OF SAME FEMALE. REFERRED FOR TRIAL BY GCM. TRIALS SCHEDULED FOR 20 AND 21 NOV 66. COUNSEL BOTH ACCUSED MAJ C. OLSON.

L. LCPL GERALD R. REUTER, 2023057, CHARGED WITH INVOLUNTARY MANSLAUGHTER OF LCPL DALTON E. JACKSON ON 16 OCT 66 BY SHOOTING HIM IN THE HEAD WITH A .45 CAL. PISTOL. ART 32 COMPLETE. AWAITING REFERRAL TO GCM. COUNSEL CAPT D. M. COSTANTINO.

C. PFC TERRY KALYTA, 2220169, CHARGED WITH INVOLUNTARY MANSLAUGHTER AND ASSAULT WITH A DANGEROUS WEAPON ON 9 NOV 66. ALLEGED THAT ACCUSED FIRED M-14 RIFLE THINKING IT UNLOADED. ROUFD KILLED LCPL CARL D. HOFFMAN, 2202992, AND INJURED PFC JERRY KROUSE, 2199256. ART 2 COMMENCED 16 NOV NOT COMPLETED. COUNSEL CAPT D. M. COSTANTINO.

D. PFC J. S. HARRIS, 2065397, CHARGED WITH PREMEDITATED MURDER OF PFC JAMES HAYES. COMPLETE CIRCUMSTANCES UNDETERMINED. INCIDENT OCCURRED ON 20 OCT 66. ART 32 COMPLETED 20 NOV 66, NOT COMPLETED. COUNSEL CAPT W. B. DRAPER, JR.

EWM PFC GERALD R. CANRE L, 2152584, CHARGED WITH ASSAULT WITH INTENT TO COMMIT MURDER AND ASSAULT

ALLEGED TO HAVE THREATENED GROUP WITH LOADED RIFLE. HMC DEWEY D. CLARK WOUNDED IN LEG. ART 32 ORDERED. COUNSEL CAPT J. D. SHANNON. DATE OF INCIDENT 29 09:5 66.

F. CPL HEURY E. QUINTON, 2054029, CHARGED WITH INVOLUNTARY MANSLAUGHTER ON 16 SEP 66 BY SHOOTING LCPL ALAN DANCE IN THE CHEST WITH HIS M-14 RIFLE. ART 32 COMPLETED, AWAITING COMMANDING OFFICER'S ACTION. COUNSEL CAPT D. M. COSTANTINO.

SPD LTR REPORT REQUIRED BY REF C. WILL BE SUBMITTED ON ALL CASES PREVIOUSLY TRIED WHICH MAY BE CONSIDERED TO BE OF NATIONAL OR INTERNATIONAL INTEREST.

BT

CONFIDENTIAL

210529Z

DECLASSIFIED

MESSAGE REPRODUCTION FORM
NAVJAG HQ 534-AOM (REV. 12-65)

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D. C. 20380

NOV 21 03 11 '66
MARINE CORPS
HEADQUARTERS CENTER

CMC	
ACMC	<i>H</i>
MILSEC	<i>H</i>
CofS	<i>H</i>
DC/S(P&P)	<i>H</i>
SGS	

**RETURN
TO
MCCC**

21 NOV 66 03 56Z

(D)

EMA655ECJ749

OO RUECEM
DE RUMNLA 2701E 3250255
ZNY CCCCC
O P 210255Z NOV 66
FM CG FIRST MARDIV REIN
TO HHLBP/CG FMFPAC (K005)
INFO RUECEX/CMC
ZEN/CG III MAF
BT

CONFIDENTIAL

SUBJ: DISCIPLINARY ACTION CASE OF PFC EDDIE HARRIS, JR., 2051062,
USMC.

REF: A. CG FMFPAC171948Z NOV 66

1. THE FOLLOWING INFO SUBMITTED IN RESPONSE TO REF A.
A. SUBJ CHARGED WITH VIOL. ART 120, UCMJ RAPE OF VN FEMALE ON 5
OCT 66. LCPL WAYNE W. HARDICK 2105642, USMC, CHARGED WITH VIOL.
ART 134, UCMJ, ASSAULT WITH INTENT TO COMMIT SODOMY SAME VICTIM.
INCIDENT OCCURRED WHILE ON DAYLIGHT PATROL. HARRIS ALLEGED TO HAVE
FORCED 18 YR OLD GIRL INTO BACKROOM OF HOUSE AND RAPED HER. HARDICK
ALLEGEDLY ASSAULTED GIRL ATTEMPTING TO FORCE HIS PENIS INTO HER MOUTH.
E. CASES REFERRED FOR TRIAL BY GCM. SCHEDULED FOR TRIAL 28 ANDS29
NOV 66. COUNSEL FOR EACH MAJ. C.W. OLSON.

GP-4
BT

CONFIDENTIAL

210255Z

A-22014

DECLASSIFIED

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

SPH

A

NNNNVZCZCWWN 189VV YVNA 745VV DDKA 186 DDKN 299
 PP WWND
 DE DDKN 025W 3250216
 ZNY CCCCC
 P 210216Z NOV 66
 FM CG FIRST MAW
 TO WWND/CMC
 INFO YVNA/CG FMFPAC
 ZEN/CG III MAF
 BT

C O N F I D E N T I A L
 FOR FMFPAC F-007

A. CG FMFPAC MSG 172052Z NOV 66 (NOTAL)

1. IN ACCORDANCE WITH REF A REPORT OF INCIDENT FOLLOWS: ON
 OR ABOUT 2 AUG 1966, SERGEANT WILLIAM J. TUOHY JR. 654069 USMC
 ALLEGEDLY RAPED DANG-THI-KE A VIETNAMESE NATIONAL AT MARBLE
 MOUNTAIN AIR FACILITY, DANANG, VIETNAM. ON 24-27 OCT 1966,
 SERGEANT TUOHY WAS TRIED BY GCM CONVENED THIS HEADQUARTERS FOR
 ABOVE OFFENSE AND FOUND NOT GUILTY. AFTER TRIAL FATHER
 OF ALLEGED VICTIM DANG-PHIEN7KE, EXPRESSED DISSATISFACTION WITH
 COURT'S FINDING AND STATED THAT HE WAS GOING TO WRITE LETTERS
 TO CG FIRST MAW AND U.S. EMBASSY, SAIGON. NO CORRESPONDENCE
 RELATING TO ABOVE HAS BEEN RECEIVED BY THIS HEADQUARTERS.

GP-4
 BT

21 NOV 66 10 12Z

For
 OK
 AR
 AG
 AD
 A

CONFIDENTIAL

210216 Z

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380*SL**A*NNNN": 22, 005567 NAB751
PP WWND
DE YVNA 2827 3230231
ZNY CCCCC
P 190231Z NOV 66
FM CG FMFPAC
TO WWND/CMC
BT**CONFIDENTIAL**

SERIOUS INCIDENT REPORTS (U)

A. TELECON FM COL SEVIER 152300Z

1. REF A REQUESTED NOTIFICATION WHEN 1/5 AND
3/7 CASES WERE REPORTED TO COMUSMACV BYCG III MAF. THE 1/5 CASE WAS INITIALLY REPORTED TO COMUSMACV
UPON RECEIPT OF FINAL BACKLASH REPORT, 13 NOV 66.THE 3/7 CASE WAS INITIALLY REPORTED UPON RECEIPT
OF FINAL BACKLASH REPORT, 14 NOV 66. BOTH CASES WERE
REPORTED AGAIN, BY PERSONAL MSG FROM CG III MAF
TO COMUSMACV, ON 17 NOV 66.

GP-4

BT

19 NOV 66 0741Z


 HR
 AG
 AD
 A
CONFIDENTIAL**190231Z**

B-9320

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CONFIDENTIAL

DE RUHLBP 2731 3220334

ZNY CCCCC

R 180504Z NOV 66

FM CG FMFPAC

TO RUMNMF/CG III MAF

RUMNLA/CG FIRST MARDIV (W008)

RUMNAV/CG FIRST MAW

RUMNMF/CG THIRD MARDIV

RUMNMF/CG FORLOGCMD

RUABQL/CG NINTH MAB

RUABSR/THIRD FORSERVREGT

RUABPO/MCAF FUTEMA

RUABDB/MCAS IWAKUNI

RUABQL/CAMP BUTLER

RUMFKE/SUB UNIT ONE FIRST ANGLICO

INFO RUECEM/CMC

RUABQL/CG FMFPAC (FWD)

BT

CONFIDENTIAL FORM

CONDUCT OF PERSONNEL ON R&R (U)

A. CINCPACREP PHIL/COMNAVPHIL DET HKONG 311100Z/OCT
(NOTAL)

1. REFERENCE A REPORTED AN INCIDENT WHICH OCCURRED DURING THE NIGHT OF 30 OCTOBER 1966 INVOLVING GROSS MISBEHAVIOR BY A MARINE ON R&R IN HONG KONG. REFERENCE A FURTHER ADVISED THAT PERSONNEL INVOLVED IN FUTURE CASES OF THIS NATURE WILL NOT BE RELEASED TO UNITED STATES CUSTODY.

2. POSITIVE ACTION MUST BE UNDERTAKEN.

BY ALL COMMANDERS TO PRECLUDE OCCURRENCE OF UNDESIRABLE INCIDENTS BY PERSONNEL IN A LEAVE/LIBERTY STATUS OR ASSOCIATED WITH R&R. SUCH ACTION MUST NOT ONLY ADDRESS THE VIOLATIONS OF LOCAL LAWS, BUT ALSO INCIDENTS OF OFFENSIVE CONDUCT, REGARDLESS OF THE NATURE. PERSONNEL ACCORDED THE PRIVILEGE OF R&R MUST BE INSTILLED WITH THE UNDERSTANDING THAT SUCH ACTS BRING DISCREDIT TO THE UNITED STATES AND ITS ARMED SERVICES, AND COULD JEOPARDIZE THE R&R PROGRAM.

3. BRIEFINGS FOR PERSONNEL DEPARTING FOR R&R WILL START AT THE LOWEST ECHELON OF COMMAND, WITH EACH COMMANDER ENSURING THAT PERSONNEL UNDER HIS CHARGE ARE PROPERLY INDOCTRINATED. INDOCTRINATION SHOULD INCLUDE THE FOLLOWING:

A. A REVIEW OF THE LAWS AND CUSTOMS OF THE CITY/COUNTRY TO BE VISITED.

B. ASSURANCE THAT PERSONNEL WHO VIOLATE THE LAWS OF THE GOVERNMENT OF THE CITY/COUNTRY VISITED CAN EXPECT TO STAND TRIAL IN ACCORDANCE WITH THE LAWS OF THAT GOVERNMENT.

C. ASSURANCE THAT PERSONNEL CANNOT EXPECT THE UNITED STATES GOVERNMENT TO INTERVENE IN THEIR BEHALF TO PREVENT LEGITIMATE TRIAL.

D. DESCRIPTION OF PROCEDURES FOR REPORTING TO THE PROPER UNITED STATES AUTHORITIES ANY INSTANCES WHEREIN A MARINE CONSIDERS HIMSELF WRONGED OR THE VICTIM OF UNSCRUPULOUS PRACTICES.

GP-4

BT

A

CMC [signature]

Dror
DX

AP
AL
AD
A

18 NOV 66 10 5

CONFIDENTIAL

180504Z

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380*CMC has copy**A*

\$EMA267ECF572
 PP RUECEM
 DE RUHLBP 2728 3220301
 ZNY CCCCC
 P R 180501Z NOV 66
 FM CG FMFPAC
 TO RUMNMF/CG III MAF
 RUMNLA/CG FIRST MARDIV (W010)
 RUMNMF/CG THIRD MARDIV
 RUMNAW/CG FIRST MAW
 RUMNMF/CG FORLOGCOMD
 INFO RUECEM/CMC
 RUABOL/CG FMFPAC (FWD)
 BT

C O N F I D E N T I A L
 SERIOUS INCIDENT REPORTS (U)
 A. CG FMFPAC 172052Z/(C)

1. IN ADDITION TO REPORTS REQUIRED BY PAR 2 OF REF A YOU ARE DIRECTED TO PROVIDE AT THE EARLIEST A SUMMARY REPORT OF ALL SUBJECT CASES TO DATE, WHICH HAVE OCCURRED SINCE YOUR COMMAND ARRIVED IN RVN, REFLECTING WHETHER UNDER PRELIMINARY INVESTIGATION, REFERRED TO TRIAL OR TRIAL COMPLETED, WITH RESULTS THEREOF. REPORT, BY SPDLTR TO THIS HQ.

GP-4
 BT

D FOR DK

*AR
AG
AD
A*

18 NOV 66 09 27Z

CONFIDENTIAL*180501Z*

B-0120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CMC	<i>has</i>
ACMC	<i>See</i>
MILSEC	
CoIS	<i>has</i>
DC/S(P&P)	<i>has</i>
SGS	

NNNNEMA962ECB716
OO RUECEM
DE RUHLBP 2615 3212052
ZNY CCCCC

O P 172052Z NOV66 FM CG FMFPAC TO CGTMA

CUMNLA/CV FICSH MACDIV KAPOY
RUMNMF/CV THIRD MARDIV
RUMNAW/CG FIRST MAW
RUMNMF/CG FORLOGCMD
INFO RUABQL/CG FMFPAC (FWDP)
CUSCEM/CMC

BH

C O N F I D E N T I A L

SERIOUS INCIDENT REPORTS (U)

A. MCO 05740.2

B. CG FMFPAC 17190/Z

1. A PROCESSION MF REPORTS FROMCMC RSFLSCTS THAT SERIOUS INCIDENTS ARE NOT PROMPTLY OR PROPERLY REPORTED THROUGH THE ADMINISTRATIVE CHAIN. ONE GATDFH EXAMPLES ARE:

A. GCM CONVICTIONS OF CPL C. A. WILLIAMS, LCPL G. F. TULLIGHAST, AND PFC H. CALDWELL, KR., OF A71-7, 1ST MARDIV, NOW UNDEC JAG REVIEW. CASE INVOLVE FORCED USE ABOUT 20

**RETURN
TO
MCCC**

PAGE 2 RUHLBP 2615 C O N F U D E N T I A L

JULY OF VN FEMAGE TO PRECEDE PATROL FOR PROTECTION AGAINST MINES AND SNIPERS, AND TWO ACTS OF RAPE AT CONCLUSION OF PATROL. RECORD OF TRIAL INCLUDES TESTIMONY TO EFFECT THAT SUCH USE OF VN CIVILIANS TO PROVIDE POINT SECURITY TO PATROLS IS QUOTE STANDARD PROCEDURE UNQUOTE.

Z. ON 11 NOV PVT TERRY L. WILSON WAS CONVICTED BY GCM FOR MURDER OF VN CIVILIAN ON 19 SEP WHILE MEMBER OF 1ST BN 9TH MAR, 3D MACDIV. INITIAL INFO TO CMC ON THIS CASE CAME ON 1 NOV AS RESULT OF CMNGRINT, WITH NO PRIOR REPORT FROM CHAIN OF COMMAND.

2. ADEES ARE EACH DIRECTED TO REPORT, BY PRIORITY MESSAGE, TO CMC INFO THIS HQS ON EVERY INCIDENT COMING WITHIN THE PURVIEW OF REF A UPON WHICH YOU HAVE NOT PROVIDED CMC AND THIS HQS WITH FULL INFORMATION.

3A. REF B UNDERSCORES THE NEED FOR THE STRICTEST COMPLIANCE WITH REF GP-4

BT

CONFIDENTIAL

172052Z

D-9120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CMC	<i>HAS</i>	
ACMC		<i>W</i>
MILSEC		
CoIS	<i>HAS</i>	
DC/S(P&P)	<i>HAS</i>	
SGS		

NOV 21 14 24 '66
MARINE CORPS
COMMUNICATION CENTER**RETURN
TO
MCCG**

NNNNVZCZCWWN189VV YVNA745VV DDKA186 DDKN299

PP WWND

DE DDKN 025W 3250215

ZNY CCCCC

P 210216Z NOV 66

FM CG FIRST NAVTO WWND/CMC

INFO YVNA/CG FMFPAC

ZEN/CG III MAF

BT

C O N F I D E N T I A LFOR FMFPAC F-007

A. CG FMFPAC MSG 172052Z NOV 66 (NOTAL)

1. IN ACCORDANCE WITH REF A REPORT OF INCIDENT FOLLOWS: ON OR ABOUT 2 AUG 1966, SERGEANT WILLIAM J. TUOHY JR. 654069 USMC ALLEGEDLY RAPED DANG-THI-KE A VIETNAMESE NATIONAL AT MARBLE MOUNTAIN AIR FACILITY, DANANG, VIETNAM, ON 24-27 OCT 1966. SERGEANT TUOHY WAS TRIED BY GCM CONVENED THIS HEADQUARTERS FOR ABOVE OFFENSE AND FOUND NOT GUILTY. AFTER TRIAL FATHER OF ALLEGED VICTIM DANG-PHIEN7KE, EXPRESSED DISSATISFACTION WITH COURT'S FINDING AND STATED THAT HE WAS GOING TO WRITE LETTERS TO CG FIRST NAV AND U.S. EMBASSY, SAIGON. NO CORRESPONDENCE RELATING TO ABOVE HAS BEEN RECEIVED BY THIS HEADQUARTERS.

GP-4
BT

21 NOV 66 10 12Z

FOR
OK
AR
AG
AD
A

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**CONFIDENTIAL**

FM RUECEM
DE RUHLBP 2601 3211906
ZNY CCCCC
P 171906Z NOV 66
FM CG FMFPAC
TO RUMNMF/CG III MAF
RUMNLA/CG FIRST MARDIV
RUXNMF/CG THIRD MARDIV
RUMNAW/CG FIRST MAW
RUMNMF/CG FORLOGCMD
RUABQL/CG NINTH MAB
RUADB/MCAS IWAKUNI
RUABPO/MCAF FUTEMA
RUABQL/CAMP BUTLER
RUABSR/THIRD FORSERVREGT
INFO RUABQL/CG FMFPAC (FWD)
RUECEM/CMC

BT

C O N F I D E N T I A L X
REPORTING OF SERIOUS INCIDENTS (U)

A. MCO 05740.2

1. RECENT EVENTS HAVE DEMONSTRATED A LACK OF
ATTENTION TO THE REQUIREMENT FOR REPORTING SERIOUS
INCIDENTS TO CMC AND TO THIS HEADQUARTERS.

PAGE 2 RUHLBP 2601 C O N F I D E N T I A L

2. ENCLOSURE (1) TO REF A DESCRIBES THE ACCIDENTS,
INCIDENTS OR DISTURBANCES WHICH MUST BE MADE THE
SUBJECT OF A REPORT BY ANY UNIT COMMANDER OF THE MARINE CORPS.
COMMANDERS WHO ARE REQUIRED TO REPORT SUCH INCIDENTS IN ACCORDANCE
WITH DIRECTIVES OF OPERATIONAL COMMANDERS, ARE REQUIRED, BY PAR
2 OF REF A, TO SUBMIT INFORMATION COPIES OF SUCH REPORTS TO CMC.
3. IN CARRYING OUT THE INSTRUCTIONS EMBODIED IN
REF A, MESSAGE AND TELEPHONE WILL BE THE ACCEPTED
MODES OF COMMUNICATION. AN INITIAL TELEPHONIC
REPORT, FOLLOWING ONE FORMAT OF PARA .A OFNREF
RA, WILL BE FOLLOWED IMMEDIATELY BY JNMESSAGE
RSUMMARY, AND SUBSEQUENTLY, AS REQUIRED FOR
COMPLETE KNOWLEDGE OF THE SUBJECT, BY ADDITIONAL
MESSAGE REPORTS.

4. THE TELEPHONIC REPORTS WILL BE MADE BOTH TO THE
MARINE CORPS COMMAND CENTER AND THE FMFPAC
COMMAND CENTER. MESSAGE REPORTS WILL BE ADDRESSED
TO CMC, CONTO THIS HEADQUARTERS.

GP-4

BT

171906Z NOV 66 0200Z

(5)
AP
AG
AD
A

CMC changing A

CONFIDENTIAL

171916Z

B-0130

CONFIDENTIAL*Capt. Callie*

NNNNDFM353

CLB542

PP RUWDFH

DE RUECEM 132 3211330

ZNY CCCCC

P 171330Z NOV 66

FM CMC

TO RUHLBP/CG FMFPAC

INFO RUMNMF/CG III MAF

RUWDFH/CG MCB CAMPEN

BT

C O N F I D E N T I A L

SERIOUS INCIDENT REPORTS (U)

A. CMC 150629Z NOV 66

1. ADDITIONAL INFO ON SERIOUS INCIDENTS IN III MAF CONTINUES TO BE RECEIVED AT HQMC FROM CONGRESSIONAL AND LEGAL REVIEW SOURCES WITHOUT PRIOR NOTIFICATION THROUGH ADMIN CHAIN OF COMMAND. LATEST EXAMPLES ARE:

A. GCM CONVICTIONS OF CPL C.A. WILLIAMS, LCPL G. M. TILLIGHAST, AND PFC H. CALDWELL, JR., OF A-1-7, 1ST MARDIV, NOW UNDER JAG REVIEW. CASE INVOLVED FORCED USE ABOUT 20 JULY OF VN FEMALE TO PRECEDE PATROL FOR PROTECTION AGAINST MINES AND SNIPERS, AND TWO ACTS OF RAPE AT CONCLUSION OF PATROL. RECORD OF TRIAL INCLUDES TESTIMONY TO EFFECT THAT SUCH USE OF VN CIVILIANS TO PROVIDE POINT SECURITY TO PATROLS IS

PAGE TWO RUECEM 132 C O N F I D E N T I A L

QUOTE STANDARD PROCEDURE UNQUOTE.

B. ON 11 NOV PVT TERRY L. WILSON WAS CONVICTED BY GCM FOR MURDER OF VN CIVILIAN ON 19 SEP WHILE MEMBER OF 1ST BN 9TH MAR, 3D MARDIV. INITIAL INFO TO CMC ON THIS CASE CAME ON 1 NOV AS RESULT OF CONGRINT, WITH NO PRIOR REPORT FROM CHAIN OF COMMAND.

2. IT IS IMPERATIVE THAT CMC, AS WELL AS SENIORS IN OPERATIONAL CHAIN OF COMMAND, BE PROMPTLY APPRISED OF INCIDENTS WHICH MAY CAUSE OFFICIAL AND/OR PRESS INTEREST. THEREFORE, IN ORDER TO ASSIST THIS HQS IN DEALING WITH NATIONAL COMMAND AUTHORITIES ON MATTERS INVOLVING CONDUCT OF MARINES IN RVN, IT IS REQUESTED THAT, IN ADDITION TO ACTION REQUIRED BY PAR 3 OF REF A, YOU PROVIDE EARLIEST SUMMARY REPORT OF ALL SUCH CASES TO DATE, INDICATING WHETHER UNDER PRELIM INVESTIGATION, REFERRED TO TRIAL, OR TRIAL COMPLETED, WITH RESULTS THEREOF.

3. FOR CG MCB CAMPEN PASS TO CMC.

GP-4

BT

COPY NR. 1A

CONFIDENTIAL

CONFIDENTIAL

17 NOV 66 03 40z

MCB CAMPEN

DFHQ46
 FDI117
 PP RUWDFH
 DE RUWDFD 0496 3210156
 ZNY CCCCC
 P 170049Z NOV 66
 FM CG THIRD MAW
 TO RUWDFH/CMC

INFO RUMLBP/CG FMFPAC
 RUWDFH/MAROSSRON THREE
 ZENI/MWSG THREE SEVEN
 BT

C O N F I D E N T I A L

VMO-3 DEPLOYING STRENGTH

A. HCBUL 5320 OF 21 JUL 66 (ENCLOSURE (4))

1. FOR CODE AAZ. REQ INCREASE TO REF (A) AS FOLLOWS:
 ENLISTED

	MGYSGT	MSGT	GYSGT	SSGT	SGT	CPL	LCPL	PFC	TOTAL
INCR:	1/2	1/2	1/2	1/2	1/2	1/2	1/2	1/2	1/2
GS II			1/-	1/1	2/3	2/-	1/2	4/4	11/10

2. REF (A) AUTH TOTAL FOUR GS II PERS. IN THE IMMEDIATE FUTURE
 VMO-3 WILL BE REQUIRED TO INSTALL, MAINTAIN AND CONTINUOUSLY
 OPERATE THE FOLLOWING ORDNANCE EQUIP:

FIXED M-60/96 GUNS RCA STORES 10

ROCKETS/48 PGD STATION AERO GS IA/48

VMO-3 WILL BE REQUIRED TO INSTALL, OPERATE AND MAINTAIN TAT-101

PAGE TWO RUWDFD 0496 C O N F I D E N T I A L

SYSTEM WITH 48 M-60'S EARLY 67.

3. JUSTIFICATION: EXISTING PERS CRITERIA AS SET FORTH IN REF
 (A) IS SUFFICIENT UNDER LIMITED MANUALEQUIP HANDLING.
 HOWEVER AT THIS DATE MAXIMUM MANUAL EQUIP HANDLING IS REQUIRED.
 RAPID A/C TURN AROUND REQUIREMENTS FURTHER DICTATES THAT
 NEED FOR THESE PERS. THIS UNIT'S MISSION INVOLVES CONTINUOUS
 DETACHMENT SUPPORT.

4. IF APPR FIRST INCR PERS WILL BE ASSIGNED FROM ASSETS THIS
 COMD WITH RANK SUBSTITUTIONS. REQ EARLIEST BUILD UP IN
 REPL PERS TO RELIEVE CRITICAL SHORTAGE WHICH WILL RESULT
 THEREFROM.

GP-4

BT

COPY NR...*LA*....**CONFIDENTIAL**

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS

FM RUWDFH RUWDFH RUWDFH

DE RUECEM 132 3211330

ZNY CCCCC

P 171330Z NOV 66

FM CMC

TO RUHLBP/CG FMFPAC

INFO RUMNMF/CG III MAF

RUWDFH/CG MCB CAMPEN

BT

C O N F I D E N T I A L

SERIOUS INCIDENT REPORTS (U)

A. CMC 150623Z NOV 66

1. ADDITIONAL INFO ON SERIOUS INCIDENTS IN III MAF CONTINUES TO BE RECEIVED AT HQMC FROM CONGRESSIONAL AND LEGAL REVIEW SOURCES WITHOUT PRIOR NOTIFICATION THROUGH ADMIN CHAIN OF COMMAND. LATEST EXAMPLES ARE:

A. GCM CONVICTIONS OF CPL C. A. WILLIAMS, LCPL G. M. TILLIGHAST, AND PFC H. CALDWELL, JR., OF A-1-7, 1ST MARDIV, NOW UNDER JAG REVIEW. CASE INVOLVED FORCED USE ABOUT 20 JULY OF VN FEMALE TO PRECEDE PATROL FOR PROTECTION AGAINST MINES AND SNIPERS, AND TWO ACTS OF RAPE AT CONCLUSION OF PATROL. RECORD OF TRIAL INCLUDES TESTIMONY TO EFFECT THAT SUCH USE OF VN CIVILIANS TO PROVIDE POINT SECURITY TO PATROLS IS

CMC	20380	
ACMC		
SEC		
CoS		
DC/S(Admin)		AG
DC/S(P&P)		AR
DC/S(Air)		
DC/S(R&D)		
SGS		

A501/17

PAGE TWO RUECEM 132 **C O N F I D E N T I A L**
QUOTE STANDARD PROCEDURE UNQUOTE.

B. ON 11 NOV PVT TERRY L. WILSON WAS CONVICTED BY GCM FOR MURDER OF VN CIVILIAN ON 19 SEP WHILE MEMBER OF 1ST BN 9TH MAR, 3D MARDIV. INITIAL INFO TO CMC ON THIS CASE CAME ON 1 NOV AS RESULT OF CONGRINT, WITH NO PRIOR REPORT FROM CHAIN OF COMMAND.

2. IT IS IMPERATIVE THAT CMC, AS WELL AS SENIORS IN OPERATIONAL CHAIN OF COMMAND, BE PROMPTLY APPRISED OF INCIDENTS WHICH MAY CAUSE OFFICIAL AND/OR PRESS INTEREST. THEREFORE, IN ORDER TO ASSIST THIS HQS IN DEALING WITH NATIONAL COMMAND AUTHORITIES ON MATTERS INVOLVING CONDUCT OF MARINES IN RVN, IT IS REQUESTED THAT, IN ADDITION TO ACTION REQUIRED BY PAR 3 OF REF A, YOU PROVIDE EARLIEST SUMMARY REPORT OF ALL SUCH CASES TO DATE, INDICATING WHETHER UNDER PRELIM INVESTIGATION, REFERRED TO TRIAL, OR TRIAL COMPLETED, WITH RESULTS THEREOF.

3. FOR CG MCB CAMPEN PASS TO CMC.

GP-4

BT

J

NNNN

CONFIDENTIAL

171330Z

D-9120

DECLASSIFIED

MESSAGE REPRODUCTION FORM
NAVMC HQ 547-ADM (6-66)

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

FLH

A

EMAD71ECC495
PP RUECEM
DE RUMNLA 2356E 3210546
ZNY EEEE
P 170546Z NOV 66
FM CG THIRD MARDIV
TO RUECEM/CMC
RUMLEP/CG FMFPAC(K007)
ZEN/CG III MAF
BT

UNCLAS E F T O
SERIOUS INCIDENT REPORT, CASE OF PVT JIMMIE L. GOODMAN, 2141624
USMC, K&S CO, 2DBN, 3D MAR
1. BASED ON PRELIMINARY INQUIRY, SUBJ MAN CONFINED III MAF BRIG
CHARGED WITH PREMEDITATED MURDER OF LYNN BACHMAN JR., CPL, USMC,
2189402 BY SHOOTING WITH M-14 RFILE.
2. PARENT UNIT DISPLACEING, ARTICLE 32 TO BE HELD ASAP,

BT

(B)
AL
AG
AD
A

D	DA	DEB	DF	DG	DH

DK	DL	DM	DN	DP	DS

170546Z

U.S. GOVERNMENT PRINTING OFFICE: 1965 O-224-002

DECLASSIFIED

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

MEMB049ECF929

RR RUECEM
DE RUHLBP 2447 3201815
ZNY CCCCC
R 161815Z NOV 66
XMMCC FMERACO
TO RUEV7M/CMCO

CMC	HAS
ACMC	
MILSEC	
CoIS	HAS
DC/S(P&P)	HAS
Dir Info	HAS
Legislative Asst	HAS
Discipline Branch	HAS

BT
VOONF IHD E N T I A L NOFORN
BACKLASH (U)1. THE FOLLOWING REPORT WAS RECEIVED FROM CPNCPWCREP
PHIL/DEI HKONG REGARDING PINKNEY GREGORY LEE, PFC 21957947
0331, USMC.

A. AT APPROX 2330 HRS 30 OCT SUBJ INDIVIDUAL WIELDED AND
VOCKED LOADED 45 CAL PISTOL AT RICKSHAW BOY IN FRONT OF
HONOUR HOTEL KOWLOON DURING ARGUMENT OVER PAYMENT OF FAGE.
INCIDENT WAS REPORTED BY RICKSHAW PULLER TO CIVIL POLICE WHO
IN TURN NOTIFIED G&R OFFICE. BASED ON INFO PROVIDED BY
RICKSHAW PULLER INTERVIEWS WERE CONDUCTED WITH R&R GUESTS
STAYING AT PARK HOTEL COMMENCING 0320 HRS 31 OCT. SUBJ
WAS FOUND IN RM 214 NOTED HOTEL AT APPROX 1100 HRS THIS DATE.
WPMHWAS FOUND IN SUBJ'S OVERNIGHT BAG BY CIVIL POLICE DURING
SEARCH OXROOM.

B. PINKNEY WAS ARRESTED AND CHARGED ONLY WITH POSSESSION

PAGE 2

ABP2447 C O N F I D E N T I A L NOFORN
OF ONE 45 CAL AUTO PISTOL AND 12 ROUNDS OF AMMUNITION. AT
W1430 THIS DATE SUBJ APPEARED IN MAGISTRATES COURT, FOUND
GUILTY AND FINED U.S. \$70.00. HE WAS RELEASED CUSTODY R&R
OFFICE AND RETURNED RVN 1630 VIA AIR VIETNAM FLT 621 DEST SVN.
WPN SER NO 2326441 AND AMMO RELEASED BY COURT TO R&R OFFICE.
PINKNEY RECALLED ARRIVAL BRIEFING ON AIRCRAFT BY MACV
LIAISON OFFICER WHICH REQ ANYONE ARRIVING WITH WPN'S TO TURN
OVER SAME TO R&R REPS ON DEPLANING.

C. IT IS ANTICIPATED THAT IN FUTURE CASES OF THIS SORT,
INDIVIDUALS WILL NOT BE RELEASED TO U.S. CUSTODY. POSSESSION
OF CONCEALED WPN IN HKONG CARRIES MAX FOUR YEAR PRISON
SENTENCE.

GP 4
BT

NOV 26 04 36 PM '66
MARINE CORPS
NAVMC HQ 534
AC
AD
AG
A03
D

**RETURN
TO
MCCC****CONFIDENTIAL**

161815 Z

B-9120

DECLASSIFIED

MESSAGE REPRODUCTION FORM
NAVMC HQ 547-ADM (6-66)

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

gph

A

NNNNVZCZCWWN473V NAB535

PP WWND

DE YYNA 2282 3192254

ZNR UUUUU

P 152254Z NOV 66

FM CG FMFPAC

TO WWND/CMC

BT

UNCLAS

SERIOUS INCIDENT REPORT

A. CMC 142152Z/ (C)

1. INFO REQUIRED BY REFERENCE A PROVIDED BY CG
FMFPAC 150306Z/ (C).

BT

152254Z
NOV 66
152254Z
NOV 66
FOR
OK
R/R
R/S
R/D
R

D	DA	DEB	DF	DG	DH

152254Z

DK	DL	DM	DN	DP	DS

U.S. GOVERNMENT PRINTING OFFICE : 1966 O-224-002

DECLASSIFIED

CONFIDENTIAL (When filled in)MESSAGE FORM
IND-MCASET-2110/3 (9-63)

TSA873CLB807
PP RUWDFD
DE RUECEM 254 3191454
ZNY CCCCC
P 151454Z NOV66
FM CMC
TO RUWDFD/CG MCAS EL TORO
BT

CG MCAS El Toro

C O N F I D E N T I A L

* REQUEST PASS TO LTCOL DAMM, AIDE-DE-CAMP, FOR
GENERAL WALLACE M. GREENE, JR., COMMANDANT OF
THE MARINE CORPS. THIS IS MESSAGE NUMBER TWO
PERSONAL FOR GEN GREENE FROM LTGEN CHAPMAN
SERIOUS INCIDENT REPORT (U)

1. CG III MAF HAS REPORTED AN ADDITIONAL ALLEGATION OF
A SERIOUS INCIDENT WHICH IS SUMMARIZED AS FOLLOWS:

IT IS ALLEGED THAT, ON 24 OCTOBER, TWO MARINES OF THE
3D MARDIV ABDUCTED A 13-YEAR OLD VIETNAMESE FEMALE FROM
HER HOME, TOOK HER TO AN ADJOINING HOME, WHICH THEY
FORCIBLY OCCUPIED, AND THEN, IN COMPANY WITH TWO OTHER
MARINES, COMMITTED TWO ACTS OF RAPE UPON HER.

THE PRELIMINARY DETAILS OF THIS INCIDENT WERE CONCUR-
RENTLY REPORTED BY THE CG III MAF TO COMUSMACV AND TO
CG FMFPAC. THE CASE IS UNDER INVESTIGATION BY III MAF.

PAGE TWO RUECEM 254 C O N F I D E N T I A L

AS OF THIS TIME, ASIDE FROM THE UNDERSTANDABLE
CONCERN OF THE VILLAGE POPULACE, THERE HAS BEEN NO
REACTION TO THE ALLEGED INCIDENT.

2. SECNAV HAS BEEN INFORMED BY MEMO DELIVERED 0930 15NOV.
ACMC WILL FULFILL YOUR REGULAR THURS MEETING WITH SECNAV
AND PROVIDE COMPLETE WRAP-UP ON THIS SUBJECT.

GP-4

BT

MC 4513

MASTER COPY/RY/0522

CONFIDENTIAL (When filled in)

COPY 1 OF 4 COPIES

MASTER COPY 1/R1/0522

COPY 1 OF 1

COPY 1 OF 1

CONCERNWEST																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
-------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

ORIG: CMC

151454Z NOV 66

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380PP RUWDFD
DE RUECEM 254 3191454
ZNY CCCCC
P 151454Z NOV66
FM CMC
TO RUWDFD/CG MCAS EL TORO
BT

C O N F I D E N T I A L

~ REQUEST PASS TO LTCOL DAMM, AIDE-DE-CAMP, FOR
GENERAL WALLACE M. GREENE, JR., COMMANDANT OF
THE MARINE CORPS. THIS IS MESSAGE NUMBER TWO
PERSONAL FOR GEN GREENE FROM LTGEN CHAPMAN
SERIOUS INCIDENT REPORT (U)1. CG III MAF HAS REPORTED AN ADDITIONAL ALLEGATION OF
A SERIOUS INCIDENT WHICH IS SUMMARIZED AS FOLLOWS:IT IS ALLEGED THAT, ON 24 OCTOBER, TWO MARINES OF THE
3D MARDIV ABDUCTED A 13-YEAR OLD VIETNAMESE FEMALE FROM
HER HOME, TOOK HER TO AN ADJOINING HOME, WHICH THEY
FORCIBLY OCCUPIED, AND THEN, IN COMPANY WITH TWO OTHER
MARINES, COMMITTED TWO ACTS OF RAPE UPON HER.THE PRELIMINARY DETAILS OF THIS INCIDENT WERE CONCUR-
RENTLY REPORTED BY THE CG III MAF TO COMUSMACV AND TO
CG FMFPAC. THE CASE IS UNDER INVESTIGATION BY III MAF.

PAGE TWO RUECEM 254 C O N F I D E N T I A L

AS OF THIS TIME, ASIDE FROM THE UNDERSTANDABLE
CONCERN OF THE VILLAGE POPULACE, THERE HAS BEEN NO
REACTION TO THE ALLEGED INCIDENT.2. SECNAV HAS BEEN INFORMED BY MEMO DELIVERED 0930 15NOV.
ACMC WILL FULFILL YOUR REGULAR THURS MEETING WITH SECNAV
AND PROVIDE COMPLETE WRAP-UP ON THIS SUBJECT.GP-4
BTA876/15
CONFIDENTIAL

151454Z

A-22014

CONFIDENTIAL (When filled in)MESSAGE FORM
11ND-MCASET-2110/3 (9-63)

TA877CLA030
PP RUWDFD
DE RUECEM 255 3191455
ZNY CCCCC
P 151455Z NOV66
FM CMC
INFO RUWDFD/CG MCAS ELTORO
BT

C O N F I D E N T I A L

" REQUEST PASS TO LTCOL DAMM, AIDE-DE-CAMP, FOR GENERAL WALLACE M. GREENE, JR., COMMANDANT OF THE MARINE CORPS. THIS IS MESSAGE NUMBER THREE

R 150623Z NOV66
FM CMC

TO CG FMFPAC
INFO CG III MAF
BT

CG MCAS El Toro**C O N F I D E N T I A L**

SERIOUS INCIDENT REPORTS (U)

- A. MCO 05740.2 (C)
B. CG III MAF 140702Z (S)
C. CG III MAF 141244Z (C)
D. CG 1ST MARDIV 101511Z (C)

1. REF A IS EXPLICIT WITH RESPECT TO REQUIREMENT FOR IMMEDIATE REPORT BY MARINE COMMANDERS TO THEIR OPERATIONAL SENIORS AND TO CMC CONCERNING INCIDENTS INVOLVING INDIVIDUAL MARINES OR UNITS WHICH MAY CAUSE LOCAL OR NATIONAL OFFICIAL INTEREST OR ATTRACT PRESS INTEREST. REF B IS AN EXAMPLE OF PROMPT AND PROPER REPORTING.

2. REFS C AND D, AND OTHER RELATED CORRESPONDENCE AND MSGS, INDICATE A PROTRACTED TIME DELAY BETWEEN OCCURRENCE OF SERIOUS INCIDENTS AND NOTIFICATION THEREOF TO CMC. CLEARLY,

PAGE TWO RUECEM 255 **C O N F I D E N T I A L**
PROVISIONS OF REF A ARE NOT BEING FOLLOWED, WITH RESULTANT GRAVE OFFICIAL CONCERN AT HIGH LEVELS.

3. PLEASE TAKE ACTION TO INSURE FULL UNDERSTANDING OF, AND COMPLIANCE WITH, THE CONTENTS OF REF A, BY ALL ECHELONS IN ADMIN CHAIN OF COMMAND.

GP-4
BT

MASTER COPY/RI/0523

CONFIDENTIAL (When filled in)

COPY 1 OF 4 COPIES

COMCABWEST	ACT	INFO	DIST
MCAS		CG	
AIRFMFPAC		C/S	
3D MAW		STAFF SEC	
MCAF		ADJUTANT	
		G-1	
		G-2	
		G-3	
		G-4	
		G-5	
		A/C MAINT	
		AFO/AERO	
		ASO	
		COMMO	
		COMPT/FISCAL	
		DENTO	
		DISB	
		ELECTO	
		H & HS	
		IRO	
		ISO	
		MASS-3	
		MEDO	
		NAMTRADET	
		NAVPERSO	
		ORDO	
		PROMAR	
		PUB WORKS	
		RPO/SEC	
		SEP	
		SMS	
		SOES	
		SUPD	
		VMT-2	
		WMD-1	

ORIG: CMC

150623Z NOV 66

NNNNEMA444ECB 179

PP RUECEM

DEPARTMENT OF THE NAVY

CONFIDENTIAL

151054Z NOV 66 3191107 HEADQUARTERS UNITED STATES MARINE CORPS

WASHINGTON, D. C. 20380

P R 151054Z NOV 66

FM AMEMBASSY SAIGON

TO RUECEM/HQBN HQMARCOR CO F PRIORITY

INFO RUMJMA/AMEMBASSY MANILA

STATE GRNC

BT

CONFIDENTIAL

LIMITED OFFICIAL USE SAIGON

REF: CO PS000.1C PAR 4005

NY 130918Z OCT 66

RMO III 021634Z NOV 66

HQBN HQMARCOR 301138Z OCT 66

CMC	<i>has</i>	
ACMC	<i>has</i>	<i>h</i>
MILSEC		
CoS	<i>has</i>	
DC/S(P&P)	<i>has</i>	
SGS		

SGT K.M. JAMES HQIRPIYUXPQRO USMC ACCUSED CIOL. ART. 134
UCHJ AND ART. 92

SPEC. 1 IN THAT SERGEANT K.M. JAMES, HAVING BEEN DULY RESTRICTED TO THE LIMITS OF THE MARINE HOUSE, #2 CONG TRUONG CHIEN SI DID AT #2 CONG TRUONG CHIEN SI ON OR ABOUT 12NOV66 BREAK SAID RESTRICTION.

SPEC. 2 IN THAT SERGEANT K.M. JAMES WAS AT THE AMERICAN EMBASSY, SAIGON ON OR ABOUT 1830 12NOV 66 DRUNK IN A PUBLIC PLACE TO WIT: THE CORNER OF HAI BA TRUNG AND YEN DO STREETS.

VIOLATION OF ARTICLE 92

SPEC. 1 IN THAT SERGEANT K.M. JAMES HAVING KNOWLEDGE OF A LAWFUL ORDER BY 1STLT P.E. TUCKER (THAT HIS BAR PRIVILEGES WERE SUSPENDED SO THAT HE WOULD NOT HAVE ACCESS TO ALCOHOL) AN ORDER WHICH IT WAS HIS DUTY TO OBEY ON OR ABOUT 12NOV 66 FAIL TO OBEY FRME.

SPEC. 2 IN THAT SERGEANT K.M. JAMES HAVING KNOWLEDGE OF A LAWFUL ORDER ISSUED BY MARINE SECURITY GUARD ORDER 11101.5 DATED 21 JULY 660YY PAR 7 SUBPARAGRAPH 3A, "THE USE OF WORDS OR ACTIONS WHICH ARE SOCIALLY OFFENSIVE IS FORBIDDEN", AN ORDER WHICH IT WAS HIS DUTY TO OBEY DID AT THE MARINE HOUSE #2 CONG TRUONG CHIEN SI ON OR ABOUT 2110 12NOV 66 FAIL TO OBEY SAME BY APPEARING AT THE MARINE HOUSE IN NOTHING BUT HIS UNDERWEAR. SGT JAMES APPREHENDED BY MILITARY POLICE FOR BEING DRUNK IN PUBLIC PLACE. RETURNED TO CUSTODY OF MARINE SECURITY GUARD. RETURNED AT 2030 12NOV66. SUBJ ON RESTRICTION IN LIEU OF ARREST. SUBJ REMOVED FROM DUTY. OIC DOES NOT FEEL CAN REMAIN IMPARTIAL IF SUBJ IS DISCIPLINED IN SAIGON. REQUEST ANY ACTION BE TAKEN ABOVE OIC SAIGON LEVEL. WILL FORWARD ALL SWORN STATEMENTS FOR ANY DISPOSITION REQUIRED. RMO PRESENCE NOT RPT NOT REQUIRED. ADVISE.

LODGE
BT

CONFIDENTIAL

151054Z

B-9120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380NNNN
RR RUHLBP RUMNMF
DE RUECEM 203 3190623
ZNYNCCCCC
R 150623Z NOV 66
FM CMC
TO RUHLBP/CG FMFPAC
INFO RUMNMF/CG III MAF
BT**CONFIDENTIAL**
SERIOUS INCIDENT REPORTS (U)

- A. MCO 05742.2 (C)
- B. CG III MAF 140722Z (S)
- C. CG III MAF 141244Z (C)
- D. CG 1ST MARDIV 101511Z (C)

1. REF A IS EXPLICIT WITH RESPECT TO REQUIREMENT FOR IMMEDIATE REPORT BY MARINE COMMANDERS TO THEIR OPERATIONAL SENIORS AND TO CMC CONCERNING INCIDENTS INVOLVING INDIVIDUAL MARINES OR UNITS WHICH MAY CAUSE LOCAL OR NATIONAL OFFICIAL INTEREST OR ATTRACT PRESS INTEREST. REF B IS AN EXAMPLE OF PROMPT AND PROPER REPORTING.

2. REFS C AND D, AND OTHER RELATED CORRESPONDENCE AND MSGS, INDICATE A PROTRACTED TIME DELAY BETWEEN OCCURRENCE OF SERIOUS INCIDENTS AND NOTIFICATION THEREOF TO CMC. CLEARLY, PROVISIONS OF REF A ARE NOT BEING FOLLOWED, WITH RESULTANT

PAGE TWO RUECEM 203 **CONFIDENTIAL**
GRAV: OFFICIAL CONCERN AT HIGH LEVELS.

3. PLEASE TAKE ACTION TO ENSURE FULL UNDERSTANDING OF, AND COMPLIANCE WITH, THE CONTENTS OF REF A, BY ALL ECHELONS IN ADVIN CHAIN OF COMMAND.

GP-4

BT

CONFIDENTIAL

150623Z

B-9120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

NNNN: 22,445 YVNA303DDKA474

OO WND

DE DDKE 1125 3190602

ZNY CCCCC

O 150602Z NOV 66

FM CG III MAF

TO YVNA/CG FMFPAC

INFO WND/CMC

ZEN/CG 1ST MARDIV

ZEN/CG 3D MARDIV

BT

C O N F I D E N T I A L

SERIOUS INCIDENTS; PRESS RELEASE

A. CG III MAF 13124GZ NOV 66 NOTAL

B. CMC 121941Z NOV 66 NOTAL

1. REF A RESPONDED TO RELAYED TELCON REQUEST FROM HQMC AND PROVIDED BASIC

FACTS FOR PREPARATION OF PRESS RELEASE.

2. REF B STATES PRESS RELEASE MAGNME REQUIRED. STRONGLY RECOMMEND NO PRESS RELEASE AT THIS TIME. FOLLOWING FACTORS PERTINENT:

A. CAFES IN 1/5 AND 3/7 NOT REFERRED TO TRIAL. UNDER LAW, DECISION TO REFER CHARGES TO TRIAL IS JUDICIAL FUNCTION OF GCM CONVENING

AUTHORITY, ACTING AFTER RECEIPT OF ADVICE OF HIS LEGAL OFFICER. PRESS RELEASE ON CASE BY AUTHORITY SUPERIOR TO GCM CONVEING AUTHORITY, PRIOR TO DECISION TO REFBO SPECIFIC CHARGES AGAINST NAMED ACCUSED, OFFERS

PAGE TWO DDKE 1125 C O N F I D E N T I A L

FAIR RISK OF JEOPARDIZING INTERESTS OF GOVERNMENT OF INDIVIDUAL ACCUSED.9

PRESS RELEASE BY SUPERIOR AUTHORITY MAY BE INTERPRETED AS DEPRIVING CONVENING AUTHORITY OF HIS UNFETTERED DISCRETION IN DISPOSITION OF CASE.

B. ORIGINI PRESS RELEASE MAY BE CAREFULLY DRAFTED TO AVOID ABOVE, BUT WILL ONLY SERVE TO INCREASE PRESSURE FOR MORE DETAILS, WHICH CANNOT BE RELEASED WITHOUT PREJUDICE TO INTERESTS OF ACCUSED OR GOVERNMENT OR BOTH.

C. ANY PRESS RELEASE WILL BE AVAILABLE TO ARMED FORCES ORIENTED PRESS. PUBLICATION OF ANY DETAILS MAY IMPAIR OPPORTUNITY TO SELECT COURT MEMBERS NOT READILY SUBJECT TO CHALLENGE.

3. NO PRESS INTEREST HERE AS YET. IF INQUIRY MADE, IT WILL BE REFERRED TO GCM CONVENING AUTHORITY FOR RESPONSE CONSISTENT WITH INTERESTS OF GOVERNMENT AND ACCUSED.

4. AS TO SCHULTZ CASE, ALTHOUGH TRIAL COMPLETE, REVIEW PROCESSES ARE NOT.

IF INQUIRIES MADE, RECOMMEND RESPONSE RESTRICTED TO FACTS STATED PAR. 1, REF A.

CG 1ST MARDIV CONCURS.

P-4

BT

CONFIDENTIAL

150602Z

B-9120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D. C. 20380

NNNNEMA277ECA701
PP RUECEM
DE RUHLBP BTWQYI 3190306
ZNY CCCCC
P 150306Z NOV 66
FM CG FMFPAC
TO RUECEM/VCMC-
INFO RUMNMF/CG IINAPNEPSBT
CONFIDENTIAL
PROPOSED PRESS RELEASE (U)

A. CMC 121941Z/NOV
B. CG FIRST MARDIV 101511Z
C. TELECON BETWEEN COL MORIARITY, HQMC, AND COL JAMES,
FORCE ISO ON 12 NOV 66
D. CG III MAF 131246ZNOV
1. REF A DIRECTED THAT A PROPOSED PRESS RELEASE BE
PREPARED CONCERNING MATTERS IN REF B. REF C AMPLIFIED
THE INSTRUCTIONS IN REF A. B

SED MAINLY ON THE
INFORMATION IN REF D, THE FOLLOWING PROPOSED PRESS
RELEASE IS SUBMITTED.

QUOTE: DA NANG, NOV 14 - LOCAL REVIEW OF THE CASE OF
A MARINE CONVICTED OF PREMEDITATED MURDER OF A VIETNAMESE
CIVILIAN WILL BE COMPLETED BY NOV 21. LTCOL THOMAS P. CASEY,
FIRST MARINE DIVISION STAFF LEGAL OFFICER, ANNOUNCED TODAY.

THE MARINE, LANCE CORPORAL FRANK C. SCHULTZ, WAS
SENTENCED TO LIFE IMPRISONMENT BY A GENERAL COURT MARTIAL
ON OCT 15. SUBJECT TO REVIEW NOT ONLY BY THE CONVENING
AUTHORITY, BUT ALSO BY THE NAVY BOARD OF REVIEW, THE COURT
OF MILITARY APPEALS, AND THE SECRETARY OF THE NAVY. THE
SENTENCE ALSO INCLUDED A DISHONORABLE DISCHARGE,
FORFEITURE OF ALL PAY AND ALLOWANCES, AND REDUCTION IN
RANK TO PRIVATE.

THE SHOOTING OF THE ELDERLY VIETNAMESE, HUY NH LOI,
OCCURRED DURING THE EARLY MORNING HOURS OF AUG 27, IN A
VILLAGE NEAR DANANG. TESTIMONY AT THE TRIAL, WHERE SCHULTZ
WAS REPRESENTED BY MARINE LAWYER COUNSEL, ALLEGED THAT THE
SHOOTING FOLLOWED SCHULTZ' ASSERTION, THAT SHOOTING A
VILLAGER WOULD BE SURE TO BRING THE VC OUTV.

HELD IN THE III MAF CONFINEMENT FACILITY HERE, SCHULTZ
WILL BE TRANSFERRED TO THE U. S. NAVAL PRISON AT PORTSMOUTH,
N.H. SHOULD REVIEW BY THE CONVENING AUTHORITY UPHOLD THE
EVIDENCE, FINDINGS, AND SENTENCE OF THE COURT MARTIAL.

CHARGES OF A SIMILAR NATURE AGAINST SEVERAL MARINES
IN TWO OTHER SEPARATE INCIDENTS WILL BE BROUGHT TO TRIAL
ABOUT THE MIDDLE OF DECEMBER, COLONEL CASEY SAID. UNQUOTE.
2/ IF DECISION MADE TO PUT OUT AS RELEASE, RECOMMEND
IMMEDIATE RELEASE OF FOREGOING BY III MAF.

PP-4
BT

10h
INITIAL
DIST. ERROR

13 MAR 66
07 19Z

FOR ON

AR
AB
AD
A

A

CONFIDENTIAL

150306

8-2120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380
MARINE CORPS
DEMAND CENTER

Nov 14 14 05 '66

**RETURN
TO
MCCG**

CMC	<i>Hoa</i>	
ACMC		<i>h</i>
MILSEC		
ColS	<i>Hoa</i>	
DC/ST&P	<i>Hoa</i>	
SGS		

NNNNMB628ECA319
PP RUECEM
DE RUMNMF 1091 3181244
ZNY CCCCC
P 141244Z NOV 66
FM CG III MAF
TO RUECEM/CMC
INFO RUHLBP/CG FMFPAC
RUMSMA/COMUSXACV
ZEN/CG FIRST MARDIV
BT

C O N F I D E N T I A L
SERIOUS INCIDENT REPORT

1. ALLEGED RAPE BETWEEN 240730 AND 240900 OCT 66 AT 910506, PHU NHUAN (3) HAMLET, XUYEN HOA VILLAGE, DU XUYEN DIST., QUANG NAM PROVINCE, RVN.
2. VICTIM: CO THI KA, 13 YR OLD FEMALE.
3. VICTIM DELIVERED TO 3D BN:: 9TH MARINES BY RESUPPLY TRUCK. VICTIM STATES SHE WAS TAKEN FROM HER HOME BY TWO MARINES, ONE CAUCASIAN AND ONE NEGRO. MOTHER TRIED TO FOLLOW BUT WAS DRIVEN OFF WITH BAMBOO STICK. VICTIM TAKEN TO NEARBY HOUSE AND OWNER TOLD TO LEAVE. HE COMPLIED. TWO MARINES WERE JOINED BY TWO MORE, ONE CAUCASIAN ONE NEGRO. ALLEGEDLY,

PAGE TWO RUMNMF WQPOQ C O N F I D E N T I A L
TWO NEGROES ASSAULTED VICTIM SEXUALLY AND WERE ASSISTED BY TWO CAUCASIANS. ONE DOLLAR NPC WAS PUT IN VICTIM'S POCKET AND SHE WAS RELEASED.

4. PRELIMINARY INQUIRY INDICATES PFC JOHN F. THOMPSON, 2243600, USMC; LCPL CECIL ROBERTSON, 2115396, USMC; PFC LARRY MOODY, 2140845, USMC AND PFC KENNETH EJM GUY, 2223247, USMC ALL OF 3/9, WERE PRESENT IN HAMLET AT TIME OF ALLEGED RAPE. EXTENT OF INVOLVEMENT, IF ANY, OF INDIVIDUALS NAMED NOT YET DETERMINED.

5. CASE UNDER INVESTIGATION BY III MAF CID.

6. LOCAL CIVIL POPULACE CONCERNED BUT NO OTHER REACTION ANTICIPATED.

GP-4

BT

14 NOV 66 10 08
D FOR DK
AR
AG
AD
A

CONFIDENTIAL

1412442

B-9 120

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 2038072EMB683 KGU
OO RUECEM
DZTRUMMF 1074 3181008
ZNY EEEEE
O 141008Z NOV 66
FM CG III MWF
TO RUECEM/CMC
BT

UNCLAS E F T O

STANDARDS OF CONDUCT AND RELATIONS WITH VN NATL

MY 131246Z NOV66

IAV PAR 6 OF REF A THE FOLLOWING LIST OF DIRECTIVES
RELATING TO SUBJ SUBMITTED. COPIES FOLLOW BY AIR MAIL.

A. COMUSMACV DIRECTIVES

525-9 CONTROL, DISPOSITION, AND SAFEGUARDING VN
PROPERTY AND FOOD SUPPLIES

632-2 PERSONAL CONDUCT AND ACTIVITIES OF US PERS

B. I CORPS COORDINATOR INST

1050.1A LIBERTY REG AND STANDARDS OF PERS CONDUCT

1610.1 UNTOWARD INCIDENTS INVOLVING VN NATL

3370.1A RESPECT FOR THE LAW, PROPERTY, INSTITUTIONS,
TRADITIONS AND CUSTOMS OF RVN

C. FORCE ORDERS

1060.2A TREATMENT OF CAPTURED PERS

141008Z
13 432
D Fol
DK
AR
AG
AD
APAGE TWO RUMMF 1074 UNCLAS E F T O
1560.1 COMMAND INFO AND INDOCTRINATION PROGRAM
1730.3 LECTURE DISCUSSIONS ON RELIGION AND SOCIAL
CUSTOMS IN VN (WITH INSTRUCTION MATERIALS)
08025.1 MINIMIZING NON-COMBAT CASUALTIES
005080.5 PROPERTY DAMAGE AND PERSONAL INJURY TO
VIETNAMESE CIVILIANS.
BT

D	DA	DEB	DF	DG	DH

DK	DL	DM	DN	DP	DS

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CMC	<i>HARD</i>	
ACMC	<i>HARD</i>	<i>R4B 11/14</i>
MILSEC		
CoIS	<i>HARD</i>	
DC/S(P&P)	<i>HARD</i>	
SGS		
<i>Div Info copy</i>		

**RETURN
TO
MCCC**NAVJAG
JAG CENTER
13 NOV 66**AG**
AD
A03
AG*III MAF*

13 NOV 66 23 42Z

ZQDLEMB440WQQUT
OO RUECEM
DE RUMNMF 934S 3172103
ZNY CCCCC
BT
CONFIDENTIAL
SVCZUI RUECEM 43 3171700Z H/W ZDK MY 1032 3171246 131246Z:
DE RUMNMF 1032 3171246
ZNY CCCCC
O 131246Z NOV 66
FM CG III MAF
TO RUECEM/CMC
INFO RUHLBP/CG FMFPAC
ZEN/CG FIRST MARDIV
BT**CONFIDENTIAL**

SERIOUS INCIDENTS; INFORMATION FOR PRESS RELEASES

A. TELECON COL WELDON JAMES, FMFPAC WITH COL T.M. FIELDS III MAF

B. CG 1ST MARDIV 101511Z NOV 66

IN ACCORDANCE WITH THE REQUEST RELAYED IN REF A THE
FOLLOWING IS SUBMITTED:

1. CASE OF LCPL FRANK C. SCHULTZ 2143998 USMC. SUBJECT
TRIED BY GCM ON 14-15 OCT 66 FOR VIOL ART 118, USMJ,
PREMEDITATED MURDER OF AN ELDERLY VIETNAMESE MALE ON
27 AUG 66. CONVICTED AS CHARGED. SENTENCE OF COURT:
DD, IF, CHL FOR LIFE, RED TO E-1. REPRESENTED BY MARINE
LAWYER COUNSEL. RECORD BEING REVIEWED BY DIVLEG OFFICER
PRIOR TO CA ACTION. CASE SUBJECT TO REVIEW BY CA, NAVY
BD OF REVIEW AND CT OF MILITARY APPEALS (SENTENCE ALSO

CONFIDENTIAL

13

12

462

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

SUBJ TO SECNAV ACTION. SUBJECT CONFINED IN III MAF
CONFINEMENT FACILITY, DANANG.

2. CASE OF PERSONNEL FROM 3D BN, 7TH MAR. INCIDENT OCCURRED
IN 22 SEP 66. CHARGES ALLEGE MURDER OF ONE VIETNAMESE MALE AND ONE
VIETNAMESE FEMALE, AND MUTILATION OF THE BODIES.

(UCZKO CHARGED WITH MURDER AND MUTILATION OF BOTH; KEENAN
CHARGED WITH MURDER OF BOTH AND MUTILATION OF FEMALE;

PIATKOWSKI CHARGED WITH MURDER AND MUTILATION OF MALE).

PRETRIAL INVESTIGATION COMPLETED AND BEING REVIEWED BY
DIVLEG OFFICER FOR RECOMMENDATION TO COMMANDING GENERAL.

CHARGES NOT REFERRED. NO TRIAL DATE ESTABLISHED. MARINES
PRESENTLY DETAINED IN 1ST MARDIV DETENTION FACILITY, CHU LAI.

MARINES REPRESENTED BY MARINE LAWYER COUNSEL.

3. CASE OF PERSONNEL FROM 1ST BN, 5TH MAR. INCIDENT
OCCURRED ON NIGHT OF 23 SEP 66. CHARGES ALLEGE MURDER OF
FIVE VIETNAMESE CIVILIANS INCLUDING TWO CHILDREN, RAPE OF
TWO WOMEN, BURGLARY OF SEVERAL HOMES, ASSAULT ON SEVERAL
VIETNAMESE CIVILIANS AND FILING FALSE OFFICIAL REPORT OF
INCIDENT. DEGREE OF ALLEGED IMPLICATION OF INDIVIDUAL
MARINES NOT YET DETERMINED. PRE-TRIAL INVESTIGATION

PAGE THREE RUMNMF 1032 C O N F I D E N T I A L

COMPLETED BUT ESTIMATED 600 PAGE REPORT NOT COMPLETED. ALL

PERSONNEL REPRESENTED BY MARINE AND NAVY LAWYER COUNSEL.

POTTER, MONROE, HOBSON, AND HENDERSON PRESENTLY DETAINED
IN FIRST MARINE DIVISION DETENTION FACILITY, CHU LAI.

4. FULL DETAILS OF 3/7 AND 1/5 INCIDENTS CONTAINED IN
REFERENCES TO REF B.

5. RECOMMEND NO PRESS RELEASE ON INFO IN PAR 2 AND 3
ABOVE UNTIL TRIAL OF CASES COMPLETED.

6. LIST OF REGULATIONS CONCERNING PROTECTION OF CIVILIANS
FOLLOWS IN LATER MSG.

GP-4

BT

CONFIDENTIAL

B-0220

DECLASSIFIED

MESSAGE REPRODUCTION FORM
NAVMC HQ 547-ADM (8-66)

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

RETURN
TO
MCCC

EMA453I

OO RUECEM
DE RUMNLA 1422E 2860659
ZNY UNCLAS E F T O
O 130659Z OCT 66 ~~ZFD~~ *NEG*
FM CG FIRST MAR DIV
TO RUECEM/CNC
INFO RUHLBP/CG FHFPAC
RUMNMF/CG III MAF
BT
UNCLAS E F T O
A. YOUR 111426Z OCT 66
B. NY 070830Z OCT 66
C. NY 106002Z OCT 66
REFERENCES B AND C CONTAIN INFORMATION REQUESTED IN REFERENCE A.
BT

OCT

13 OCT 66 0212Z

AG SDC

D	DEB	DF	DG	DH

130659

DK	DL	DM	DN	DP	DS

DECLASSIFIED

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**RETURN
TO
MCCC**PP RUHLDP RUHNMF RUHMLA
DE RUECEM 090 3161941
ZNY CCCCC
P 121941Z NOV 66
FM CMC
TO RUHLDP/CG FMFPAC
INFO RUHNMF/CG III MAF
RUHMLA/CG FIRST MARDIV
BTC O N F I D E N T I A L
SERIOUS INCIDENTS IN 1ST MARDIV (C)
A: CG 1ST MARDIV 101511Z NOV
1. HIGHER AUTHORITY MAY REQUIRE A PRESS RELEASE BE MADEPAGE TWO RUECEM 090 C O N F I D E N T I A L
ON SUBJ INCIDENTS OUTLINED IN REF A. REQUEST THAT A
PROPOSED PRESS RELEASE BE PREPARED AND SUBMITTED TO
THIS HQTRS FOR STAFFING AND APPROVAL IN THE CASES INVOLVING
1/5, 3/7, AND CORPORAL SCHULTZ (TRIED FOR MURDER AND
CONVICTED).2. IF DECISION MADE TO PUT OUT A RELEASE, YOUR RECOMMEN-
DATIONS ARE REQUESTED AS TO WHEN THE RELEASE SHOULD BE
MADE BY III MAF.GP-4
BT**CONFIDENTIAL**

12

19

412

1-9120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

EMB179EC3956
 OO RUECEM
 DE RUMNLA 082E 28406
 ZNY CCCCC
 O 110600Z OCT 66 (ZFD)
 FM CG FIRST MARDIV REIN
 TO RUECEM/CMC
 ZEN/FIRST BN FIFTH MAR
 INFO RUHLBP/CG FMFPAC
 ZEN/CG III MAF
 ZEN/FIFTH MARINES
 BT

NEG

INITIAL
DIST. ERROR

13 SEP 66 07 35Z

OPFOR
 ON
 AR
 AG
 AD
 A

C O N F I D E N T I A L

- A. MCMC SPDLTR DK-SCS DTD 6 OCT 66 (NOTAL)
 B. CG 1 ST MARDIV 070833Z (NOTAL)
 1. REFERENCE B CONTAINS INFO ON INCIDENT INVOLVING PFC DANNY L. MC GHEN 2065144 AND CONTAINS NAMES OF SERVICE PERSONNEL INVOLVED IN INCIDENT. PRELIMINARY INVESTIGATION NOT COMPLETE.
 2. MILITARY LAWYER COUNSEL ASSIGNED AS FOLLOWS: CAPT. CURTIS W. OLSON ASSIGNED TO LCPL ROBER M. MONROE, 2122739, USMC, PFC JAMES W. HENDERSON, 2078015, USMC, AND PFC CLIFTON G. HOBSON, 2214036, USMC. CAPT JAMES P. SHANNON ASSIGNED TO PFC JOHN D. POTTER, JR., 2128272 USMC.
 3. PFC DANNY L. MC GHEN, 2065144, USMC AND PFC JERRY D. SULLIVAN,

PAGE 2 RUMNMF 082E C O N F I D E N T I A L

2278672, USMC REQUESTED COUNSEL PRIOR TO MAKING STATEMENT. CAPT JAMES H. SHANNON WAS SO ASSIGNED. THIS ASSIGNMENT SUBJECT TO CHANGE UPON RECEIPT OF PRELIMINARY INVESTIGATION.

4. SGT RONAL L. VOGEL, 2012912, USMC AND HN JON R. BRETAG, 631 14 16, USN HAVE NOT REQUESTED COUNSEL. COUNSEL WILL BE PROVIDED IN THE EVENT OF PRETRIAL INVESTIGATION.

5. CO, 1ST BN, 5TH MARINES REQUESTED TO PROVIDE THIS HEADQUARTERS WITH INFO REQUESTED IN FINAL SENTENCE OF REFERENCE A.

GP-4

BT

CONFIDENTIAL

110600Z

D-9120

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**CONFIDENTIAL**

MEMBER 3416A550
O RUECEM
E RUMNLA 1520E 3141511
NY CCCCC
101511Z NOV 66 ZFD
N CG FIRST MARDIV REIN
O RUM.BP/CG FMFPAC
EN/CG III MAF
NFO RUECEM/CMC
T

Nov 12 14 48 '66

CMC	<i>hand</i>
ACMC	<i>hand</i> RAB 11/11 e
MILSEC	
CoIS	<i>hand</i>
DC/S(P&P)	
SGS	

**RETURN
TO
MCCG**

AD-AG

AC3-D

CONFIDENTIAL
OR CODE DK

REPORTING OF SERIOUS INCIDENTS (U)

- 1. CG FMFPAC 080426Z NOV WKNOTAL) (C)
- 2. CMC 042345Z OCT (C)
- 3. CG FMFPAC 060201Z OCT (NOTAL) (C)
- 4. CMC SPDLTR DK-SCS OF WPYOCT66 W/CG III MAF END 7/RJN OVER 5730 OF 30OCT66. (U)
- 5. MY 070838Z OCT (C)
- 6. MY 110600Z OCT (C)
- 7. CMC 111426(" 913 (U)
- 8. MY 130659Z OCT (U)
- 9. MY LTR 17/TPC/AVM OVER 5800 OF 19OCT 66 TO CMC (NOTAL)
- 10. MY LTR 17/TPC/AVM OVER 5500 OF 20 OCT 66 TO CMC (NOTAL)
- 11. C FMFPAC 140417Z SEP

PAGE TWO RUMNLA 1520E C O N F I D E N T I A L

- 1. MY 190545Z SEP
- 2. MY LTR 17/JLZ/PLK OVER 5800 OF 19 SEP 66 TO CG FMFPAC
- 3. CG FMFPAC P1000.3E
- 4. CG FMFPAC 050225Z NOV (NOTAL) (U)
- 5. MY 070607Z NOV (NOTAL) (U)
- 6. MY LTR 17/TPC/FMW OVER 5810 OF 9 NOV 66 (NOTAL)
- 7. PAR ONE REF A NOTED REFS B THROUGH D AS QUOTE OUTSTANDING UNQUOTE. REF E TRANSMITTED TO CMC IN RESPONSE RREFS B AND C W/CG FMFPAC AND CG III MAF INFO ADDEES. REF F PROVIDED IN ANSWER TO REF D AGAIN CG FMFPAC AND CG III MAF INFO ADDEES. REF H PROVIDE IN RESPONSE TO REF G WITH INFO CG FMFPAC AND CG III MAF. REF I PROVIDED DETAILED INFO ON 1/5 CASE AS SOON AS AVAILABLE.
- 8. REGARDING PAR TWO OF REF A, REF J PROVIDED CMC DETAILED INFO ON 3/7 CASE AS SOON AS AVAILABLE.
- 9. REGARDING PAR THREE REF A, INFORMATION CONCERNING SCHULTZ CASE REQUESTED IN REF K PROVIDED BY REFS L AND M INCLUDING COPY OF PRE-TRIAL INVESTIGATION. COPY OF PROMULGATING ORDER WILL BE FWD IAW REF N WHEN PUBLISHED. HOWEVER, AS REQUESTED BY REF O ADDITIONAL INFO FWD BY REFS P AND Q.
- 10. FOL INFO PROVIDED REGARDING SUBPARS 3A THROUGH 3D REF A:
- 11. SUBPAR A: CG III MAF INFORMED OF INCIDENT THROUGH NORMAL BACKLASH REPORTING AS FOL (REQ CG III MAF ADVISE IF AND WHEN COMUSMACV ADVISED.)

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

AGE THREE RUMNLA 1220Z C O N F I D E N T I A L

SCHUL	INCIDENT	3 SEP 66
3/7	INCIDENT	30 SEP 66
1/5	INCIDENT	25 SEP 66

3. SUBPAR B:

(1) NO DIRECT RONGRINT OF PARENTAL INTEREST CORRESPONDENCE RECEIVED HIS HQS. DEFENSE COUNSEL HAVE CORRESPONDED WITH PARENTS OR FAMILY. NO CONGRINT RECEIVED BY DEFENSE COUNSEL NOT REQUIRING REPLY BUT IS BEING ANSWERED.

(2) ONE LETTER FROM I-I 2D 105MM HOWITZER BTRY ANSWERED ON 11 OCT 66 Y CO, 1ST BN, 5TH MAR CASE OF POTTER. ADVISED SUBJECT DETAINED PENDING PRE-TRIAL INVESTIGATION BEING CONDUCTED ON CHARGES OF ART 118 AND 19 UCMJ.

(3) DIVISION LEGAL OFFICER ON 8 NOV 66 REPLIED TO CO, MARBKS BREMERTON, ASH. CASE OF SGT VOGEL. ADVISED SUBJ WAS SQUAD LEADER OF PATROL INVOLVED IN CHARGES OF MURDER, RAPE, AND BURGLARY INVOLVING VIETNAMESE CIVILIANS. VOGEL'S INVOLVMENT AS AIDER AND ABETTOR.

C. SUBPAR C:

NO OFFICIAL NOTIFICATION TO HIGHER AUTHORITY OTHER THAN AS REFERENCED ABOVE.

D. SUBPAR D:

AGE FOUR RUMNLA 1420Z C O N F I D E N T I A L

(1) SCHULTZ CASE TRIED 15 OCT 66. RECORD OF TRIAL BEING VERIFIED AND AUTHENTICATED.

(2) 3/7 CASE HAS NOT BEEN REFERRED FOR TRIAL. PRE-TRIAL INVESTIGATION CASES OF LUCZKO, KEENAN AND PIATKOWSKI BEING EXAMINED BY STAFF LEGAL OFFICER. DUE TO RECOMMENDED ADDITION CHARGES CASE OF KEENAN AND LUCZKO MAY REQUIRE ADDITION PRE-TRIAL INVESTIGATION. ANTICIPATE TRIAL TO COMMENCE ABOUT 8 DEC 66 IN CHU LAY COMBAT BASE.

(3) 1/ CASE HAS NOT BEEN REFERRED FOR TRIAL. PRE-TRIAL INVESTIGATION COMPLETED 2 NOV 66. RECORD IN EXCESS OF 600 PAGES TO BE COMPLETED ASAP. NO TRIAL DATES SCHEDULED. ANTICIPATE TRIALS TO START ABOUT MID DECEMBER. SHOULD TAKE ABOUT ONE MONTH TO COMPLETE TRIALS. TRIALS SHOULD BE HELD IN CHU LAY COMBAT BASE.

PAR 6 OF REF A REFERS. IN VIEW OF FOREGOING, SERIOUS DEFICIENCIES IN REPORTING PROCEDURES NOT PERCEPTIBLE. DETAILED AND ACCURATE INFORMATION PROVIDED CMC AS SOON AS AVAILABLE. PREMATURE AND INACCURATE REPORTS ON THESE CASES WOULD HAVE CAUSED UNNECESSARY CONFUSION FOR ALL COMMANDS, AND MISINFORMATION BEING PASSED TO INTERESTED PERSONS.

SP-4

BT

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

NNNNEMB177ECD607

OO RUECEM

DE RUMNLA 705 3170838

ZNY CCCCC

O 070838Z OCT 66 ZFD

FM CG FIRST MARDIV

TO RUECEM/CMC

INFO RUHLBP/CG FMFPAC

ZEN/FIFTH MAR

ZEN/CG III MAF

BT

C O N F I D E N T I A L

A. CMC MSG 042345Z OCT 66

1. PURSUANT TO REFERENCE (A) THE FOLLOWING BACKGROUND INFORMATION ON CONFINEMENT AND INVESTIGATION OF LANCE CORPORAL ROBERT M. MONROE IS SUBMITTED.

A. ON 23 SEPT 1966 AN AMBUSH PATROL COMPOSED OF LCPL ROBERT M. MONROE 2122739 USMC COMPANY B FIRST BN FIFTH MAR, SGT ROBERT D. L. VOGEL, 2012912 USMC COMPANY B FIRST BN FIFTH MAR PFC JOHN D. POTTER JR., 2128272 USMC COMPANY B FIRST BN FIFTH MAR, PFC JAMES W. HENDERSON, 2078016 USMC COMPANY B FIRST BN FIFTH MAR, PFC CLIFTON G. HOBSON, 2214086 USMC COMPANY B FIRST BN FIFTH MAR, PFC DANNY L. MCGHEN, 2263144 USMC COMPANY B FIRST BN FIFTH MAR, PFC JERRY D. SULLIVAN,

PAGE TWO RUMNLA 705 C O N F I D E N T I A L

2278672 USMC COMPANY B FIRST BN FIFTH MAR, AND HN JON R.

BRETAG, 681 14 16 USN COMPANY B FIRST BN FIFTH MAR,

ALLEGEDLY RAIDED APPROXIMATELY 9 VIETNAMESE HOMES. SOME OCCUPANTS WERE BEATEN AND PROPERTY DAMAGED.

B. NGUYEN THI MAI, FEMALE, AGE 16 REPORTED THAT SHE WAS RAPED BY A NEGRO MAN DURING THE RAID ON HER HOME AND THAT HER MOTHER ASSAULTED WITH A RIFLE.

C. THAT THE PATROL ALLEGEDLY ENTERED THE HOME OF BUI THI HUONG AND KILLED DAO QUANGTHINH, AGE 20, DAO TIEN AGE 2, NGUYEN THI LANK, AGE 50, DAO THI-TAO, AGE 5, AND PHAM THI TAN, AGE 29.

D. THAT BUI THI HUONG, AGE 18, WAS ALLEGEDLY RAPED BY AT LEAST 4 MEN INCLUDING MONROE AND THEN SHOT THROUGH THE UPPER RIGHT ARM.

2. THE PRELIMINARY INVESTIGATION IS NOT COMPLETE. LCPL MONROE IS PRESENTLY CONFINED IN THE CHU LAI DETENTION FACILITY. HE HAS BEEN FURNISHED LAWYER-COUNSEL.

CF-4

BT

WEG
INITIAL
DIST. ERROR13 SEP 66 17 35Z
OFCR DA
AR
AG
AD
A**CONFIDENTIAL**

070838Z

D-9320

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380NOV 15 12 22 PM
MARINE CORPS
HEADQUARTERS CENTER

RECEIVED BY OTHER MEANS: TOR: 0640Z 15 NOV 66

P 150339Z

FM NSGA BREMERHAVEN

TO DIRECTOR NAVAL INTELLIGENCE

INFO CINCUSNAVEUR

COMNAVACTSUK

DIRNAVSECGRU

DIRNAVSECGRUEUR

CMC

MARINE SUPPORT BN

BT

CONFIDENTIAL LIMITED DISTRIBUTION

JOSEPH E. PHYTHIAN WO-1 USMC 099208/2515, COMPANY "F",

MARINE SUPPORT BN

A. OPNAVINST 5510.1C

B. MY 141301Z NOTAL

1. SUBJ ADMITTED TO US ARMY HOSPITAL BREMERHAVEN 11 NOV FOR TREATMENT OF UNDETERMINED EMOTIONAL DISORDER.

2. SUBJ DISCOVERED MISSING FROM HOSPITAL APPROX 142200 LOCAL. HAS POV IN HIS POSSESSION PLUS 360 DOLLARS IN CHECKS AND 140 DOLLARS CASH.

3. SUBJ HOLDS NAVSECGRU TOP SECRET CLEARANCE.

4. LOCAL NIS AGENT INVESTIGATING. MILITARY POLICE AND GERMAN POLICE ALERTED, AND HAVE ISSUED ALL POINTS ALERT.

5. REF B TO DIRNAVSECGRU AND CO MARSUPBN, READDRESSED INFO DIRNAVSECGRUEUR, PERTINENT.

BT

CMC	Has	
ACMC		W
MILSEC		
CofS	Has	
DC/S(P&P)	Has	
SGS		

RETURN
TO
MCCC

15 NOV 66 15 25Z

CONFIDENTIAL

150339Z

B-0120



COMMANDING GENERAL
FLEET MARINE FORCE, PACIFIC
c/o FPO, SAN FRANCISCO, CALIFORNIA 96601

Recd Sat 192110 Nov '66
CONFIDENTIAL

IN REPLY REFER TO:

6/dfa

17 Nov 1966

Enc 1

① *cme - [initials]*
③ *Acme - [initials]*
② *cis [initials]*

General Wallace M. Greene, Jr., USMC
Commandant of the Marine Corps
Headquarters, U. S. Marine Corps
Washington, D. C. 20380

Dear Wally:

The worst part about the matter of the murders, mutilations etc. is that they happened at all. I will confess, when I learned of the matter from HQMC, that my first reaction was one of narrow-minded rage at the First Division for not keeping me informed of matters so serious. Later, as I reflected on it, my anger went deeper--to a cold realization of something even worse. That is the fact that at least two of these incidents were perpetrated by a part of an organized unit.

On this score, attached is a letter I sent to my generals on the subject. It expresses my attitude precisely. (Enclosure (1)).

Now, I will answer the questions in your letter.

a. Who was commanding the division(s)? Actually, our trouble is with 1stMarDiv and III MAF. 3dMarDiv has, so far as I can discern, not been derelict. Fields was in command of 1stMarDiv during the time when all three of the grave incidents occurred, and when initial reporting failures occurred. Nickerson, taking command on 30 September, was responsible during the subsequent period when other failures in reporting procedures took place, and when serious lapses in communications performance became evident.

b. Did the Division Commander comply with MCO 05740? No, at least so far as I know. By my analysis, CMC was not informed on any of the three incidents, as is required by paragraph 2 of MCO 05740. As far as I can determine, it was not until you had queries from parents or congressmen, and requested information, that the prescribed information was forwarded. And I was in even worse condition. My Order P5700.1D was also ignored. I knew nothing whatever on the 1/5 case (9 men, rape, murder) or on the 3/7 case (murder and mutilation) until Gay Thrash called my Chief of Staff on

CONFIDENTIAL

OFFICE OF THE COMMANDANT

Will See:-
Para first to C/S
for action

20 N

FROM: COMMANDANT OF THE MARINE CORPS

TO: C/S

① Para 6 of Enlosure
 12w requires action by
 Hq Mar Corps

② - Material attached hereto
 can be used to develop
 one position paper

③ - Pass to ACME for
 info.

Ⓟ

CONFIDENTIAL

6/dfa

November 7th. I had already learned of the Schultz case (murder of an old man), but only by virtue of a letter to me from his father, not from CG 1stMarDiv. And it is now plain to me that there had been direct communications between 1stMarDiv and HQMC on these incidents which left me out of the pattern. Examples are CG, 1stMarDiv letters 17/TPC/AWM over 5800 of 19Oct and 17/TPC/AWM over 5800 of 20Oct dealing, I am told, with the 1/5 and 3/7 cases; as well as two CMC speedletters to WestPac units, with no info to me, on the Schultz case (Enclosure (2)), and on the 1/5 case, (Enclosure (3)).

Compliance with MCO 05740 and my P5700.1D has been the subject of messages from me to WestPac commands. (Enclosures (4) and (5)).

c. Did the Division Commander notify CG III MAF? Yes. I find no fault with him here. (Enclosure (6)).

d. Were COMUSMACV and CINCPAC notified? No. CG III MAF advises me that he has no record of having notified COMUSMACV. He does not state why he failed to comply with the COMUSMACV instructions in these cases. However from enclosure (7) it is plain that he relied on the CIB channel to take care of an obligation levied by his operational superior, and seems to have the idea that he does not need otherwise to inform COMUSMACV, despite a written order directing him expressly to do so. I have tasked CG III MAF to explain. (Enclosure (8)).

e. Why was no reply made to CMC 042345Z? Reply was made, but it apparently never reached you. Your message arrived in my headquarters on 5Oct. We, in turn, sent a message (Enclosure (9)) to 1stMarDiv on 6Oct, directing him to make a report, and setting a deadline of 8Oct. On 7Oct CG 1stMarDiv replied (Enclosure (10)), referencing your message, and telling the story. However, it is plain now, from subsequent events, that this important message never arrived at HQMC. My communication officer is tracing the movement of the message. There was apparently something wrong with 1stMarDiv communications and we are trying to find out the cause. (Enclosure (11)). Apart from this, I am derelict in not double-checking on 1stMarDiv's response to my message. Had I done so, the non-delivery to you of enclosure (10) would have come to light much sooner, and you would have been spared trouble.

CONFIDENTIAL

CONFIDENTIAL

6/dfa

To summarize; the prime offender is 1stMarDiv for not carrying out CMC's orders and for failing to keep me informed; III MAF, who had the facts, is also derelict for not notifying COMUSMACV as required since, through that channel, I would have learned of the matter quickly at CINCPAC, and you through me; I am blameworthy for not ensuring that you received CG, 1stMarDiv's reply to your query; and HQMC, in at least two instances, dealt direct with WestPac units on serious matters, without informing me.

Finally, the vagaries of communications which left you missing a critical message, denied you information for a month and contributed directly to the trouble.

Meanwhile I have started a detailed training effort, aimed at diminishing the causes underlying the criminal actions which have caused you and the Marine Corps this trouble. (Paragraph 4 of Enclosure (1) and Paragraph 5 of Enclosure (12)).

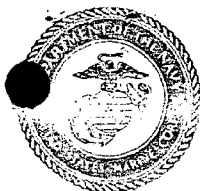
I am clear on the extreme gravity of this matter, and will report to you on the specific results of the several inquiries embodied in the enclosures.

Sincerely,


V. H. KRULAK

Lieutenant General, U. S. Marine Corps

CONFIDENTIAL



COMMANDING GENERAL **CONFIDENTIAL**
 FLEET MARINE FORCE, PACIFIC
 c/o FPO, SAN FRANCISCO, CALIFORNIA 96601

IN REPLY REFER TO:

6/dia
 8 Nov 1966

CONFIDENTIAL - LIMITED DISTRIBUTION

From: Commanding General, Fleet Marine Force, Pacific
 TO: Commanding General, III Marine Amphibious Force
 Commanding General, 1st Marine Division
 Commanding General, 1st Marine Aircraft Wing
 Commanding General, 3d Marine Division
 Commanding General, Force Logistics Command

Subj: Performance of Duty (U)

Ref: (a) Personal Response Project; attitudes of USMC and USN personnel toward indigenous people; September 1966

1. There has been a rash, recently, of grave incidents involving our men and Vietnamese civilians;--extending to assault and murder. Apart from serious weaknesses in administrative reporting which have resulted in the Commandant and me not being kept informed, there are the larger and graver problems of attitude and discipline.
2. Reference (a) spoke to the matter of poor attitude on the part of Marines toward the Vietnamese. I personally do not think we can win in Vietnam unless our men believe in the rightness of what they are doing, unless they respect the Vietnamese and believe in their worthiness as people for whom our sacrifice is justified. Reference (a) makes plain that much remains to be done to ensure that our men understand the essentials of the war and the nature of our allies. I know that efforts are already under way to do more in this area, and I can only say the sooner the better.
3. As to discipline, I find reason for grave disquiet in the cases where criminal violence has been the work not of a man on his own, or of two men on liberty, made irresponsible by drink, but by an organized Marine Corps unit during the discharge of its duties. When this happens it is not just a man who goes on trial, but the leaders over him and the Marine Corps at large. Questions can--and should--arise as to just how it is that our discipline permits men to do violence to civilians not despite, but as a part of, their own military unit; how it is that our leadership has been so derelict as to result in violence to natives by an organized group.

CONFIDENTIAL

CONFIDENTIAL

ENCLOSURE (1)

CONFIDENTIAL

CONFIDENTIAL

8 Nov 1966

4. With respect to attitudes, I am going to redouble my efforts to see that every officer and man who gets to Vietnam has a solid knowledge of what we are fighting for there, and a reasonable understanding of the people--their habits and customs. Upon their arrival there it is up to you to take up the continuing educational task, and to stay with it aggressively, day in and day out.

5. As to leadership and discipline, I am sure I do not have to reiterate here what I have said so often before;--the behavior of our men is the total responsibility of the commanders over them. Each of you, in his own sphere, I hold wholly responsible for the discipline of your commands, as I expect to be held responsible myself. Failure to keep one's superiors promptly and fully advised of trouble so that they can face up to their responsibilities is inexcusable, but it is less grave than allowing gross criminal behavior to take place at all. When it does happen, it must be regarded as a direct reflection upon the leadership of those in command at all levels. There is absolutely no way around it. Everyone in authority, from the lowest ranking enlisted supervisor to the top, bears his share of the responsibility for preserving the Marine Corps' standards, and everyone must be made to understand it.


V. H. KRULAK**CONFIDENTIAL**

UNCLASSIFIED

DKE:cmh

X

15 Sep 1966

COMMANDING GENERAL
1st MARINE DIVISION, FMFPAC
FPO SAN FRANCISCO, CALIFORNIA 96602

Enclosure (1) is forwarded with the request that this Headquarters (Code DK) be furnished information on which to base a reply to Congressman Boggs. Please include prior disciplinary record.

C. B. SEVIER
By direction

Encl:

(1) Copy of ltr w/encl of 12 Sep 1966 from Congressman Boggs concerning LCpl Frank C. SCHULTZ, 2143998, USMC

COMMANDANT OF THE MARINE CORPS
HEADQUARTERS, U. S. MARINE CORPS
WASHINGTON, D. C. 20380

UNCLASSIFIED
ENCLOSURE (2)

HALE BOGGS, M.C.
23 DISTRICT, LOUISIANA

ASSISTANT MAJORITY LEADER

BARBARA RATHE
EXECUTIVE SECRETARY

DISTRICT OFFICE:
639 FEDERAL OFFICE BUILDING
NEW ORLEANS, LA. 70130

Subj: ~~Internal~~ Discipline,

Congress of the United States

House of Representatives

Washington, D.C.

D

COMMITTEES:

WAYS AND MEANS
JOINT ECONOMIC COMMITTEE
CHAIRMAN, SUBCOMMITTEE ON
FOREIGN ECONOMIC POLICY
JOINT COMMITTEE ON INTERNAL
REVENUE TAXATION

September 12, 1966

General Wallace M. Greene, Jr., U.S.M.C.
Commandant
United States Marine Corps
Department of the Navy
Washington, D.C.

Dear General Greene:

I am taking the liberty of enclosing a letter that I received from Mr. Frank Schultz of Metairie, Louisiana.

You will note that Mr. Schultz is distressed over 1st degree murder charges that have been filed against his son, who is in Viet Nam. Would you kindly furnish me with a complete report on the circumstances involved in this case, and also advise me what relief might be available to the accused insofar as his defense is concerned. Any suggestions or advice you may have to offer, which will enable me to properly reply to my constituent, will likewise, be greatly appreciated. Would you please return Mr. Schultz' letter after it has served its purpose.

Thanking you, and with warmest regards and best wishes,

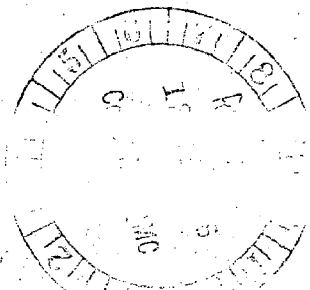
I am

Sincerely,

Hale Boggs
HALE BOGGS, M.C.

Enclosure.

HB:hs



encl (1)

9-8-66

FRANK VAHUTY

6461 PARK MADER DRIVEth R.

METairie, LA.

Hon. Commissioner H. DeLoach
 2207 Rayburn House Office Bldg.
 Washington, 20515, D.C.

Rev Sir:

I am writing to you for help. My son Frank -
 is in the Marine Corps with us.

I have received a letter from him advising
 me that he has been charged with 1st
 degree murder in the killing of a Viet
 National - He was on patrol when this
 happened.

He has plainly stated he is sick -
 the killing of his Marine buddies
 motivated the action.

I don't know what can be done to help
 him and that is why I am calling

on your part please help.

(Would you please use your good office
to help long ago.

Frank C. Schults - #2143998 - U.S.M.C.

3rd Bn. 1st Marine Div.

"L Co" - War's R.T.

F.P.O. San Francisco, Cal, 94602

Sincerely

Frank Schults

DECLASSIFIED

NAVJ 5216/2 (REV. 6-65) 0104-904-1650

USE FOR URGENT
LETTERS ONLY**NAVAL SPEEDLETTER**DO NOT CLEAR THROUGH
COMMUNICATION OFFICE

(One box must be checked)

☐ REGULAR MAIL ☐ SPECIAL DELIVERY
☒ AIR MAIL ☐ REGISTERED MAIL

CLASSIFICATION

IN REPLY REFER TO

DK-scs

DATE

6 Oct 1966

to: [Commanding General
 III Marine Amphibious Force
 c/o Fleet Post Office
 [San Francisco, California 96602]

NAVAL SPEEDLETTER-

Permits dispatch or informal language.

May be sent (1) with enclosures, (2) in a window envelope (size 8 7/8" x 3 3/4"), if contents are not classified as confidential or higher, (3) to both naval and non-naval activities.

(Fold)

Subj: PFC Danny L. MC GHEN, 2065144, USMC, BCo, 1stBn,
 5thMar

Ref: (a) MARCORPERSMAN, par. 7006

1. The Marine Corps Recruiting Officer, Pittsburgh, Pennsylvania, has referred to this Headquarters an inquiry from Mr. and Mrs. Leo A. McGhen, 117 Pettigrew Road, Irwin, Pennsylvania, concerning their son. Allegedly PFC McGhen has informed his parents that during early September he and his entire squad were involved in an incident with Republic of Vietnam civilians. One or more of the civilians were allegedly shot by members of the Marine Squad, and subject and other members of his squad are in confinement awaiting disciplinary action.

2. It is requested that the Commandant of the Marine Corps (Code DK) be furnished full information on any incident involving Private McGhen, including a summary of the facts concerning the alleged offenses, the names of all service personnel involved, the status of legal action, and the names of defense counsel assigned to each accused. Since additional inquiries for information addressed to

COPY TO

ADDRESS:

← SENDER'S MAILING ADDRESS

Address reply as shown at left; or reply hereon and return in window envelope (size 8 7/8" x 3 3/4") if contents are not classified as confidential or higher.

CLASSIFICATION

ENCLOSURE (3)

DECLASSIFIED

NAVSO 216/2 (REV. 6-65) 0104-804-1650

USE FOR URGENT
LETTERS ONLY**NAVAL SPEEDLETTER**DO NOT CLEAR THROUGH
COMMUNICATION OFFICE

(One box must be checked)

☐ REGULAR MAIL ☐ SPECIAL DELIVERY
☐ AIR MAIL ☐ REGISTERED MAIL

CLASSIFICATION

IN REPLY REFER TO

TO:

DATE

NAVAL SPEEDLETTER-

Permits dispatch or informal language.

May be sent (1) with enclosures, (2) in a window envelope (size 8 $\frac{1}{4}$ " x 3 $\frac{3}{4}$ "), if contents are not classified as confidential or higher, (3) to both naval and nonnaval activities.

(Fold)

Headquarters are anticipated, it is requested that the reply be returned as expeditiously as the situation will permit. Also include in the reply information of compliance with the provisions of reference (a).

C. B. SEVIER
By direction

COPY TO

CO 1stBn 5thMar

ADDRESS:

Commandant of the Marine Corps
Headquarters, U. S. Marine Corps
Washington, D. C. 20380

SENDER'S MAILING ADDRESS

Address reply as shown at left; or reply hereon and return in window envelope (size 8 $\frac{1}{4}$ " x 3 $\frac{3}{4}$ "), if not classified as confidential or higher.

CLASSIFICATION

COMM CENTER FMFPAC
OUTGOING CLASSIFIED/EFTO SMOOTH MESSAGE DRAFT

	FROM CG FMFPAC	DTG: 160616 Z	DRAFTED: SECT: <u>LEGAL</u>
	TO CG FIRST MARDIV	PRECEDENCE <input type="checkbox"/> FLASH <input type="checkbox"/>	PHONE <u> </u>
	INFO CG III MAF	<input type="checkbox"/> IMMEDIATE <input type="checkbox"/>	CONCURRED:
		<input checked="" type="checkbox"/> PRIORITY <input checked="" type="checkbox"/>	
		<input type="checkbox"/> ROUTINE <input type="checkbox"/>	
		<input type="checkbox"/> MAIL <input type="checkbox"/>	REL SIGNATURE

~~CONFIDENTIAL~~

REPORTING OF SERIOUS INCIDENTS (U)

- A. CG FIRST MARDIV 101511Z
- B. CG FIRST MARDIV LTR 17/TPC/AWM OVER 5800 OF 19OCT66
- C. CG FIRST MARDIV LTR 17/TPC/AWM OVER 5800 OF 20OCT66
- D. MCO 05740.2
- E. FMFPACO 5700.1D
- F. CMC SPDLTR DK/SCS OF 4NOV66 TO CG FIRST MARDIV
- G. CMC 042345Z/OCT

1. REF A CONTAINED A RESUME OF REPORTS AND FACTS CONCERNING SERIOUS INCIDENTS IN 1/5 AND 3/7, AND CITED REFS B AND C AS DETAILED REPORTS SUBMITTED TO CMC CONCERNING THOSE INCIDENTS. THIS HEADQUARTERS WAS NOT INCLUDED IN THE DISTRIBUTION OF THESE REFS, NOR WAS THIS HQ GIVEN ANY INFORMATION BY YOU, EITHER

ENCLOSURE (4)

PAGE 1 OF 2 PAGES

~~CONFIDENTIAL~~

FOR COMMUNICATION CENTER USE ONLY
PLEASE DOUBLE SPACE-MAXIMUM 65 CHARACTERS PER LINE
RED BORDER FOR CLASSIFIED/EFTO MESSAGES ONLY

CONFIDENTIAL

CONCERNING THE OCCURRENCES OR THE CIRCUMSTANCES.

2. IT IS UNDERSTOOD FROM PARA 4 A OF REF A, THAT PROPER SERIOUS INCIDENT REPORTS WERE SUBMITTED TO YOUR OPERATIONAL COMMANDER. HOWEVER, REPORTS REQUIRED BY YOUR SUPERIORS IN THE ADMINISTRATIVE CHAIN (REFS D AND E) WERE NOT FORWARDED UNTIL PROMPTED BY CMC IN REFS F AND G. YOUR FAILURE TO COMPLY WITH CMC INSTRUCTIONS IN REF D HAS BEEN THE SOURCE OF SERIOUS EMBARRASSMENT TO THE MARINE CORPS.
3. YOU ARE DIRECTED TO REVIEW YOUR REPORTING INSTRUCTIONS AND PROCEDURES WITH RESPECT TO SERIOUS INCIDENTS; REVISING THEM AS NECESSARY TO INSURE PROMPT AND CERTAIN COMPLIANCE WITH EXISTING DIRECTIVES.

GP-4

CONFIDENTIAL

PAGE 2 OF 2 PAGES

OUTGOING CLASSIFIED/EFTO SMOOTH MESSAGE DRAFT

FROM CG FMFPAC	DTG: 171906Z Z	DRAFTED:
TO CG III MAF CG FIRST MARDIV CG THIRD MARDIV CG FIRST MAW CG FORLOGCMD CG NINTH MAB MCAS IWAKUNI MCAF FUTEMA CAMP BUTLER THIRD FORSERVREGT INFO: CG FMFPAC(FWD) CMC	PRECEDENCE <input type="checkbox"/> FLASH <input type="checkbox"/> <input type="checkbox"/> IMMEDIATE <input type="checkbox"/> <input checked="" type="checkbox"/> PRIORITY <input checked="" type="checkbox"/> <input type="checkbox"/> ROUTINE <input type="checkbox"/> <input type="checkbox"/> MAIL <input type="checkbox"/>	SECT: LEGAL PHONE _____ CONCURRED: REL SIGNATURE K

CONFIDENTIAL

REPORTING OF SERIOUS INCIDENTS (U)

A. MCO 05740.2

1. RECENT EVENTS HAVE DEMONSTRATED A LACK OF ATTENTION TO THE REQUIREMENT FOR REPORTING SERIOUS INCIDENTS TO CMC AND TO THIS HEADQUARTERS.
2. ENCLOSURE (1) TO REF A DESCRIBES THE ACCIDENTS, INCIDENTS OR DISTURBANCES WHICH MUST BE MADE THE SUBJECT OF A REPORT BY ANY UNIT COMMANDER OF THE MARINE CORPS. COMMANDERS WHO ARE REQUIRED TO REPORT SUCH INCIDENTS IN ACCORDANCE WITH DIRECTIVES OF OPERATIONAL COMMANDERS, ARE REQUIRED, BY PAR 2 OF REF A, TO SUBMIT INFORMATION COPIES OF SUCH REPORTS TO CMC.

CONFIDENTIAL

PAGE ONE OF TWO

ENCLOSURE (5)

FMFPAC REPRO 1559

FOR COMMUNICATION CENTER USE ONLY
(PLEASE DOUBLE SPACE-MAXIMUM 65 CHARACTERS PER LINE)
RED BORDER FOR CLASSIFIED/EFTO MESSAGES ONLY

~~CONFIDENTIAL~~
CONFIDENTIAL

3. IN CARRYING OUT THE INSTRUCTIONS EMBODIED IN REF A, MESSAGE AND TELEPHONE WILL BE THE ACCEPTED MODES OF COMMUNICATION. AN INITIAL TELEPHONIC REPORT, FOLLOWING THE FORMAT OF PARA 2.A OF REF A, WILL BE FOLLOWED IMMEDIATELY BY A MESSAGE SUMMARY, AND SUBSEQUENTLY, AS REQUIRED FOR COMPLETE KNOWLEDGE OF THE SUBJECT, BY ADDITIONAL MESSAGE REPORTS.

4. THE TELEPHONIC REPORTS WILL BE MADE BOTH TO THE MARINE CORPS COMMAND CENTER AND THE FMFPAC COMMAND CENTER. MESSAGE REPORTS WILL BE ADDRESSED TO CMC, INFO THIS HEADQUARTERS.

GP-4

CONFIDENTIAL

PAGE TWO OF TWO

CONFIDENTIAL

COMMUNICATION CENTER

HEADQUARTERS

FLEET MARINE FORCE, PACIFIC

CONFIDENTIAL

PHC849KFA378 DNA 486
 OO RUHLBP
 DE RUMNLA 2133E 3190647
 ZNY CCCCC
 O 150647Z NOV 66
 FM CG FIRST MARDIV REIN
 TO RUHLBP/CG FMFPAC
 INFO ZEN/CG III MAF
 ZEN/CG THIRD MARDIV
 BT
 CONFIDENTIAL

REPORTING/PROCESSING CHRONOLOGY, SERIOUS INCIDENT CASES

1. FOL CHRONOLOGIES SUBMITTED REGARDING INCIDENTS NOTED:

AWM LCPL FRANK C. SCHULTZ, 2143998, THIRD BN, 1ST MAR, VIOL
 ART 118, 27AUG66.

28 AUG - INITIAL BACKLASH RPT CG III MAF 3 SEP - INTERIM
 BACKLASH RPT TO III MAF

3 SEP - ART 32 INVESTIGATION COMPLETE

17 SEP - REFERRED TO TRIAL

14-15 OCT - GCM

11 NOV - RECORD OF TRIAL ROUTED FOR AUTHENTICATION. DIV
 LEGAL OFF REVIEW BEING PREPARED FR CPY.

NOTE: 27 AUG UNIT OPCON THIRD MARDIV, RPTS SUBMITTED BY THAT
 CMD.

B. FIRST BN, FIFTH MAR INCIDENT, 23 SEP 66.

25 SEP - INITIAL BACKLASH RPT TO III MAF

30 SEP - INTERIM BACKLASH RPT TO III MAF

9 OCT - PRELIM INQUIRY COMPLETE

24 OCT-2NOV - ART 32 INVESTIGATION (INVESTIGATION NOW BEING
 TYPED - ESTIMATE 600 PAGES)

13 NOV - FINAL BACKLASH RPT TO III MAF

C. THIRD BN, SEVENTH MAR INCIDENT, 22SEP66

30 SEP - INITIAL BACKLASH RPT TO III MAF

6 OCT - INTERIM BACKLASH RPT TO III MAF

6 OCT - PRELIM INQUIRY COMPLETE

22 OCT - ART 32 INVESTIGATION COMPLETE

7 NOV - RECOM FOR TRIAL RECD FR CO, THIRD BN SEVENTH MAR
 (RECOM BEING REVIEWED BY DIV LEGAL OFF FOR SUBMISSION TO CA)

14 NOV - FINAL RPT TO III MAF

GP-4
 BT

CG FIRST MARDIV

O 150647Z/NOV 66

ACTN: ISO

ENCLOSURE (6)

CONFIDENTIAL

DECLASSIFIED

COMMUNICATION CENTER
HEADQUARTERS
FLEET MARINE FORCE, PACIFIC
DESTROY BY BURNING

UVV PHC632 MFP667
OO RUHLBP
DE RUMNMF 1043 3180120
ZNY EEEEE

O 140120Z NOV 66
FM CG III MAF
TO RUHLBP/CG FMFPAC
INFO ZEN/CG FIRST MARDIV

BT
UNCLAS E F T O
REPORTING SERIOUS INCIDENTS

A. CG 1ST MARDIV 101511Z NOV 66
B. CG FMFPAC 080426Z NOV 66

1. AS REQ IN PAR 4A OF REF A, NO RECORD THIS HQ OF REPORT TO COMUSMACV
2. ALL INCIDENT REPORTS, HOWEVER FRAGMENTARY, ARE PROMPTLY REFERRED TO CIB TO PERMIT RESPONSE TO PRESS QUERIES MADE LOCALLY OR IN SAIGON. CIB REPORTS NO QUERIES THESE CASES.
3. MACV DIRECTIVES IN THIS AREA RELATE REPORTING REQUIREMENTS TO INDIVIDUAL SERVICE DIRECTIVES.

BT

CG III MAF

O 140120Z/NOV 66

ACTN: LEG

ENCLOSURE (7)

DECLASSIFIED

COMM CENTER FMFPAC
OUTGOING CLASSIFIED/EFTO SMOOTH MESSAGE DRAFT

FROM CG FMFPAC	DTG: 160623Z	DRAFTED:
TO CG III MAF	PRECEDENCE	SECT: <u>LEGAL</u>
INFO	<input type="checkbox"/> FLASH <input type="checkbox"/> <input type="checkbox"/> IMMEDIATE <input type="checkbox"/> <input checked="" type="checkbox"/> PRIORITY <input type="checkbox"/> <input type="checkbox"/> ROUTINE <input type="checkbox"/> <input type="checkbox"/> MAIL <input type="checkbox"/>	PHONE _____
		CONCURRED:
		REL SIGNATURE

FOR COMMUNICATION CENTER USE ONLY
(PLEASE DOUBLE SPACE-MAXIMUM 65 CHARACTERS PER LINE)
RED BORDER FOR CLASSIFIED/EFTO MESSAGES ONLY

~~CONFIDENTIAL~~
CONFIDENTIAL

REPORTING SERIOUS INCIDENTS (U)

- A. CG FIRST MARDIV 101511Z
 - B. CG III MAF 140120Z
 - C. COMUSMACV DIRECTIVE 335-1 OF 5JAN66
 - D. ICCINST 5830.1 OF 23FEB66
1. IN PAR 4.A OF REF A CG FIRST MARDIV STATES THAT REPORTS WERE MADE TO YOUR HQ CONCERNING THREE SEPARATE INCIDENTS INVOLVING SERIOUS CRIMES COMMITTED BY PERSONNEL OF THE FIRST MARDIV. REF B REVEALS THAT YOUR HQ DID NOT REPORT THESE INCIDENTS TO COMUSMACV.
 2. TO MY KNOWLEDGE, REF C IS THE GOVERNING MACV DIRECTIVE IN THIS AREA.

CONFIDENTIAL

PAGE 1 OF 3 PAGES
ENCLOSURE (8)

CONFIDENTIAL

A. PARAS 1C AND 2A THEREOF MAKE CLEAR, WHILE MACV DOES NOT INTEND TO ALTER THE SERVICE REGULATIONS COVERING REPORTING OF SERIOUS INCIDENTS, THAT HE DOES INTEND TO BE KEPT COMPLETELY INFORMED IN ALL SUCH MATTERS, AND ON PERSONNEL OF ALL SERVICES.

B. PARA 2B DESCRIBES WHAT MACV MEANS BY A SERIOUS INCIDENT. IT INCLUDES THE INSTANT MATTERS.

C. PARA 4.A REQUIRES MAJOR COMMANDERS SUBORDINATE TO COMUSMACV TO ESTABLISH REPORTING PROCEDURES NECESSARY TO ENSURE THAT ACCURATE AND TIMELY REPORTS ON SERIOUS INCIDENTS ARE SUBMITTED.

D. ANNEX A PROVIDES THE REPORTING FORMAT.

3. THE CONTENT OF PARAS 2 AND 3 OF REF B ARE NOT UNDERSTOOD. THEY IMPLY III MAF CONVICTION THAT REFERRAL OF INCIDENT REPORTS TO THE CIB IS AN ADEQUATE FULFILLMENT OF MACV REQUIREMENTS, BECAUSE MACV REGARDS INTRA-SERVICE REPORTS AS SUFFICIENT. THIS IMPLICATION IS STRENGTHENED BY

CONFIDENTIALPAGE 2 OF 3 PAGES

CONFIDENTIAL

PARA 1 OF REF B WHICH ACKNOWLEDGES THAT NO REPORT
WAS FORWARDED TO COMUSMACV. THIS, HOWEVER, IS
INCONSISTENT WITH PARA 2 ABOVE.

4. REQUEST ADVISE.

GP-4

CONFIDENTIALPAGE 3 OF 3 PAGES

CONFIDENTIAL

COMMUNICATION CENTER

HEADQUARTERS

FLEET MARINE FORCE, PACIFIC

CONFIDENTIAL

VV KMC389
 PP RUMNLA
 DE RUHLBP 811 2790201
 ZNY CCCCC

P 060201Z OCT 66
 FM CG FMFPAC
 TO RUMNLA/CG FIRST MARDIV

BT

C O N F I D E N T I A L

SPLINT LCPL ROBERT W. MONROE 2122739 USMC (U)

A. CMC 042345Z (C)

1. REF A REFERS.

2. ADMSG THIS HQ NLT 20OCT CIRCUMSTANCES SURROUNDING
 ALLEGATION THAT LCPL MONROE AND NINE OTHERS BEING HELD
 ACCUSED OF WANTONLY KILLING VN CIVILIAN

GP-4

BT

CG FMFPAC

P 060201Z/OCT 66

ACTN: INSP

ENCLOSURE (9)

CONFIDENTIAL

CONFIDENTIAL

COMMUNICATION CENTER

HEADQUARTERS

FLEET MARINE FORCE, PACIFIC

CONFIDENTIAL

00 RUHLBP
 DE RUMNLA 705 3170838
 ZNY CCCCC
 O 070838Z OCT 66 ZFD
 FM CG FIRST MARDIV
 TO RUECEM/CMC
 INFO RUHLBP/CG FMFPAC
 ZEN/FIFTH MAR
 ZEN/CG III MAF
 BT
 C O N F I D E N T I A L
 A. CMC MSG 042345Z OCT 66

1. PURSUANT TO REFERENCE (A) THE FOLLOWING BACKGROUND INFORMATION ON CONFINEMENT AND INVESTIGATION OF LANCE CORPORAL ROBERT M. MONROE IS SUBMITTED.

A. ON 23 SEPT 1966 AN AMBUSH PATROL COMPOSED OF LCPL ROBERT M. MONROE 2122739 USMC COMPANY B FIRST BN FIFTH MAR, SGT RONALD L. VOGEL, 2012912 USMC COMPANY B FIRST BN FIFTH MAR PFC JOHN D. POTTER JR., 2128272 USMC COMPANY B FIRST BN FIFTH MAR, PFC JAMES W. HENDERSON, 2078016 USMC COMPANY B FIRST BN FIFTH MAR, PFC CLIFTON G. HOBSON, 2214086 USMC COMPANY B FIRST BN FIFTH MAR, PFC DANNY L. MCGHEN, 2265144 USMC COMPANY B FIRST BN FIFTH MAR, PFC JERRY D. SULLIVAN, 2278672 USMC COMPANY B FIRST BN FIFTH MAR, AND HM JON R. BRETAG, 681 14 16 USN COMPANY B FIRST BN FIFTH MAR, ALLEGEDLY RAIDED APPROXIMATELY 9 VIETNAMESE HOMES. SOME OCCUPANTS WERE BEATEN AND PROPERTY DAMAGED.

B. NGUYEN THI MAI, FEMALE, AGE 16 REPORTED THAT SHE WAS RAPED BY A NEGRO MAN DURING THE RAID ON HER HOME AND THAT HER MOTHER ASSAULTED WITH A RIFLE.

C. THAT THE PATROL ALLEGEDLY ENTERED THE HOME OF BUI THI HUONG AND KILLED DAO QUANG THINH, AGE 20, DAO TIEN AGE 2, NGUYEN THI LANH, AGE 50, DAO THI-TAO, AGE 5, AND PHAN THI TAN, AGE 29.

D. THAI BUI THI HUONG, AGE 18, WAS ALLEGEDLY RAPED BY AT LEAST 4 MEN INCLUDING MONROE AND THEN SHOT THROUGH THE UPPER RIGHT ARM.

2. THE PRELIMINARY INVESTIGATION IS NOT COMPLETE. LCPL MONROE IS PRESENTLY CONFINED IN THE CHU LAI DETENTION FACILITY. HE HAS BEEN FURNISHED LAWYER-COUNSEL.

GP-4
 BT

CG FIRST MARDIV

O 070838Z/OCT 66

ACTN: LEG
 INFO: S/SEC ADJ

ENCLOSURE (10)

CONFIDENTIAL

CONFIDENTIAL

COMMUNICATION CENTER
HEADQUARTERS
FLEET MARINE FORCE, PACIFIC

DESTROY BY BURNING

Nov 15 07 55 '66 45

VV KMC188
OO RUMNLA RUMNMF RUECEM
DE RUMBP 2183 3190331
ZNY EEEEE

15NOV66 0355Z/90

O P 150331Z NOV 66
FM CG FMFPAC
TO RUMNLA/CG FIRST MARDIV
INFO RUECEM/CNC
RUMNMF/CG III NAF

DRAFTED: 10/CEO
CONCURRED: ADJ
RELEASED: CEO

BT

UNCLAS E F T O

CASUALTY AND SERIOUS INCIDENT MESSAGES

- A. CNC 102043Z NOTAL
- B. CNC 140226Z NOTAL
- C. TELECON SGT FRANK CAS SECTION HQ FMFPAC TO PFC MCCOY
CAS SECTION FIRST MARDIV OF 14 NOV 66
- D. CG FIRST MARDIV 101511Z
- E. CG FIRST MARDIV 070838Z/OCT
- F. CG FIRST MARDIV 110600Z/OCT
- G. CG FIRST MARDIV 130659Z/OCT
- H. CG FIRST MARDIV 050133Z NOTAL
- I. CG FIRST MARDIV 052359Z NOTAL
- J. CG FIRST MARDIV 011429Z
- K. CG FIRST MARDIV 060851Z

PAGE 2 RUMBP 2183 UNCLAS E F T O

1. REF A AND B REPORT NON-DELIVERY OF TOTAL THIRTEEN DEATH MSGS AND CASREPS. REF C DISCLOSED CG FIRST MARDIV 100947Z AND 111215Z DEATH MSGS STILL NOT RECEIVED AT HQ FMFPAC AND HQMC WITH HQMC HAVING BEEN NOTIFIED OF IMPENDING ARRIVAL OF BODIES AT DOVER, DELAWARE.
2. REF D, REPORT OF SERIOUS INCIDENT RECEIVED HERE 41 HOURS AFTER TIME OF FILE WITH MISHANDLING ACKNOWLEDGED BY RUMNLA 3171319Z. REF E, F, AND G USED AS REFS IN REF D NOT RECEIVED UNTIL 13 NOV AND THEN ONLY AFTER PHONECON AND SERVICE BETWEEN COMM CENTERS.
3. REFS H, I, AND J, ALL GARBLED MSGS, HAVE BEEN SERVICED FIVE TIMES WITH NO RESPONSE AS OF THIS DATE. SECTION ONE OF REF K HAS NEVER BEEN RECEIVED, WITH NO RESPONSE TO FOUR SERVICES.
4. ESSENTIAL THAT ALL POSSIBLE ACTION BE TAKEN TO ENSURE CONTINUOUS EFFICIENT EXTERNAL COMMUNICATIONS SERVICE. ADVISE RESULTS TRACER ACTION ON ALL NON-DELIVERED MESSAGES MENTIONED ABOVE, AS WELL AS GENERAL CORRECTIVE MEASURES TAKEN.

BT

CG FMFPAC

O P 150331Z/NOV 66

ACTN: CEO

ENCLOSURE (11)

DTG 112024Z

FROM: CG FMFPAC
TO: CG MARCORB CAMLEJ

SECRET

SPECAT EXCLUSIVE FOR GEN GREENE FROM LTGEN KRULAK. MARINE CORPS EYES ONLY. CG MARCORB CAMLEJ NOT ADEE PASS ACTION CMC.

1. A RECENT SURVEY WAS TAKEN IN THE III MAF AREA AMONG USMC/USN PERSONNEL TO DETERMINE THEIR ATTITUDES TOWARD THE ARVN, POPULAR FORCES AND THE VIETNAMESE CIVILIAN POPULACE. THE SURVEY CONCLUDE THAT THERE IS A LACK OF UNDERSTANDING ON THE PART OF MANY USMC/USN PERSONNEL, WITH RESPECT TO THE VIETNAMESE PEOPLE, THEIR BACKGROUND, CULTURE AND MOTIVATIONS. IF TRUE, THIS CONDITION CAN RESULT IN A LACK OF TRUE RAPPORT, AND A CONSEQUENT ADVERSE EFFECT UPON THE REVOLUTIONARY DEVELOPMENT EFFORT.

2. THE AFOREMENTIONED SURVEY WAS PART OF A FLEET MARINE FORCE, PACIFIC SPECIAL RESEARCH PROJECT UNDERTAKEN IN 1965 WITH THE PRIMARY PURPOSE OF IMPROVING THE ABILITY OF CHAPLAINS AND UNIT COMMANDERS TO UNDERSTAND THE RELIGIOUS AND SOCIAL CUSTOMS OF THE PEOPLE. THE SURVEY COVERED APPROXIMATELY ONE PERCENT OF III MAF PERSONNEL AND INCLUDES DETAILED SAMPLING OF OPINIONS IN NINE INFANTRY BATTALIONS, FIVE REGIMENTAL HEADQUARTERS, A TANK BATTALION, MEDICAL BATTALION, ENGINEER BATTALION, ARTILLERY BATTALION, FLC, MWHG, MAG-12, MAG-16 AND NMCB-4. IT IS CONSIDERED, WHILE SMALL, THAT THE SAMPLING OF OPINIONS WAS PROBABLY A REASONABLY VALID ONE, SINCE A RIGID METHOD OF ADMINISTERING OF THE QUESTIONNAIRES WAS EMPLOYED. A COPY OF THE SURVEY IS BEING FORWARDED TO YOU UNDER SEPARATE COVER.

3. BRIEF HIGHLIGHTS OF THE REPORT ARE:

A. THERE IS A GENERAL INDICATION THAT ONLY THIRTY-SEVEN PERCENT OF THE MARINES LIKE THE ARVN AND THE POPULAR FORCES, AND THAT ONLY FORTY-THREE PERCENT LIKE LOCAL VIETNAMESE CIVILIANS.

B. IT WAS FOUND THAT THE GROUP IMAGE HAS A MUCH MORE

SECRET

ENCLOSURE (12)

NEGATIVE WEIGHT THAN THE INDIVIDUAL OPINION.

(1) WHEN ASKED, "HOW DO MARINES IN GENERAL FEEL TOWARD THE ARVN AND PFS?", THE AVERAGE OF RESPONSES WAS THAT THIRTY-FIVE PERCENT DISLIKED THEM. WHEN ASKED, "HOW DO YOU PERSONALLY FEEL ABOUT THE ARVN AND PF SOLDIERS IN GENERAL?" THE AVERAGE OF RESPONSES WAS THAT FORTY-FOUR PERCENT LIKED THEM AND THIRTY-SEVEN PERCENT DISLIKE THEM.

(2) WHEN ASKED, "HOW DO MARINES IN GENERAL FEEL TOWARD THE LOCAL CIVILIANS?", THE AVERAGE OF RESPONSES WAS THAT THIRTY-SEVEN PERCENT LIKED THEM AND THIRTY-FIVE PERCENT DISLIKED THEM. WHEN ASKED, "HOW DO YOU PERSONALLY FEEL ABOUT THE LOCAL PEOPLE?", THE AVERAGE OF RESPONSES WAS THAT FORTY-FOUR PERCENT LIKED CIVILIANS AND THIRTY-SEVEN PERCENT DISLIKED THEM.

C. A CORRELATION BY RANK REVEALS THAT MORE PVTS/PFCS, SENIOR NCOS AND FIELD GRADE OFFICERS HAVE FAVORABLE ATTITUDES TOWARD THE VIETNAMESE THAN DO SGTs AND COMPANY GRADE OFFICERS.

D. A CORRELATION BY TYPE OF DUTY REVEALS THAT THE GROUND FORCES WERE THE ONLY GROUP EXPRESSING MORE LIKES THAN DISLIKES TOWARD BOTH THE ARVN/PFS AND THE LOCAL PEOPLE.

E. A CORRELATION BY AGE REVEALS THAT PROPORTIONATELY MORE MEN IN THE AGE GROUPS LESS THAN TWENTY YEARS OF AGE AND OVER THIRTY-FIVE LIKE THE VIETNAMESE THAN DO THE MEN IN AGE GROUP TWENTY-ONE TO THIRTY-FIVE YEARS. THE GROUP WITH THE LEAST NUMBER OF FAVORABLE RESPONSES IS THAT OF MEN BETWEEN THE AGES OF TWENTY-SIX AND THIRTY.

4. CONVERSELY, THE SURVEY NOTED THAT THE US ARMY RESEARCH AND DEVELOPMENT FIELD UNIT, SAIGON REPORTED IN APRIL 1966 THE EXPRESSIONS OF VIETNAMESE ATTITUDES IN EIGHT URBAN AREAS, ONE OF WHICH WAS DANANG. THE REPORT INCLUDED EXPRESSIONS OF LABORERS, MIDDLE CLASS AND INTELLECTUALS. SIGNIFICANT POINTS OF THE ARMY R&D REPORT ARE:

A. IN DANANG, SEVENTY-EIGHT PERCENT OF THE PEOPLE LIKE US. ONLY SEVEN PERCENT DEFINITELY DISLIKE US.

SECRET

B. SPECIFICALLY, THE PEOPLE REMARK UPON THE GOOD CHARACTER OF AMERICANS, THEIR LOVE TOWARD CHILDREN, THEIR WILLINGNESS TO PAY DEBTS. THEY BELIEVE THAT WE ARE COURTEOUS AND BRAVE. THEY ARE GRATEFUL TO US FOR FIGHTING THE VC, WORKING SO HARD AND HELPING THEM ECONOMICALLY.

C. ON THE NEGATIVE SIDE THEY NOTE THE POOR CONDUCT OF SOME ~~COURTESY~~ MEN, ESPECIALLY THOSE WHO ARE LOUD, CARELESS OF THEIR APPEARANCE, INEBRIATED AND THOSE WHO BOTHER VIETNAMESE GIRLS.

D. SIXTY-THREE PERCENT DO NOT APPROVE OF VIETNAMESE GIRLS APPEARING IN PUBLIC WITH AMERICANS.

E. THEY COMPLAIN ABOUT THE HIGH COST OF LIVING SINCE OUR ARRIVAL AND THIRTY-EIGHT PERCENT BLAME US.

F. TWO DISQUIETING POINTS IN THE ARMY R&D SURVEY ARE:

(1) SOME FORTY-TWO PERCENT ARE SAID TO BELIEVE THAT WE THINK WE ARE SUPERIOR TO THE VIETNAMESE.

(2) ONLY FORTY-SIX PERCENT OF THE VIETNAMESE QUESTIONED BELIEVE WE LIKE THEIR SOLDIERS.

IT MAY BE THAT AMERICANS ARE ALREADY COMMUNICATING OUR ATTITUDES MORE THAN WE REALIZE.

5. I AM NOT AT ALL PREPARED TO ACCEPT THAT THE SURVEY IS 100 PERCENT ACCURATE, BUT I AM SURE THAT IT HAS SOME BASIC VALIDITY. FOR THIS REASON, COMMANDERS OF NON-COMMITTED FLEET MARINE FORCE, PACIFIC COMMANDS WILL BE DIRECTED TO DEVOTE ADDITIONAL TIME IN THEIR TRAINING PROGRAMS TO DEVELOPING A BETTER KNOWLEDGE OF THE VIETNAMESE PEOPLE, THEIR CUSTOMS AND TRADITIONS, AND OF THE REASONS WHY WE ARE FIGHTING IN VIETNAM. FUTURE ISSUES OF FMFPAC TACTICAL TRENDS AND TRAINING TIPS WILL INCLUDE MORE DETAILED DATA ON THE VIETNAMESE PEOPLE AND ON THE ROOTS OF THE WAR, ALL AIMED AT MEETING THIS ATTITUDINAL PROBLEM THROUGH BETTER EDUCATION. THE MATTER HAS ALREADY BEEN DISCUSSED WITH CG, III MAF AND LOCAL COMMANDERS.

SECRET

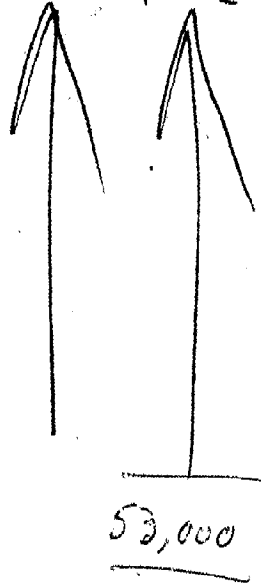
6. WHILE THESE MEASURES CAN BE EXPECTED TO IMPROVE THE SITUATION WITHIN FMFPAC, I SUGGEST IT DESIRABLE TO TAKE ADDITIONAL MEASURES, ON A BROADER SCALE, TO INCREASE THE LIKELIHOOD THAT ALL MARINES HEADED FOR VIETNAM HAVE THE BEST POSSIBLE ATTITUDE TOWARD THE VIETNAMESE PEOPLE AND TO THE WAR. ACCORDINGLY, RECOMMEND YOU CONSIDER REQUIRING, ELSEWHERE IN THE FLEET MARINE FORCES, IN THE MARINE CORPS SCHOOLS, IN THE INFANTRY TRAINING REGIMENTS AND IN THE REMAINDER OF THE SUPPORTING ESTABLISHMENT, THAT ADDED EMPHASIS BE PLACED ON IMPROVING THE MARINES' UNDERSTANDING OF THE VIETNAMESE PEOPLE, OF THE NATURE OF THE VIETNAM WAR, AND OF THE FUNDAMENTAL IMPORTANCE OF CREATING AND MAINTAINING FAVORABLE RELATIONSHIP WITH THE CITIZENRY.

GP-4

SECRET

6-3 provide - more personally — 301100 —
 Case examples of activities to be used.

- (1) - Impact on the campaign in Viet.
- (1) - Responsibility *
- (1) - Report -



Indicators

ABM — 20 billions —
 — 41,000

523,000

470

53,

41

94 —

29 Nov 1966

Subj: Notification of Secretary of the Navy of Serious Incidents in III MAF and Congressional Inquiries on said incidents

1. Notification of Secretary of the Navy.

3 November 1966

Notification by Commandant to Secretary of the Navy on Cases 1, 2, 3, and 4 of SPREAD SHEET of 28 November 1966

4 November 1966

Chief of Staff notified Under Secretary of the Navy on Cases 1, 2, 3, and 4 of SPREAD SHEET of 28 November 1966

15 November 1966

Secretary of Navy notified by memo delivered at 0930 hours, 15 November 1966, concerning Case 8 on SPREAD SHEET of 28 November 1966

22 November 1966

Commandant notified Secretary of the Navy of Cases 5, 6, and 7 of SPREAD SHEET of 28 November 1966

25 November 1966

Marine Corps Command Center passed to NMCC, Colonel DWYER, and LtCol SPARK information of Case 10 of SPREAD SHEET of 28 November 1966 at 251338Z Nov

2. Congressional Inquiries have been received from the below listed Members of Congress and were answered on dates as listed.

A. CASE No. 1 of SPREAD SHEET

Senator Symington	21 Nov 1966 (Missouri)
Senator Long	28 Nov 1966
Congressman D. G. Hall	28 Nov 1966
Concerning PFC J. H. BOYD, Jr.	

Senator Birch Bayh	17 Nov 1966
Concerning LCpl R. W. MONROE	

Senator Stennis 17 Nov 1966
Concerning PFC John D. POTTER

Senator Russell 25 Nov 1966
Senator Talmadge 23 Nov 1966
Concerning PFC J. D. SULLIVAN

Senator Magnuson 17 Nov 1966
Congressman Brock Adams 10 Nov 1966
Concerning Sgt Richard VOGEL

B. CASE No. 2 of SPREAD SHEET

Senator Robert Byrd 9 Nov 1966
Senator Randolph 9 Nov 1966
Congressman Slack 2 Nov 1966
Concerning PFC C. W. KEENAN

Congressman Philbin 23 and 28 Nov 1966
Concerning Cpl S. J. LUCZKO

C. CASE No. 3 of SPREAD SHEET

Congressman Boggs 21 Oct 1966
Concerning LCpl F. C. SCHULTZ

D. CASE No. 4 of SPREAD SHEET

Senator Yarborough 21 Oct 1966
Concerning James R. SMITH, HN, USN

FOR OFFICIAL USE ONLY

SPREAD SHEET

Subj: Serious Incidents allegedly committed against Vietnamese civilians by members of the
III Marine Amphibious Force

1. CASE: "B"Co, 1stBn, 5thMar, 1stMarDiv

Reported Information:

A copy of a Preliminary Inquiry dated 9 October 1966 alleges that at a VN hamlet five VN civilians were murdered, two women were raped, one rape victim wounded, four civilians assaulted, and eight huts entered and damaged. A nine man patrol left an ambush site, entered the village without authority, and members committed these offenses. After the Marines withdrew, the officer platoon leader discovered these offenses. With the knowledge of the officer the offenders attempted to cover up the crimes. The officer submitted false reports to his superior in order to conceal the offenses.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
2000 hours on 23 Sep 1966	Xuan Ngoc Hamlet, Chu Lai, VN	2dLt Stephen J. TALTY, Jr., USMCR	1. Accessory after fact murder of four VN civil- ians. 2. Making false official statements. 3. Dereliction in per- formance of duty.	In the cases of all ten accused persons, the Hearing Proceedings of the Formal Pretrial Investigation ended on 2 Nov. The record in excess of 600 pages is being transcribed under field conditions. Re- view of that record and recommendations on all ten men await trans- cribing. Command has estimated 15 Dec date on reference to trials. Latest report by CG, 1stMarDiv spdltr dtd 12 Nov 1966.
		Sgt Ronald L. VOGEL, USMC	1. Murder of one VN National. 2. Accessory after fact to murder of 4 VN Nation- als. 3. Rape of one VN National. 4. Breaking and entering 5 VN dwellings.	

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

HM Jon R. BRETAG, USN

5. False official statement.
6. Derelict in duty.

LCpl Robert W. MONROE, USMC
(Presently confined at
Chu Lai)

1. Rape 2 VN females.
2. Accessory after fact to murder of 4 VN civilians.
3. Breaking and entering 5 VN dwellings.

1. Murder of 4 VN Nationals.
2. Assault with intent to commit murder of 2 VN Nationals.
3. Rape of 2 VN Nationals.
4. Breaking and entering 5 VN dwellings.
5. Assault on 3 VN Nationals.

PFC John D. POTTER, Jr.,
USMC
(Presently confined at
Chu Lai)

1. Murder of 5 VN Nationals.
2. Assault with intent to murder one VN National.
3. Rape of 2 VN females.
4. Breaking and entering 5 VN dwellings.
5. Assault on 3 VN Nationals.

PFC Jerry D. SULLIVAN,
USMC

1. Murder of 4 VN Nationals.
2. Assault with intent to commit murder on 2 VN Nationals.
3. Rape one VN female.
4. Breaking and entering 5 VN dwellings.
5. Assault on 3 VN Nationals.

PFC James W. BOYD, Jr.,
USMC

1. Murder of 4 VN Nationals.
2. Assault with intent to commit murder of 2 VN Nationals.

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

PFC Clifton G. HOBSON, USMC
(Presently confined at
Chu Lai)

1. Accessory after fact of murder of 3 VN Nationals.
2. Rape of 2 VN females.
3. Breaking and entering 4 VN dwellings.
4. Assault on 3 VN Nationals.

PFC James W. HENDERSON,
USMC

1. Accessory after fact of murder of 4 VN Nationals.
2. Rape of 2 VN females.
3. Breaking and entering 4 VN dwellings.
4. Assault on 4 VN Nationals.

PFC Danny L. MC GHEE, USMC

1. Murder of 4 VN Nationals.
2. Accessory after fact of murder of one VN National.
3. Assault with intent to commit murder on 2 VN Nationals.
4. Rape of one VN female.
5. Breaking and entering 4 VN dwellings.
6. Assault on 3 VN Nationals.

NOTE: All allegations of offenses are based on the preliminary investigative report. Charges against and referrals of persons to trial will be based on contents of Formal Pretrial Investigation.

FOR OFFICIAL USE ONLY

2. CASE: "K"Co, 3dBn, 7thMar, 1stMarDiv

Reported Information:

A copy of a preliminary inquiry dated 6 October 1966 alleges that three members of a ten man patrol murdered an elderly VN woman, covered her body with straw and set fire to the straw. Then these same men murdered an elderly VN man, cut off an ear, and hid the body. The patrol did not report these incidents. This incident was reported by other villagers. The victims were civilians.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
22 Sep 1966	Tri Binh Hamlet, Chu Lai Area, VN	Cpl Stanley J. LUCZKO, USMC (has been referred to a Board of Medical Officers for psychiatric evaluation)	1. Murder of 2 VN civilians. 2. Mutilate bodies of 2 VN civilians.	Hearing proceedings of the Formal Pretrial was completed on 17 Oct. Additional charges against LUCZKO and KEENAN required additional Formal Pretrial Investigation. All three Marines referred to trial by GCM on 23 Nov 1966. Trial tentatively scheduled for week of 19 Dec.
		PFC Charles W. KEENAN, USMC	1. Murder of 2 VN civilians. 2. Mutilate bodies of 2 VN civilians.	Reported by CG, 1stMar Div, msg 2503012 Nov66.
		PFC Ronald A. PIATKOWSKI, USMC	1. Murder of one VN civilian. 2. Mutilate the body of one VN civilian.	

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

3. CASE: Schultz Case, 3dBn, 1stMar, 1stMarDiv

Reported Information:

While a member of a patrol, Schultz took an elderly VN male out of a hut, marched him a few meters and shot him. The victim's wife and one other VN male observed this. There was no provocation.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
27 Aug 1966	DaNang Area VN	LCpl Frank C. SCHULTZ, USMC (Confined at DaNang pending review by CG, 1stMarDiv) No other US personnel involved	Premeditated murder of VN male	Convicted of offense by GCM on 15 Oct. Sentenced to confinement for life, Dishonorable Discharge, total forfeitures and reduction to private. Present status preparation of the record of trial, authentication by law officer and President of GCM. Anticipate review by CG, 1stMarDiv, about 1 Dec. CG, 1stMarDiv, message of 10 Nov latest report.

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

4. CASE: Smith Case, 3dMarDiv

Reported Information:

Initially reported information was that during a squad size patrol, a VC Suspect was captured. While the other members of the patrol were conducting search and security activities, Smith was guarding the captive. The captive was shot and Smith was observed lowering a rifle from his shoulder.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
20 Aug 1966	DaNang, VN	James R. SMITH, HN, USN No other person charged with the offense	Premeditated murder of a VN male.	GCM held on 20, 21, and 22 Oct. Smith was acquitted.

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

5. CASE: "A"Co, 1stBn, 7thMar, 3dMarDiv

Information from Record of Trials:

A 12 man patrol stopped in a hamlet, picked up a VN woman, and forced her to accompany the patrol. After reaching their destination, one man took off her pants and tied them over her face and bound her hands. Two other men raped the woman.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
20 Jul 1966	Chu Lai Area	Cpl Carlton A. WILLIAMS, USMC	Rape of VN female	All three Marines were tried and convicted by GCM on 18 Aug. Sentence approved by CG, 1stMarDiv, in each case, BCD, confinement for 12 months, total forfeitures, and reduction to private. All cases now pending appellate review before a Navy Board of Review here in Washington, D. C. Information obtained from Naval Appellate Review Activity.
		PFC Harrison CALDWELL, Jr., USMC	Rape of VN female	
		LCpl Gerald M. TILLIGHAST, USMC	Rape of VN female	

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

6. CASE: Wilson, "D"Co, 1stBn, 9thMar, 3dMarDiv

Reported Information:

Members of Wilson's unit were occupying a machine gun position near the victim's dwelling. Four Marines were playing cards in the victim's house. Wilson entered, told the elderly victim to come outside. Then Wilson cut the victim's throat with a knife and threw the victim in a well. Other members of the group threw straw over the victim's body.

<u>DATE</u>	<u>PLACE</u>	<u>PERSON</u>	<u>OFFENSE</u>	<u>STATUS OF CASE</u>
19 Sep 1966	DaNang, VN	PFC Terry L. WILSON, USMC (Presently confined at DaNang)	Unpremeditated murder of VN male	Convicted by GCM on 11 Nov and sentenced to Dishonorable Discharge, confinement for 5 years, total forfeitures, and reduction to private. Case pending trans- cription of record and review by CG, 3dMarDiv.

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

7. CASE: Harris and Hardwick, 1stMarDiv

Reported Information:

While on daylight patrol Harris alleged to have forced 18 year old VN girl into back room of house and raped her. Hardwick allegedly assaulted same girl in attempt to force her to commit act of oral copulation on him.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
5 Oct 1966	VN, location PFC Eddie HARRIS, Jr., not reported USMC	LCpl Wayne W. HARDWICK, USMC	Rape of VN female Attempt to commit sodomy with VN female	Referred to trial by GCM. Trials set for 28 and 29 Nov 1966. CG, 1stMarDiv, message 210235Z Nov (C), latest report.

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

8. CASE: Alleged rape of 13 year old girl. 3dBn, 9thMar, 3dMarDiv

Reported Facts:

Victim brought to 3dBn, 9thMar, Command Post. She stated that she was taken from her home by two Marines, her mother driven away with a stick, and that she was taken into an adjoining dwelling. There the owner of the house was ordered to leave. She was raped by two Marines while two other Marines assisted. Four Marines who were in the hamlet at time of alleged rape are under investigation.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS UNDER INVESTIGATION</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
Morning of 24 Oct 1966	DaNang Area VN	LCpl Cecil ROBERTSON, USMC PFC John F. THOMPSON, USMC PFC Larry MOODY, USMC PFC Kenneth E. GUY, USMC	All suspected of rape	Case under investigation by Criminal Investigation Detachment, III MAF. Reported by CG, FMFPac, message 141244Z Nov66 (C).

FOR OFFICIAL USE ONLY

9. CASE: "C"Co, 1stBn, 3dMar, 3dMarDiv

Reported Facts:

Four unidentified Marines of "C"Co, 1stBn, 3dMar, are alleged to have entered a private home and sexually molester two women occupants. Women involved are wives of local civil irregular defense groups (CIDG). Marines also alleged to have threatened an elderly man at rifle point.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
1930, 23 Nov 1966	Khe Sanh, VN	Unidentified	Unknown at this time	Case under investiga- tion. Reported by III MAF CDC to MCCC via PONECON 250308R (250809Z) and CG III MAF 250738Z Nov66 (C)

FOR OFFICIAL USE ONLY

10. CASE: Charles E. FERGUSON, 3dBn, 9thMar, 3dMarDiv

Reported Facts:

Mr. TAN reported to CO, 3dBn, 9thMar, that a Marine had kidnapped a Vietnamese female and had taken her to a specified house in the area. BnSgtMaj accompanied by BuMedO went to the house. As they arrived, Marine ran from the house and was apprehended by the BnSgtMaj. The SgtMaj entered the house, found the alleged victim lying on the floor, savagely beaten, and apparently raped. Alleged victim died shortly thereafter. Her body was transported to the Naval Support Activity Hospital, Danang. An autopsy will be performed.

<u>DATE</u>	<u>PLACE</u>	<u>PERSON UNDER INVESTIGATION</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
1330 24 Nov 1966	An Hoa, VN	PFC Charles E. FERGUSON, USMC	Suspected of rape and murder	Case under investigation. Reported by CG III MAF 250734Z Nov66 (C) and MCCC PONECON 250402Z and 250328R.

FOR OFFICIAL USE ONLY

11. CASE: 7thMTB

Reported Facts:

Marines were riding in a truck moving south on the road from Red Beach. When they reached the intersection of Highway 1 and 1B, they allegedly commenced firing into Mga Ba Hue Hamlet. Vietnamese National Police gave chase. One policeman reported shot while pursuing truck. One Vietnamese killed and two others wounded. The truck was stopped by MR's and four suspects were apprehended and are in custody.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS UNDER INVESTIGATION</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
1800 24 Nov 1966	Mga Ba Hue, VN	LCpl S. W. BORNOM, USMC LCpl F. H. ESPINZA, USMC LCpl J. D. WIDENER, USMC Pvt D. R. COLLARD, USMC	Murder and assault with intent to commit murder (Probable - unconfirmed)	Case under investigation. Reported by CG III MAF 250716Z NOV66 (C) and III MAF COC FORNCON TO MCC 250308R (2508087).

FOR OFFICIAL USE ONLY

12. CASE: Sergeant William J. TUOHY, Jr., 1stMAW

Reported Facts:

Sgt Tuohy was accused of raping Dang-Thi-Ke, a Vietnamese national, at Marble Mountain Air Facility on or about 2 August 1966.

<u>DATE</u>	<u>PLACE</u>	<u>PERSON</u>	<u>OFFENSE</u>	<u>STATUS OF CASE</u>
2 Aug 1966	DaNang, VN	William J. TUOHY, Jr., Sgt, USMC	Rape	GCM held during 24-27 Oct 1966. Tuohy was acquitted. Father of alleged victim expressed dissatisfaction with court's finding and stated he was going to write letters to CG, 1stMAW, and U. S. Embassy, Saigon. No correspondence record. Reported by CG, 1stMAW, msg 210216Z Nov66 (C).

FOR OFFICIAL USE ONLY

13. CASE: Corporal Lenwood R. NEWBY, Jr., 3d Marine Div

Reported Facts:

Cpl Newby was charged with involuntary manslaughter (by culpable negligence) in the death of Truong Duc Chau, a Vietnamese national, by shooting her with an M-14 rifle.

<u>DATE</u>	<u>PLACE</u>	<u>PERSON</u>	<u>OFFENSE</u>	<u>STATUS OF CASE</u>
4 Aug 1966	Vietnam	Linwood R. NEWBY, Jr., USMC	Involuntary manslaughter	OCM held on 1 Nov 1966. Newby was acquitted. Reported by CG 3d Marine Div msg 211107Z NOV66 (C).

*enc presented
original to Sec Nav
23 Nov, 1966*

FOR OFFICIAL USE ONLY

POSITION PAPER

Subj: Serious Incidents allegedly committed against Vietnamese civilians by members of the III Marine Amphibious Force

1. PROBLEM:

Information of eight incidents of serious offenses committed against Vietnamese civilians by members of the III Marine Amphibious Force has been reported to the Commandant of the Marine Corps. These incidents, singly and severally, have the potential for an adverse effect on military operations, relations with the citizens of the Republic of Vietnam and the government of RVN, furnish potential harmful propaganda to the enemy, and could result in public ill will both within the United States and the Free World.

2. REQUIREMENT:

It is appropriate to evaluate the actions taken by the U. S. Marine Corps and to formulate the Marine Corps position in a general statement of policy and action in the following five categories: Public Information, Congressional Notification and Information, Troop Training and Indoctrination, Directives and Reporting Procedures, and Disciplinary Considerations and Military Justice actions.

3. BACKGROUND:

Reports of these eight serious incidents have been made to the Department of Defense, the Secretary of the Navy, and to the Under Secretary of the Navy. These reports have included summarized narrative statements of facts as extracted from investigative, letter and message reports received from Field Commands. Information on specific individuals has been furnished to members of Congress in response to inquiries from constituent parents and relatives of Marines charged with offenses. Higher authority has inquired concerning the Marine Corps troop indoctrination and training, and directives relevant to serious incidents in RVN. There are questions as to the necessity of a press release concerning these incidents.

4. CONSIDERATION OF FIVE CATEGORIES OF INTEREST WITH SUMMARIES OF ACTION TAKEN AND MARINE CORPS POSITION:

A. PUBLIC INFORMATION:

(1) Past Action:

a. A press release has not been made on any of the eight reported incidents.

FOR OFFICIAL USE ONLY

b. To date there have been no inquiries from the press or any other media concerning these incidents.

c. One story has appeared in a Wichita, Kansas, newspaper concerning the conviction of unpremeditated murder of one Marine. That case involved a single defendant. No press inquiries have been received

(2) Recommendations:

a. That a press release on a single incident or on the series of incidents not be released.

Rationale: These incidents must be considered as a part of the entire operations of U. S. Forces in RVN. Release by one service will probably result in inquiries to the other services. Brigadier General Garretson, Marine Corps Director of Information, has conferred with the Chief of Information, Department of the Army, on this matter. The Army has not made any pre-request press releases on incidents of serious offenses. If the Marine Corps decides to unilaterally initiate pre-request press releases, the Army requests pre-release notice. COMUSMACV as Theater Commander should be consulted on this matter.

b. If an inquiry is received, that the response be directed to the specific incident inquired on.

c. If a press release becomes appropriate by reason of direction of higher authority or in response to a press inquiry, the release of information should be made by the Information Service Officer on the staff of the commanding general having court-martial jurisdiction.

Rationale: Release at that level will decrease the serious alarm characteristics of the incident. It should also preclude any color of political pressure or higher command influence on military justice procedures.

d. Position: Recommendations a, b, and c should be the Marine Corps position on public information.

FOR OFFICIAL USE ONLY

B. CONGRESSIONAL NOTIFICATION AND INFORMATION:

(1) Past Action: In accordance with the Commandant's Plan and Directive the Chairmen of the Senate and House Armed Service Committees, the Chief Counsel of both committees, and Mr. Stempler, Assistant to Secretary of Defense for Legislative Affairs, have been advised of subject serious incidents. Other members of Congress have been informed in response to requests concerning specific incidents. No member of Congress has indicated a dissatisfaction with the information provided, with the Marine Corps handling of the incidents, or a desire to personally intervene in the services' handling of such incidents.

(2) Recommendation: That those Chairmen of Committees and Counsel of Committees be periodically advised of the status of each incident and results of legal action. Further inquiries from members of Congress be answered in a factual manner and addressed to the appropriate specific incident.

(3) Position: The Marine Corps position should be as stated in the Recommendation above.

C. TROOP TRAINING AND INDOCTRINATION:

(1) Past Action:

The training of Marines in personal conduct begins in recruit training. Marine Corps training is oriented toward RVN operations and includes civic action concepts and personal conduct. Further training and indoctrination is conducted during replacement training at Camp Pendleton, California. This training includes orientation toward the pending duty in Vietnam, information of the people and their customs, instruction on civic action, lectures by chaplains on religions of Vietnam and respect therefor, and instruction on the provisions of the Geneva Convention pertaining to prisoners of war, non combatants, and treatment of civil populace. A Pocket Guide to Vietnam is issued to each man for his retention and study. Upon arrival in III MAF additional indoctrination is presented on relations with the VN people, Vietnamese history, culture and religions, VN economic and political life, and the Free World effort in VN. III MAF requires that subordinate commands make this type of training and instruction a continuous effort throughout a Marine's tour of duty. COMUSMACV has extensive

FOR OFFICIAL USE ONLY

directives and requirements for this training on a continuing basis. Commanding General, III MAF, has promulgated comprehensive orders and instructions covering standards of personal conduct and relations with the Vietnamese people. Subordinate commanders have issued further amplifying instructions pertaining to these orders. The Marine Corps does have an affirmative program.

(2) Proposed Action:

The Commandant of the Marine Corps has issued directives reemphasizing the need for and the completion of intensive training and indoctrination on standards of conduct in RVN and relationships with the Vietnamese people. Strict execution of these instructions are and will be a matter of command supervision. Instructions have been issued to the Commandant, Marine Corps Schools, directing an increased emphasis on these subjects, and on leadership in relation thereto, in the Basic School, Amphibious Warfare School and the Command and Staff College. The Marine Corps Order on Non Commissioned Officer Leadership Training will be modified to require greater emphasis in these matters. Directives have been issued requiring additional instruction at Infantry Training Regiments during ICT and at Staging Battalion at Camp Pendleton to fully ensure that each and every Marine is aware of the necessity of good relations with the Vietnamese people. This training will be continued in RVN.

(3) Position: The concept of the Marine Corps training program in standards of conduct and relations with the Vietnamese people is satisfactory. Emphasis on command supervision, leadership, training and education will continue in line with the present increased program.

D. DIRECTIVES AND REPORTING PROCEDURES:

(1) Background:

The reporting of certain of these serious incidents by Field Commands via intermediate commands to the Commandant of the Marine Corps was not timely.

(2) Directives:

In effect during this period is Marine Corps Order 05740.2 of 26 Oct 1964 with changes 1 and 2. The requirement for reporting subject serious incidents is fully within the purview of that order. There are

FOR OFFICIAL USE ONLY

indications that the full requirement of this order may not have been completely appreciated by some concerned. The Commandant has addressed directives to the subordinate commanders specifically directing attention to the existing directive.

(3) Reporting Procedures:

There were delays in transmission and defects in transmission of certain messages originating from CG, 1st Marine Division. This was due to displacement of the Division Command Post and Communication Section. An investigation into and report on this failure of communications has been requested. The communications system is adequate for reporting such incidents.

(4) Position:

The Marine Corps had in effect and fully promulgated an order requiring reports of subject incidents. No additional clarifying or amplifying orders are required.

E. DISCIPLINARY CONSIDERATIONS AND MILITARY JUSTICE PROCEDURES:

(1) State of Discipline:

a. Five of these serious incidents were committed by members of the 1st Marine Division. Each incident arose out of a different battalion. Three incidents were by members of the 3d Marine Division. Each incident arose out of separate battalions. While the allegation of each incident is serious and of concern, the distribution of the incidents *among* ~~between~~ the many units and the number of Marine Corps personnel located in RVN does not indicate a breakdown of discipline which in any way affects combat efficiency.

b. Position:

The state of discipline within III Marine Amphibious Force is good.

(2) Legal Proceedings and Disciplinary Actions:

a. Command Action:

FOR OFFICIAL USE ONLY

Of the eight serious incidents the persons involved have been referred to trial by general courts-martial in five (5) of the incidents: (1) One man has been acquitted, (5) five men have been convicted, and (2) two men are scheduled for trial on 28 and 29 November. In two of the incidents thirteen men (ten and three) have undergone formal pretrial investigation. Referral for trial awaits review of these records. In one incident (the latest) four suspects are under investigation.

b. Position:

Command action in disciplinary matters has been appropriate and timely. In each case official investigations were ordered immediately upon discovery of the offenses. Courts-martial action followed where warranted.

5. The Marine Corps is concerned over the seriousness of these incidents and the potential for adverse effect on operations in RVN. There is neither attempt to nor need for any "cover up" of the incidents. The Marine Corps had in operation an appropriate program for troop indoctrination in standards of conduct and relations with the Vietnamese people. Such incidents are avoidable, but cannot be characterized as totally unexpected when the conditions of troop operations in RVN are considered. Past history of conduct of a very few of the combatants in any war will reveal an occasional isolated instance of crimes committed against non combatants in the theater of operations. The Marine Corps position is that every effort will be made in a constant effort to avoid any such incidents by members of the United States Marine Corps.

enc presented See nav
with original
23 Nov 66

FOR OFFICIAL USE ONLY

SPREAD SHEET

Subj: Serious Incidents allegedly committed against Vietnamese civilians by members of the
III Marine Amphibious Force

1. CASE: "B"Co, 1stBn, 5thMar, 1stMarDiv

Reported Information:

A copy of a Preliminary Inquiry dated 9 October 1966 alleges that at a VN hamlet five VN civilians were murdered, two women were raped, one rape victim wounded, four civilians assaulted, and eight huts entered and damaged. A nine man patrol left an ambush site, entered the village without authority, and members committed these offenses. After the Marines withdrew, the officer platoon leader discovered these offenses. With the knowledge of the officer the offenders attempted to cover up the crimes. The officer submitted false reports to his superior in order to conceal the offenses.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
2000 hours on 23 Sep 1966	Xuan Ngoc Hamlet, Chu Lai, VN	2dLt Stephen J. TALTY, Jr., USMCR	1. Accessory after fact murder of four VN civil- ians. 2. Making false official statements. 3. Dereliction in per- formance of duty.	In the cases of all ten accused persons, the Hearing Proceedings of the Formal Pretrial Investigation ended on 2 Nov. The record in excess of 600 pages is being transcribed under field conditions. Re- view of that record and recommendations on all ten men await trans- cribing. Command has estimated 15 Dec date on reference to trials. Latest report by CG, 1stMarDiv spdltr dtd 12 Nov 1966.
		Sgt Ronald L. VOGEL, USMC	1. Murder of one VN National. 2. Accessory after fact to murder of 4 VN Nation- als. 3. Rape of one VN National. 4. Breaking and entering 5 VN dwellings.	

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

HN Jon R. BRETAG, USN

5. False official statement.
6. Derelict in duty.

LCpl Robert W. MONROE, USMC
(Presently confined at
Chu Lai)

1. Rape 2 VN females.
2. Accessory after fact to murder of 4 VN civilians.
3. Breaking and entering 5 VN dwellings.

1. Murder of 4 VN Nationals.
2. Assault with intent to commit murder of 2 VN Nationals.
3. Rape of 2 VN Nationals.
4. Breaking and entering 5 VN dwellings.
5. Assault on 3 VN Nationals.

PFC John D. POTTER, Jr.,
USMC
(Presently confined at
Chu Lai)

1. Murder of 5 VN Nationals.
2. Assault with intent to murder one VN National.
3. Rape of 2 VN females.
4. Breaking and entering 5 VN dwellings.
5. Assault on 3 VN Nationals.

PFC Jerry D. SULLIVAN,
USMC

1. Murder of 4 VN Nationals.
2. Assault with intent to commit murder on 2 VN Nationals.
3. Rape one VN female.
4. Breaking and entering 5 VN dwellings.
5. Assault on 3 VN Nationals.

PFC James W. BOYD, Jr.,
USMC

1. Murder of 4 VN Nationals.
2. Assault with intent to commit murder of 2 VN Nationals.

DECLASSIFIED

DECLASSIFIED

FOR OFFICIAL USE ONLY

PFC Cliften G. HOBSON, USMC
(Presently confined at
Chu Lai)

1. Accessory after fact of murder of 5 VN Nationals.
2. Rape of 2 VN females.
3. Breaking and entering 4 VN dwellings.
4. Assault on 3 VN Nationals.

PFC James W. HENDERSON,
USMC

1. Accessory after fact of murder of 4 VN Nationals.
2. Rape of 2 VN females.
3. Breaking and entering 4 VN dwellings.
4. Assault on 4 VN Nationals.

PFC Danny L. MC GHEN, USMC

1. Murder of 4 VN Nationals.
2. Accessory after fact of murder of one VN National.
3. Assault with intent to commit murder on 2 VN Nationals.
4. Rape of one VN female.
5. Breaking and entering 4 VN dwellings.
6. Assault on 3 VN Nationals.

NOTE: All allegations of offenses are based on the preliminary investigative report. Charges against and referrals of persons to trial will be based on contents of Formal Pretrial Investigation.

2. CASE: "K"Co, 3dBn, 7thMar, 1stMarDiv

Reported Information:

A copy of a preliminary inquiry dated 6 October 1966 alleges that three members of a ten man patrol murdered an elderly VN woman, covered her body with straw and set fire to the straw. Then these same men murdered an elderly VN man, cut off an ear, and hid the body. The patrol did not report these incidents. This incident was reported by other villagers. The victims were civilians.

FOR OFFICIAL USE ONLY

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
22 Sep 1966	Tri Binh Hamlet, Chu Lai Area, VN	Cpl Stanley J. LUCZKO, USMC (Has been referred to a Board of Medical Officers for psychiatric evaluation) PFC Charles W. KEENAN, USMC PFC Ronald A. PIATKOWSKI, USMC	1. Murder of 2 VN civilians. 2. Mutilate bodies of 2 VN civilians. 1. Murder of 2 VN civilians. 2. Mutilate bodies of 2 VN civilians. 1. Murder of one VN civilian. 2. Mutilate the body of one VN civilian.	Hearing proceedings of the Formal Pretrial was completed on 17 Oct. Additional charges against LUCZKO and KEENAN required additional Formal Pretrial Investigation. This record has not been prepared. The command has estimated 8 Dec as date of decision on referral for trial. Latest report by CG, 1stMarDiv, is dated 12 Nov.

3. CASE: Schultz Case, 3dBn, 1stMar, 1stMarDiv

Reported Information:

While a member of a patrol, Schultz took an elderly VN male out of a hut, marched him a few meters and shot him. The victim's wife and one other VN male observed this. There was no provocation.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
27 Aug 1966	DaNang Area, VN	LCpl Frank C. SCHULTZ, USMC (Confined at DaNang pending review by CG, 1stMarDiv) No other US personnel involved	Premeditated murder of VN male	Convicted of offense by GCM on 15 Oct. Sentenced to confinement for life, Dishonorable Discharge, total forfeitures and reduction to private. Present status preparation of the record of

FOR OFFICIAL USE ONLY

trial, authentication by law officer and President of GCM. Anticipate review by CG, 1stMarDiv, about 1 Dec. CG, 1stMarDiv, message of 10 Nov latest report.

4. CASE: Smith Case, 3dMarDiv

Reported Information:

Initially reported information was that during a squad size patrol, a VC Suspect was captured. While the other members of the patrol were conducting search and security activities, Smith was guarding the captive. The captive was shot and Smith was observed lowering a rifle from his shoulder.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
20 Aug 1966	DaNang, VN	James R. SMITH, HN, USN	Premeditated murder of a VN male.	GCM held on 20, 21, and 22 Oct. Smith was acquitted.
		No other person charged with the offense		

5. CASE: "A"Co, 1stBn, 7thMar, 3dMarDiv

Information from Record of Trial:

A 12 men patrol stopped in a hamlet, picked up a VN woman, and forced her to accompany the patrol. After reaching their destination, one man took off her pants and tied them over her face and bound her hands. Two other men raped the woman.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
20 Jul 1966	Chu Lai Area	Cpl Carlton A. WILLIAMS, USMC	Rape of VN female	All three Marines were tried and convicted by GCM on 18 Aug. Sentence approved by CG,

FOR OFFICIAL USE ONLY

PFC Harrison CALDWELL, Jr., Rape of VN female
USMC

LCpl Gerald M. TILLIGHAST, Rape of VN female
USMC

1stMarDiv, in each case, BCD, confinement for 12 months, total forfeitures, and reduction to private. All cases now pending appellate review before a Navy Board of Review here in Washington, D. C. Information obtained from Naval Appellate Review Activity.

6. CASE: Wilson, "D"Co, 1stBn, 9thMar, 3dMarDiv

Reported Information:

Members of Wilson's unit were occupying a machine gun position near the victim's dwelling. Four Marines were playing cards in the victim's house. Wilson entered, told the elderly victim to come outside. Then Wilson cut the victim's throat with a knife and threw the victim in a well. Other members of the group threw straw over the victim's body.

<u>DATE</u>	<u>PLACE</u>	<u>PERSON</u>	<u>OFFENSE</u>	<u>STATUS OF CASE</u>
19 Sep 1966	DaNang, VN	PFC Terry L. WILSON, USMC (Presently confined at DaNang)	Unpremeditated murder of VN male	Convicted by GCM on 11 Nov and sentenced to Dishonorable Discharge, confinement for 5 years, total forfeitures, and reduction to private. Case pending transcription of record and review by CG, 3dMarDiv.

FOR OFFICIAL USE ONLY

7. CASE: Harris and Hardwick, 1stMarDiv

Reported Information:

While on daylight patrol Harris alleged to have forced 18 year old VN girl into back room of house and raped her. Hardwick allegedly assaulted same girl in attempt to force her to commit act of oral copulation on him.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
5 Oct 1966	VN, Location not reported	PFC Eddie HARRIS, Jr., USMC	Rape of VN female	Referred to trial by GCM. Trials set for 28 and 29 Nov 1966. CG, 1stMarDiv, message 210255Z Nov (C), latest report.
		LCpl Wayne W. HARDWICK, USMC	Attempt to commit sodomy with VN female	

8. CASE: Alleged rape of 13 year old girl. 3dBn, 9thMar, 3dMarDiv

Reported Facts:

Victim brought to 3dBn, 9thMarines Command Post. She stated that she was taken from her home by two Marines, her mother driven away with a stick, and that she was taken into an adjoining dwelling. There the owner of the house was ordered to leave. She was raped by two Marines while two other Marines assisted. Four Marines who were in the hamlet at time of alleged rape are under investigation.

<u>DATE</u>	<u>PLACE</u>	<u>PERSONS UNDER INVESTIGATION</u>	<u>OFFENSES</u>	<u>STATUS OF CASE</u>
Morning of 24 Oct 1966	DaNang Area, VN	LCpl Cecil ROBERTSON, USMC PFC John F. THOMPSON, USMC PFC Larry MOODY, USMC PFC Kenneth E. GUY, USMC	All suspected of rape	Case under investigation by Criminal Investigation Detachment, III MAF. Reported by CG, FMFPac message 141244Z Nov66 (C).

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

RETURN TO MCCG

55204 49766

RR WWND
DE DDKM 1507E 3490213
ZNY CCCCC
R 150213ZYDEC 66
FM CG FIRST MARDIV
TO WWND/VMC
INFO YNA/CG FMFPAC
ZEN/CG III MAF/7-45 .-8)
BT

C O N F I D E N T I A L

A.CMC SPDLTR DKE:CMS OF 5 DEC 1966(NOTAL)

B.CG, 1ST MWRDIV, FMF SPCLTR 17/ZPV/WZC TO CGMFMFPAC OF 23NOV 66

PFC JAMES HERRON 2065397 USMC CHARGED WITH VIOL. 118 UCMJ
PREMEDITATED MURDER. PREVIOUSLY REPORTED IN REF B. PRETRAIL
INVESTIGATION HEARING COMPLETED.

RECORD OF INVESTIGATION AND RECOMMENDATION OF PRETRAIL INVESTIGATING OFFICER BEING PREPARED TRAIL DATE NO SET UNTIL RECEIPT OF RECOMMENDATION FROM BN. VO. INVESTIGATION REVEALS ON 27 OCT 66 THE ACCUSED AND PFC JAMES HAYES BECAME INVOLVED IN HEATED ARGUMENT WHEREBY BOTH MEN PICKED UP THEIR WPNS AND LOADED THEM. A PFC MOGSE ATTEMPTED TO CALM THEM AND WAS SHOT BY HAYES. THE ACCUSED THEN FIRED TO

AT HAYZS. HAYES DIED INSTANTLY/ CAPT W.B. BRAPER, DEFENSE COUNSEL
FORWARDED LTR TO THE MOTHER OF ACCUSED 14DEC66/ XM WWS

PAGE TWO RUMNLA 1507E C O N F I D E N T I A L L
WRITTEN TO ACCUSED'S WIFE. WILL ADVISE AS STATQS CHANGES/
BT

CONFIDENTIAL

DECLASSIFIED

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

OO RUECEM
ZNY CCCCC ZFD RUH SP 3670
OO WWD
DE YVNA 3655 3272.13
ZNY CCCCC
O 232133Z NOV 66
FM CG FMFPAC
TO WWD/CMC
BT

Wd 231730Z Nov 66
cmc briefed
See Nav and
U See how our
info contained
has been sent
transmitted
separately by Telcom

CMC	
ACMC	Has
MILSEC	
CoS	Has
DC/SP	Has
SGS	
by L. Gen. Knecht to cmc	

CONFIDENTIAL. PERSONAL FOR GEN GREENE FROM LTGEN KRULAK,

1. I RETURNED THIS AFTERNOON FROM VIETNAM, WHERE I LOOKED INTO THE SERIES OF SERIOUS INCIDENTS WHICH HAVE TAKEN PLACE IN III MAF. I HAD SET AS MY OBJECT TO COME BACK WITH A KNOWLEDGE OF THE REAL MAGNITUDE OF THE PROBLEM AND ITS CAUSES, AS WELL AS SPECIFIC CONCLUSIONS AS TO CURES.

2. I VISITED EVERY MAJOR UNIT IN III MAF; TALKED TO 608 OFFICERS AND MEN, INCLUDING EIGHT CHAPLAINS AND FIVE LAWYERS; AND SOUGHT TO GET EACH OF THEM TO ADDRESS THE PROBLEM IN TERMS OF HIS OWN EXPERIENCES. GENERALLY THERE WAS AN ATTITUDE OF CANDOR AND SINCERITY; A DETERMINATION TO ANSWER MY QUESTIONS ACCURATELY--SOMETIMES BLUNTLY. ONLY RARELY DID I FIND SOMEONE TRYING TO TELL ME WHAT HE THOUGHT I WANTED TO HEAR. FROM ALL THIS, I DERIVED CONCLUSIONS AS SUMMARIZED IN THE FOLLOWING

PAGE 2 YVNA 3655 YVNA CONFIDENTIAL
PARAGRAPHS.

3. DIMENSIONS OF THE PROBLEM.-- THE FACTS NOW KNOWN TO THE COMMANDANT OF THE MARINE CORPS, AND TO MY HEADQUARTERS, CONCERNING SERIOUS PERSONAL MISCONDUCT IN III MAF, REPRESENT SUBSTANTIALLY THE WHOLE PICTURE. REVIEW OF THE ADMINISTRATIVE RECORDS REVEALED A FEW UNREPORTED MATTERS OF SOME GRAVITY, BUT THERE IS NO ICEBERG OF UNKNOWN, ISOLATED INCIDENTS.

4. ADMINISTRATION.--

A. THE FAILURE OF MAJOR COMMANDS IN RVN TO KEEP HIGHER AUTHORITY INFORMED HAD NO JUSTIFICATION. PREOCCUPATION WITH COMBAT, COMMUNICATIONS PROBLEMS AND SHORTAGES OF ADMINISTRATIVE PERSONNEL, ALTHOUGH SOMETIMES RAISED IN EXPLANATION TO ME, DO NOT IN FACT JUSTIFY THE DILATORY TREASON OF REPORTING REQUIREMENTS. THE ORDERS ARE CLEAR, BUT ONE RESPONSE TO THEM HAS BEEN INADEQUATE, LEAVING YOU AND ME OFTEN IN THE DARK. ALL OF THE SENIOR COMMANDERS ACKNOWLEDGED THIS.

B. THERE IS NOW, ALMOST CERTAINLY, GOING TO BE AN OVER-COMPENSATING REACTION. THOSE WHO HAVE FAILED TO REPORT

23 502
RETURN
TO
MCCC

NOV 23 19 14 '66

MARINE CORPS
HEADQUARTERS CENTER

CONFIDENTIAL**232133Z**

B-9120

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

...ADEQUATELY WILL NOW PROBABLY REPORT ZEALOUSLY ON MATTERS OF MINOR SIGNIFICANCE. (I DID NOT EXPRESSLY ENJOIN THEM FROM DOING SO, BUT CAUTIONED ALL TO INCLUDE IN THEIR REPORTS ANY RESERVATIONS THEY MAY HAVE AS TO FACTUALITY, SO THAT WE MAY BE INFORMED ACCURATELY-- AS WELL AS PROMPTLY).

C. PUBLIC AFFAIRS HANDLING OF THE INCIDENTS HAS BEEN SATISFACTORY. THE MARINE COMBAT INFORMATION BUREAU IN DANANG HAS BEEN KEPT INFORMED ON ALL CASES. THERE HAVE BEEN NO INQUIRIES, AS YET. THIS DOES NOT REFLECT RESTRAINT ON THE PART OF THE PRESS; THEY JUST HAVE NOT GOTTEN WIND OF THE INCIDENTS. TO MEET INQUIRIES THERE SHOULD BE A CAREFULLY PREPARED, BARE-BONES STATEMENT ON EACH INCIDENT--APPROVED AND READY IN III MAF HANDS, TO RESPOND IF QUERIED. STATEMENTS ARE NOT SO PREPARED FOR ALL CASES. THEY WILL BE. SO MUCH FOR THE MECHANICS. I AM CONFIDENT THAT THE RESPONSIBLE COMMANDERS ARE SUFFICIENTLY IMPRESSED THAT THE SHORTCOMINGS EXHIBITED WILL BE CORRECTED. MORE IMPORTANT, BY FAR, AND THE PROJECT WHICH CONSUMED MOST OF MY ENERGY ON THE TRIP, WAS TO DETERMINE WHAT CAUSED THE GRAVE INCIDENTS IN THE FIRST PLACE.

PAGE 4 YVNA 3655 C O N F I D E N T I A L

A. MY CONCLUSIONS, AFTER MUCH SOUL SEARCHING DISCUSSION, ARE THAT THE GRAVE ACTIONS ARE CHARGEABLE-- APART FROM NORMAL HUMAN FRAILTY--TO TWO THINGS:--

(1) WEAKNESSES IN SUPERVISION, DERIVING MAINLY FROM SHORTAGES IN NUMBERS, QUALITY OR TRAINING OF SUPERVISORY PERSONNEL, OR IN ADULTERATION OF SMALL UNIT LEADERSHIP BY RAPID PROMOTION.

(2) THE GUERRILLA ENVIRONMENT, WHERE THE BEST OF GOOD MEN ARE FRUSTRATED BY THEIR INABILITY TO COME FULLY TO GRIPS WITH THEIR ENEMY.

B. THE LATTER IS BY FAR THE MORE IMPORTANT OF THE TWO BASIC CAUSES. MEN WHOSE ONLY ENEMY, FROM DAY TO DAY, IS A DIET OF LAND MINES OR BOOBY TRAPPED TRAILS, HAVE A COMPELLING URGE TO FIGHT BACK. THEY ARE FRUSTRATED WHEN THERE IS NOTHING SUBSTANTIAL TO FIGHT, AND ARE PRONE TO CHARACTERIZE ANY NATIVE AS THE EMBODIMENT OF THE ENEMY. THIS EXPLAINS THE MISTRUST OF THE PEOPLE EXHIBITED BY SOME OTHERWISE SOLID MARINES AND,

BT

THIS COMPLETES TELETYPE PART ONE REMAINDER OF MSG TO FOLLOW

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380PVV YRNA914 NAB076
OO WWND
DE YRNA 3656 3272133
ZNY CCCCC
O 232133Z NOV 66
FM CG FMFPAC
TO WWND/CMC
BT

C O N F I D E N T I A L SECTION 2 OF 3 SECTIONS

AT THE OTHER END OF THE SPECTRUM, IT CASTS SOME LIGHT ON THE BRUTALITIES WHICH SO CONCERN US.

C. IN SOME RESPECTS, THEN, THE LEVEL OF THESE OFFENSES IS A FUNCTION OF THE TYPE OF COMBAT. IN AREAS WHERE OUR FORCES ARE ENGAGED IN MORE CONVENTIONAL OPERATIONS--THE LARGE ACTIONS NEAR THE DMZ--THERE HAS BEEN NO PROBLEM. THERE HAS BEEN A CREDIBLE ENEMY, INTO WHOM UNITS COULD GET THEIR TEETH. IN THIS AREA, AS IN THE PLEIKU-KONTUM PLATEAU, THE NATIVES ARE FEW IN NUMBER, AND DO NOT FIGURE SIGNIFICANTLY IN THE WAR. HOWEVER, WHERE THE PEOPLE THEMSELVES ACTUALLY REPRESENT THE BATTLEGROUND--AS IN THE POPULOUS AREA SOUTH OF DANANG--A SINGLE ACT OF DUPLICITY OR TREACHERY ON A NATIVE'S PART ENCOURAGES TROOPS TO EXERCISE THEIR FRUSTRATIONS ON ALL NATIVES, AND DEGRADES THEIR HUMANITARIAN INHIBITIONS. THIS IS THE ENVIRONMENT WHERE CIRCUMSTANCE HAS CAUSED MOST OF THE MARINES TO FIGHT, AND THIS IS THE AREA WHERE MOST OF

PAGE 2 YRNA 3656 C O N D I D E N T I A L
THE TROUBLE LIES.

D. ACKNOWLEDGING THE ABOVE PROBLEMS, AS GENERATED BY DENSE POPULATION AND THE GUERRILLA ENVIRONMENT, THEY ARE STILL LARGELY SOLUBLE BY LEADERSHIP AND EFFECTIVE PRE-ORIENTATION. IF THE REPEATED COMMENTS OF THE COMMANDERS TO WHOM I SPOKE ARE TO BE GIVEN EVEN LIMITED CREDENCE, WE HAVE MUCH MORE TO DO IN PRE-ORIENTATION. COMMANDERS MADE NO ADVERSE COMMENT CONCERNING ORIENTATION OF NEW UNITS, BUT COMPLAINED THAT THE REPLACEMENT INDIVIDUALS UNDERSTAND TOO LITTLE OF THE PROBLEM, AND THAT TIME DOES NOT PERMIT A PERIOD OF EDUCATION THEIR CRITICISM WAS ADDRESSED PARTICULARLY TO JUNIOR OFFICERS. MY DISCUSSION WITH YOUNG LIEUTENANTS BORE THIS OUT. ADDITIONALLY, THERE WAS COMPLAINT THAT SCARCITY OF LANGUAGE-QUALIFIED MEN IMPEDES COMMUNICATION WITH THE VIETNAMESE, AND THUS INCREASES THE LIKELIHOOD OF MISUNDERSTANDING AND TROUBLE. ALTHOUGHT THE USMC HAS TURNED OUT A LOT OF VIETNAMESE LINGUISTS, IT IS PLAIN THAT THE PROGRAM NEEDS FURTHER EXPANSION.

E. REALIZING THAT THE PERSONALITY OF THE OFFENDING INDIVIDUAL HIMSELF MUST GIVE SOME CLUES AS TO UNDER-

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

LYING CAUSES, I LOOKED INTO THE RECORDS OF THE PEOPLE ACCUSED OR CONVICTED OF THE ACTS UNDER DISCUSSION. I LEARNED SOME INTERESTING--AND USEFUL--THINGS.

(1) THERE IS NO APPARENT CO-RELATION AS TO EDUCATION. THE MEN ARE EDUCATIONALLY ABOUT A CROSS SECTION OF MARINE CORPS ENLISTED, HAVING ABOUT 10.5 YEARS OF FORMAL EDUCATION. ROM

GZLAG

U

FPPEZAO G I

TW SMBJJG

BGBCCCMVSFHV-F-RELATION.

TAKING THE PARTICIPANTS IN SIXTEEN VERY SERIOUS CASES:

(A) THE MEN ARE YOUNG--AVERAGE AGE UNDER 20.

(B) THEY ARE PREDOMINANTLY REPLACEMENTS, RATHER THAN MEN WHO HAVE GROWN UP WITH THEIR UNIT.

(C) THEY COVER THE WHOLE INTELLECTUAL SPECTRUM, BUT ARE MENTALLY SOMEWHAT BELOW AVERAGE. GCTS VARY FROM 66 TO 120, WITH FIVE UNDER 90, AND THE AVERAGE AT 96.

(D) THEY HAVE HAD BRIEF MARINE CORPS SERVICE. EXCEPT FOR ONE SERGEANT (4 YEARS), THEY AVERAGE 16 MONTHS IN THE MARINE CORPS.

(E) THEY HAD BEEN IN-COUNTRY A RELATIVELY SHORT TIME--AVERAGE 4.4 MONTHS. ELEVEN OF THE 16 HAD BEEN IN-COUNTRY LESS THAN SIX MONTHS; ONE (MURDER, RAPE) ONLY 23

PAGE 3 YVNA 3656 C O N F I D E N T I A L
DAYS.

(F) A SURPRISING NUMBER (SIX) WERE FROM BROKEN HOMES.

THE OBVIOUS DEDUCTIONS HERE; --IMPROVEMENTS ARE NEEDED IN PRE-ORIENTATION; IMPROVEMENTS ARE NEEDED IN SMALL UNIT SUPERVISION IN-COUNTRY; ENLISTMENT OF MARGINAL MEN BRINGS US FEW BARGAINS.

*Marginal
then
(entertainment?)*

F. THERE IS AN UNHEALTHY THREAD WOVEN THROUGH THESE INCIDENTS, IN THE OCCASIONAL IMPLICATION THAT OFFENSES AGAINST VIETNAMESE ARE REGARDED AS LESS SERIOUS THAN IDENTICAL OFFENSES AGAINST AMERICANS. WHEN ASKED, CG III MAFF AGREED WITH THIS CONCLUSION, AS DID SEVERAL LEGAL OFFICERS, IN WHOSE VIEW SOME SENTENCES AWARDED GUILTY MARINES FOR GRAVE OFFENSES AGAINST VIETNAMESE HAVE NOT BEEN SUFFICIENTLY SEVERE. EXAMPLE;--NEGLIGENT HOMICIDE--10 MONTHS CONFINEMENT; ANOTHER NEGLIGENT HOMICIDE--THREE MONTHS CONFINEMENT, \$150 FINE, REDUCTION IN RANK.

CLEARLY REQUIRED HERE IS GREATER CARE IN SELECTING COURT MEMBERS AND, MORE IMPORTANT, GREATER EMPHASIS ON ORIENTATION, EDUCATION AND SUPERVISION OF

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

OFFICERS AT THE MI AND SMALL UNIT LEVELS.
6. AND NOW, IN FAIRNESS TO ALL, AND TO KEEP A DECENT PERSPECTIVE, I MUST SAY THAT THE MISBEHAVIOR I HAVE BEEN DISCUSSING HAS NOTHING WHATEVER TO DO WITH THE GREAT BULK OF THE MARINES IN VIETNAM. THESE ARE SERIOUS, OBEDIENT, WELL-MOTIVATED AND WELL BEHAVED MEN.

FROM A STATISTICAL DESCIPLINARY STANDPOINT THIS IS REFLECTED IN 57 GENERAL COURTS THIS YEAR, WHICH IS REALLY A BETTER RECORD THAN FOR A 61,000 MAN MARINE FORCE IN PEACETIME.

estimated
120 under
present
conditions

BUT, FAR MORE IMPORTANT, IS THE INSPIRATIONAL RESPONSE ONE GETS FROM TALKING FRANKLY WITH THESE MEN. THEY HAVE A GOOD UNDERSTANDING OF WHY THEY ARE IN VIETNAM AND THEY HAVE A RESPECTFUL AND COMPASSIONATE FEELING FOR THE PEOPLE. NOTHING COULD COMMUNICATE THIS MORE ELOQUENTLY THAN THE TEN PERCENT IN-COUNTRY EXTENSION RATE WHICH, INCIDENTALLY, IS ON THE RISE.

EIGHTY-ONE TIMES, FROM CHU LAI TO DONG HA NEAR THE DMZ, I ASKED PFCs SELECTED AT RANDOM WHAT THEY THOUGHT OF THE

PAGE 6 YVNA 3656 C O N F I D E N T I A L
WAR, AND WHAT THEY THOUGHT OF THE PEOPLE. THEIR ANSWERS WERE DISINGENUOUS BUT POWERFUL. RESPECTING THE PEOPLE, THEY TOLD ME, "THE PEOPLE HATE THE VC, BUT THEY ARE AFRAID TO TRUST US. BECAUSE THEY ARE AFRAID WE MAY LEAVE THEM. "-315 36 -43 \$3:3,5--JUST LIKE PEOPLE ANYWHERE; BUT IT TAKES TIME TO MAKE FRIENDS."--OUR BIGGEST PROBLEM IS COMMUNICATING WITH THEM."-- "THEY DON'T UNDERSTAND ANYTHING ABOUT BEING CLEAN. THE BEST WE CAN DO FOR THEM IS TEACH THEM ABOUT HEALTH."--"THE KIDS ARE JUST LIKE KIDS IN THE STATES."--"THE CAC IDEA IS WONDERFUL.""

AND, AS TO THE WAR, PROBABLY THE BEST EXAMPLE CAME FROM A PLATOON I MET MOVING SOUTH AFTER TEN DAYS OF FIGHTING NEAR THE DMZ. THEY WERE HOLLOW EYED, WET, DIRTY, AND WEIGHED DOWN WITH PACKS AND EQUIPMENT. IT WAS RAINING AND MUDDY. I WALKED DOWN THE ROAD WITH THEM, AND ASKED THE UUUUAL QUESTIONS. THEIR ANSWERS RAN ABOUT LIKE THIS, "ITS A TOUGH JOB, BUT IT HAS TO BE DONE."--"IF WE DON'T STOP THE REDS HERE, NOBODY WILL."--"WE SURE CAN'T LICK THESE PEOPLE BY ARGUING WITH THEM." AND, FROM A LITTLE MAN, STRUGGLING UNDER THE WEIGHT OF HIS PACK AND MORTAR TUBE, "THIS ISN'T EASY, BUT I'D RATHER BE HERE THAN BACK IN THE REAR AREA AT DONG HA."/

BT

*which actually
is a forward
and very
convincing*

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

NNNNWZCZCWWN389VV QYNB353MAB;78

OO WWND

DE YXNA 3687 3272133

ZNY CCCCC

O 232133Z NOV 66

FM CG FMFPAC

TO WWNDCMC

BT

C O N F I D E N T I A L FINAL SECTION OF 3 UCTIONS

7. THAT SUMMARIZES WHAT I FOUND. I HAVE PREPARED A WRITTEN REPORT, WITH FACTUAL AND STATISTICAL ELABORATION. IT WILL BE ON THE WAY TO YOU IN A COUPLE O DAYS.O

8. MEANWHILE, AS TO WHAT NEEDU TO XE DONE RIGHT NOW.--FOURO THINGS:

Improve reporting
A. CLEAN UV THE ADMINISTRATIVE REPORTING SQSTEM AND HABPTS OF THE UNITS IN RVN. I HAD A PRIVATE PRAYER MEETING WITH EACH COMMANDING GENERAL. ASSUMING THAT I WAS SUITABLY ARTICULATE, THERE ARE NONE OF THEM VOING TO LEAVE YOU OR ME IN IGNORANCE AGAIN.

Training in officers Reps.
B. EMPHASIZE GREATLY THE ENVIRONMENTAL ORIENTATION OF REPLACEMENTU; PARTICULARLY LIEUTENANTS. I KNOW THAT YOU ARE ALREADQ DOING THIS.

Lang. Trng.
C. INCREASE FURTHER THE NUMBER OF MEN GIVEN VIETNAMEUE LANGUAGE TRAINING. I WILPIREVIEW MY CAPABILITIEU AT ONCE,

VAGE 2 XYNA 3IU V O N F I D E N T I A L

ADDING WHAT I CAN, AND GPVE YOU RECOMMENDATIONS FOR FURTHER EXPANSION.

Response to press from
D. PGEARE A SET OF RESPONSES TO PRESS QUERIES WHICH MIGHT BE RECEIVED ON THE VARIOUS CASES AND PUT THEM IN III MAF'S HANDS. I WILL SUBMIT DRAFTU TO YOU WITHIN 48 HOURS.
WARM REGARDS.

GP-4

BT

24 NOV 66

01 38Z

NOV 23 20 51 '66

MARINE CORPS
HEADQUARTERS
WASHINGTON CENTER**CONFIDENTIAL**

Return
Circ
Desk

SAVE

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date

To:

Subject:

About 1600

Wed 23 Nov

in 10 PM -

One telegram

(1) - legal rule prior to July 66

(1) - no more

(1) - msg on wire in the

— tells whole story —
Conf

no MCEC

Immediate

(1) - clearing Admin part

(1) - slow get word to base

(1) - stem words & all

CHS

(1) - FLP best admin

Wing best admin

3 Wing } Tetragic
H. H. H.

Return to Circ Desk
see Specimen Distribution

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date

To:

Subject:

1K2Talked 608 Off Y me5 lounge
8 chairMs 9

PART — Reporting

Dimension

Part II — Bone deep

how happen

who blame

what can do

Written statistic as of 8

Preparing
have been state
for the approval &
in hands III MAF

VIC handling - overseas
Foreigner - kept
months also -

Included in all pages
renewal

Subject:

To:

Date

MEMORANDUM

THE JOINT CHIEFS OF STAFF

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date

To:

Subject:

Real "guts" -

Reasons -

Quality - trap -

small unit for administration -

largest weakness of 2^d Lt's -
 need mentally, allowed
 to grow

Simulation of guerrilla
 environment

mines - booby trap -
 frustration - pass off on an
 native - any native

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date _____

To: _____

Subject:

overt — low inhibitions —
+ current act

Med good leadership
of overt act.

Communications — More ^{used} _{language}
100 legends — but not
enough — greatly increase

Analysis of men
themselves — see what
part of men —
Average age 10½ yrs
Sampled 16 would see

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date

To:

Subject:

very young —
^{man}
 name is org unit —
 mental to

GCT 21966

— plant service

As 16th

— Brief time in country

As 4th month

(11 less than 6
 1-23 days)

— Broken horses —

need improved. Overlook
 preparation & real of warfare
 men

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date _____

To: _____

Subject:

very unhealthy trend -
 crimes again Viet. prison
 is less than against de S -
 was agreed -
 4 legal Os - agreed -
 complain great
 people in courts -

all in all - better things made
 w great man in S. Viet -
 prison - obed - well
 behaved - good

promise yet w son -

sacrifice & maintain

(57) good CNY in yr - better than
 peace time (30/100 would equal
 (120) by now)

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date

allied
money do not
trust

To:

Subject:

Fence under why in west
d companion / suspect for vehicle know
Chaps = 80/90 90
sure

Why there, 75/85 Snoddy T
all say -

Ext rate (1090) or over 7 on

use

1/3 - (20%) want extent
in new How Sam Pac could
Actual just some of kids

Dong Ha - Col + ps - must
+ ps - packs etc heavy loaded -
bikes along, no W g SGT make
plaid 10 days DMZ

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date _____

To: _____

Subject:

Kids are — (smaller fellow) —
 This is not easy but rather
 be here than in rear area at
 Dong Ha —

Card: — do right away

(a) Clean up admin rpt system

(b) — Environmental movement

~~(c) — 10 kids re-stage 7 ITR —~~
 OK

(c) — Increase camp time

(d) — Personnel —

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date _____

To: _____

Subject:

"update" needs help —
 # "timed" — less than 2 yrs
 # { reg remove \$ —
 # { — Col (Valley) —

VC decide total
 effort in Guerrilla war
 Intensity effort grow
 keeping mass, breaking
 up regts — & reorg guerrilla
 surprise — C130. hit —
 Last Sum W made spec
 of Cuda — must gain 7 mps

RD

THE JOINT CHIEFS OF STAFF

MEMORANDUM

Date _____

To: _____

Subject:

Suppose 4 given —

*When we get rid of
man's fear is reduced*



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

*case dismissed
with Sec Nav
22 1600 Nov 66
(9)*

SENSITIVE

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: Public information policy concerning serious incidents involving Marines in Vietnam

In further reference to our conversation of Friday, 18 November, concerning the four serious incidents involving the Marines in Vietnam which had then come to light, we have concluded that it would not be in the national interest to take the initiative and formally release any information concerning these events. However, we propose that factual responses be made as necessary in the event that a query arises in a particular case. Queries, if they do occur, are considered most likely to arise in Vietnam. In any event, we would propose to refer a question to the authorities in Vietnam for response. Prior to completion of the trial, responses would be limited to the general nature of the accusations and the status of the investigation or trial. Following completion of the trial and local review in Vietnam, each question would be answered in such a way as to provide the minimum facts necessary for a responsive reply.

It is understood that past practices in prior conflicts and those now generally used in Vietnam are in keeping with the foregoing recommendation.

A sample of the type of statement proposed in response to a query following completion of trial and local review in Vietnam is attached.

Attachment

SENSITIVE

Typical Statement In Response To A Query Following
Convening Authority's Review:

The Commanding General, III Marine Amphibious Force has completed his review of the general court-martial trial of Private First Class _____ on a charge of murder of a Vietnamese civilian on _____ 1966.

The court-martial found Private First Class _____ guilty of murder and sentenced him to confinement at hard labor for _____ years, reduction in rank to Private, total forfeitures and dishonorable discharge. The Convening Authority has approved the proceedings, findings and sentence in this case and has forwarded it to the Judge Advocate General of the Navy for review by a Board of Review.

Private First Class _____ has been transferred to a confinement facility in the United States pending completion of review action in his case.



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D. C. 20380

*Serious Incidents
File*

MCBul 5370
AO3C20-mek
28 Nov 1966

FOR OFFICIAL USE ONLY

MARINE CORPS BULLETIN 5370

From: Commandant of the Marine Corps
To: All Commanding Officers

Subj: Personal Conduct of Marines in the Republic of Vietnam

1. Purpose. To promulgate information and instructions on the personal conduct of Marines in the Republic of Vietnam.
2. Information. I am extremely concerned in regard to recent incidents of wanton disregard for the personal lives and property of the civilian populace of the Republic of Vietnam, which have involved U. S. Marines. Such actions can have irreparable consequences in the conduct of operations against enemy forces, by reducing if not eliminating potential intelligence sources, as well as materially contributing to the defeat of this country's aims in the Republic of Vietnam. Equally important, I am particularly displeased that by such actions on the part of a few, the leadership of the U. S. Marine officer and noncommissioned officer is challenged. This fact makes it most imperative that the standards of personal conduct be strictly enforced through leadership and example.
3. Action. Instructions on this subject will soon be promulgated in the form of a Marine Corps Order. In the interim, I charge all Commanding Officers with the responsibility to ensure that all personnel receive instruction in regard to the standards of conduct expected of the U. S. Marine, specifically oriented toward WESTPAC assignment.
4. Reserve Applicability. This Bulletin is not applicable to the Marine Corps Reserve.
5. Self-cancellation. 1 May 1967.

Wallace M. Greene, Jr.

WALLACE M. GREENE, Jr.
COMMANDANT OF THE MARINE CORPS

DISTRIBUTION: 7000-38 (10)

MARINE CORPS COMMAND CENTER
Headquarters, U. S. Marine Corps
Washington, D. C. 20380

Date 16 Dec 1966

Subj: Serious Incident

Source: FMFPAC CC (Major RUDY)

Ref: (a) 1stMarDiv 130733Z
(b) CMC 141703Z

*Serious
Incident*

1. In amplification of reference (a) and in reply to reference (b), the following information is submitted:

- a. Incident: Shooting, resulting in death.
- b. Date: 112300HDec66
- c. Location: 3d Engineer Battalion
- d. Reported by: 2/1
- e. Persons involved: (1) PFC Paul R. BYRNE, 2204199/0311 USMC (SS), H/2/1, victim; (2) PFC Charles E. CLARK, 2260636/0311 USMC (SS), 2/1, subject; (3) PFC Robert L. CASEY, 2247329/0311 USMC (SS), G/2/1, subject.
- f. Preliminary inquiry indicates that about 2300H 11 December, two Marines, PFCs CASEY and CLARK, were engaged in a fight in their tent. The fight was broken up and turned out and everyone went to bed. PFC CASEY loaded his weapon and started shooting at PFC CLARK who rolled off his bed and was not hit. The victim (PFC BYRNE) started toward the door to escape the shooting. PFC CASEY, evidently thinking it was CLARK, shot him with one round which entered the back and exited the chest. PFC BYRNE died instantly.
- g. Status of Personnel: Students at 3d Engineer Battalion School.

h. Investigation: ONI

2. This will be confirmed by message. Will report additional information as available.

FONECON FMFPAC CC 160115R

T. A. MCPHEETERS
T. A. MCPHEETERS
Watch Officer

16

06

152

CMC	(W)
MC	Has
MILSEC	g/h
CoIS	Has
DC/S(P&P)	Has
SEC Discipline Branch	Has
DIV INFO	Has
Legislative Asst	Has

MESSAGE REPRODUCTION FORM
NAVJAG 597-ADM (6-66)DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380FM 1ST MARDIV REIN
RUCNDA/SECNAV
RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

RUCNDA/SECNAV

14 DEC 66
ON
D
AD
AG
AZ
AS
AADEC 16 02 14 '66
MARINE CORPS
HEADQUARTERS

D	DA	DEB	DG	DP	DS	DL	DM	DN	DP	DS

DECLASSIFIED

FOR CLASSIFIED MESSAGES TYPE SECURITY
CLASSIFICATION AND STAMP ALL COPIES

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

MESSAGE DRAFT FORM
NAVMC HQ 539-ADM (REV. 3-66)

DATE
14Dec66

THIS SPACE FOR COMMUNICATIONS CENTER USE ONLY

14 DEC 66 16 14
141703
DATE-TIME GROUP (GMT)

PP RUMNLA RUHLBP

INDICATE IF OTHER THAN ROUTINE PRECEDENCE

PRIORITY

DRAFTED BY

W S FEENY

1STLT/gdp

RELEASED BY

W S FEENY

William Feeny

FOR READDRESSALS, SHOW ORIGINATOR AND DATE-TIME
GROUP HERE

OFFICE CODE

DNA

TELEPHONE

41789

BILLET

BYRNE PAUL R PFC
2204199

DEC 16 02 15 '66
MARINE CORPS
COMMUNICATIONS CENTER

0833
RUMNLA
RUHLBP

FROM: CMC

TO: CG FIRST MARDIV (WESPAC)

INFO: CG FMF PAC

UNCLAS

~~YOUR~~ YOUR 130733Z ~~130700Z~~ RPT DEATH OF PFC PAUL R BYRNE 2204199 USMC RESULT
GSW BY ANOTHER MARINE. CLARIFY IF ~~ACCIDENTAL~~ OR INTENTIONAL. ADMMSG ASAP.

Accidental

A162/14

INTERNAL DISTRIBUTION

FOR MULTIPLE PAGE MESSAGES SHOW

PAGE

PAGES

FOR TOP SECRET MESSAGES SHOW

COPY

OF

COPIES

FOR CLASSIFIED MESSAGES TYPE SECURITY
CLASSIFICATION AND STAMP ALL COPIES

DECLASSIFIED

MARINE CORPS COMMAND CENTER
Headquarters, U. S. Marine Corps
Washington, D. C. 20380

Date 2 Dec 1966

Subject: Serious Incident

Source: CWO KENNEDY, III MAF (COC)

1. Four Marines were killed and two injured: 1 critical and 1 serious; when another Marine, PFC R. L. THOMAS, 2201722, USMC, went berserk at Force Logistic Support Group "B", at Chu Lai. All were shot with M-14 rifle.

2. PFC THOMAS presently under guard and medical observation. No other facts or motives can be determined due to present condition of THOMAS. Marines involved were:

Cpl Kendall Emanuel GEORGE,
2032175, USMC, Dead

LCpl Billy Barnell WOODSON,
2224318, USMC, Dead

LCpl Luis PINA, Jr.
2083333, USMC, Dead

PFC Patrick Frank SCUDIERO,
2205447, USMC, Dead

PFC James Joseph MOSON,
2186271, USMC, Critically injured

PFC Michael Cornelius MAGGIORE,
2063816, USMC, Seriously injured

3. Casualty report to follow. Will advise other details and facts as they develop.

**RETURN
TO
MCCC**

FONECON III MAF 021853R (U)

T. A. MCPHEETERS
T. A. MCPHEETERS
Watch Officer

Copy to: Casualty Section

CMC	<i>Has</i>	
ACMC		<i>h</i>
MILSEC		
CoS	<i>Has</i>	
DC/S(P&R)	<i>Has</i>	
SGS		
Div Info		
Dis Benb		
Leg Asst		

02

23

532



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON 25, D. C.

IN REPLY REFER TO
AD:emw
18 Jan 1967

MEMORANDUM

From: Chief of Staff
To: Distribution List

Subj: Responses to correspondence concerning the PFC KEENAN
court martial

Ref: (a) C/S Memo to DistList AD:ral of 16 Jan 1967; Subj: Inquiries
concerning the case of PFC KEENAN

Encl: (1) Copy of approved wording


1. Reference (a) is revoked and superseded by the guidance herein.
2. Enclosure (1), forwarded to this Headquarters by the Office of the Secretary of the Navy, provides the wording approved on 17 January by the Secretary of Defense for use in all responses to correspondence concerning the general court martial of PFC KEENAN. This exact wording will constitute the full reply made to all correspondence, irrespective of source, on the KEENAN case, modifying only the opening paragraph as necessary to differentiate between replies made to correspondence received directly by this Headquarters and replies prepared to correspondence which is referred by higher authority to this Headquarters for action.
3. Replies to correspondence received directly in this Headquarters will be signed by officers of the staff currently authorized to do so in the HQMC Supplement to the Navy Correspondence Manual. Correspondence referred to this Headquarters for action will be prepared for signature in accordance with the instructions in the routing/referral slip.
4. It is emphasized that enclosure (1) is applicable only to correspondence pertaining to the GCM of PFC KEENAN. Inquiries received concerning other "serious incident" cases in Vietnam will continue to

**Subj: Responses to correspondence concerning the PFC KEENAN
court martial**

be handled in accordance with standing procedures, except that all will be coordinated with the Director of Personnel (Code DK) prior to submission for signature or approval.


L. F. CHAPMAN, JR.

Distribution:
DirPers (5)
DirInfo (3)
LegisAsst (3)
DC/S (Admin)


Copy to:
CMC
ACMC
MilSec
SGS

Blind copy to:
MCAide to SecNav
MCAide to UnSecNav

has asked me to reply to your inquiry regarding the recent military court martial trial of Private First Class Charles William Keenan at Chu Lai, Vietnam.

The Uniform Code of Military Justice, enacted by Congress and approved by the President in 1951, establishes an appellate review procedure which assures a careful and impartial review of each case where a person is convicted in a trial by court martial. Following is a summary of the procedures provided by the Code which will apply in the review of this case.

After authentication by the parties to the trial, the record of the trial proceedings will be reviewed by a staff judge advocate lawyer. This officer will prepare a written review which will include a summary of the evidence in the case, his opinion as to the adequacy and weight of the evidence and the effect of any error or irregularity respecting the proceedings, and a specific recommendation as to the action to be taken.

This written review, the record of trial and other matters relating to the case will then be considered by the Commanding General of the First Marine Division who convened the Court-Martial. The convening authority will disapprove such findings of guilty and such part of the sentence as he may find to be incorrect in law and in fact, and which he determines, in his discretion, should

ENCLOSURE (1)

2.

not be approved. Following action by the convening authority, the record of trial will be forwarded to the Office of the Judge Advocate General of the Navy for review by a Board of Review.

The accused may be represented before the Board of Review by a military appellate defense counsel designated for that purpose and he may also retain civilian defense counsel at his own expense if he desires. Thereafter, he may petition the U.S. Court of Military Appeals for review of his case. If this court, composed of three civilian judges, grants a review, he will again be represented by counsel furnished by the Government and he may retain civilian counsel at his own expense.

In this particular case, two civilian attorneys, George A. Daugherty and John Reed of Charleston and South Charleston, West Virginia, representing P. F. C. Keenan, have informed the Department of Defense that they desire to go to South Vietnam as part of their preparation for the appellate review. The Department of Defense is cooperating with these attorneys in order that P. F. C. Keenan can be represented by civilian counsel in accordance with his family's request. The Department of Defense has authorized these two attorneys to fly from the West Coast to Saigon on a Military Airlift Command Airplane. They will reimburse the government for the cost of their flight. In South Vietnam, military air transportation will be

3.

provided at no cost so that they can move about the country as necessary to prepare the defense case.

It is Department of Defense policy to provide as much information concerning trials by courts-martial as is possible without prejudicing the case. The initial trial was open to the public and the findings and sentence passed by the court are a matter of public record. In the interest of the fair administration of justice, however, and in order that the appellate procedures will not be compromised, official comment on any of the statements made in the course of the trial or concerning the findings and sentences of the court would be inappropriate.

The Department of Defense will protect Private Keenan's rights as a Marine and as a citizen, and at the same time see that the interests of justice are served.

DECLASSIFIED

MESSAGE REPRODUCTION FORM (2100)
NAVMC HQ 534 (REV. 12-65)

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D. C. 20380

CONFIDENTIAL

Serious Incident

NNNNCZCZJB293
PFTC JAW RUWMTGG0736 0230012-CCCC--RUCIMOA.
DE RUHMLA 2229E 0220831
ZNY CCCCC

P 020831Z FIRST MARDIV RPT

TO RUCIHA/CMC
INFO RUHLBP/CG FMFPAC(R012)
ZEN/CG III MAF

BT

C O N F I D E N T I A L
FOR CODE DK

A. CG 1ST MARDIV MSG 051125Z JAN 67
B. CMC SPDLTR DK-SCS OF 30DEC66

CASE OF PFC CLAYTON AYERS, JR 2051050 USMC REFERRED TO GCM 21
JAN 67 ON FOLLOWING CHG VIOL ART 118 SCMY UNPREMEDITATED
PURDER OF LCPL PATRICK O QUINN, 2180121 USMC. TRIAL DATE
NOT SCHEDULED. PREVIOUSLY REPORTED REF A.

GP-4

BT

23 JAN 67 0111Z

(D)
AR
46
AD
A

CONFIDENTIAL

DECLASSIFIED

VZCZCWN920VV

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**CONFIDENTIAL**

DE DDKE 1502 0210958Z

ZNY CCCCC

BT

CONFIDENTIAL SVC

ZUL RUCIHOA 1687 0211641. H/W ZDK DDKE 1502 0210958Z 0 210958Z.

Senior Incident

DE DDKE 1502 0210958Z

ZNY CCCCC

0 210958Z JAN 67

FM CG III MAF

TO WND/CMC

INFO YNA/CG FMFPAC

ZEN/CG FIRST MARDIV

BT

CONFIDENTIAL PERSONAL FOR GEN GREENE INFO LTGEN KRULAK
AND MGEN NICKERSON. FROM LTGEN WALT.

VISIT OF MR REED AND MR DAUGHERTY, LAWYERS FOR KEENAN FAMILY

1. MESSRS REED AND DAUGHERTY AND ESCORT, LTCOL HADEN, ARRIVED

DANANG 182300H LOCAL. MET BY FORCE LEGAL OFFICER AND LEGAL

OFFICER 1ST MARDIV. BILLETED III MAF BOQ.

2. MORNING OF 19JAN REVIEWED RECORD OF PRETRIAL INVESTIGATION.

VISITED KEENAN AT III MAF BRIG. KEENAN SIGNED WRITTEN STATEMENT

THAT HE DESIRED REED AND DAUGHERTY AS HIS COUNSEL ON APPEAL.

THEY LEFT FOR CHU LAI BY GOVT AIR AT 1530. MET BY ASST DIV

LEGAL OFF, 1ST MARDIV, LTCOL ZORACK. SMOOTH RECORD OF KEENAN'S

FIRST TRIAL AND ROUGH RECORD OF SECOND TRIAL MADE AVAILABLE FOR

THEM TO READ. KEENAN'S APPOINTED DEFENSE COUNSEL, MAJ. C.W.

OLSON, WAS PRESENT AND THEY HAD SEVERAL CONFERENCES.

PAGE TWO DDKE 1502 CONFIDENTIAL

3. 20JAN THEY WERE TRANSPORTED TO 7TH MAR CP WHERE ESCORT SQUAD
WAS AVAILABLE TO TAKE THEM TO SCENE OF CRIME. IT WAS EXPLAINED
TO MR REED AND MR DAUGHERTY THAT THERE WAS STILL VC ACTIVITY IN
THE AREA AND THEY SHOULD UNDERSTAND THERE WAS A POSSIBILITY OF SOME-
ONE IN THE PARTY BEING HIT. THEY STATED THEY WOULD NOTWANT TO RISK HAVING A MARINE HURT ON SUCH A MISSION AND THAT
OFFICIAL PHOTOGRAPHS TAKEN AT THE SCENE AND AN AERIAL PHOTOGRAPH
OF THE AREA WOULD SERVE THEIR NEEDS. PHOTOGRAPHS WERE CLEARED
BY G-2 AND COPIES PROVIDED TO THE VISITORS. AT 7TH MARINES CP,
REED AND DAUGHERTY INTERVIEWED SIX MEMBERS OF THE SQUAD WHO HAD
BEEN PRESENT WITH KEENAN ON PATROL WHEN OFFENSES OCCURRED. ONE
MEMBER OF THE PATROL HAS SINCE BEEN WOUNDED AND WAS NOT AVAILABLE.
INTERVIEWS WERE CONDUCTED IN PRIVATE. NO COMMAND REPRESENTATIVE
WAS PRESENT. THEY WANTED TO TALK TO THE PSYCHIATRIST WHO HAD
EXAMINED KEENAN. THE DOCTOR IS ON R&R.4. UPON RETURN TO TASK FORCE XRAY CP, THEY WERE SHOWN COURT
ROOM WHERE KEENAN WAS TRIED AND OBSERVED A PORTION OF A TRIAL
IN PROGRESS. THEY INTERVIEWED THE CID INVESTIGATOR WHO MADE
THE PRELIMINARY INQUIRY AND LTCOL ZORACK, WHO CONDUCTED THE
FORMAL PRETRIAL INVESTIGATION. THEY LISTENED TO THE CASE OF**CONFIDENTIAL**②
AR
AD
AQ
AC
A

22 JAN 67 16 23

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

PAGE THREE DDKE 1502 C O N F I D E N T I A L
KEENAN'S INTERVIEW WITH THE PRESS. THEY TALKED WITH LUCZKO'S COUNSEL WHO DECLINED TO LET THEM INTERVIEW LUCZKO. MAJ. OLSON, PIATKOWSKI'S COUNSEL, AGREED TO ALLOW THEM TO TALK WITH PIATKOWSKI SO LONG AS HE, OLSON, WAS PRESENT. THEY EXPRESSED NO DESIRE TO DO SO. REED AND DAUGHERTY HAVE TWICE EXPRESSED FULL SATISFACTION WITH MAJ. OLSON'S HANDLING OF THE CASE AND STATED THAT HE IS A VERY COMPETENT LAWYER.
5. REED AND DAUGHERTY REQUESTED STATISTICS ON THE NUMBER OF CASES TRIED, NATURE OF OFFENSES, RESULTS OF TRIAL, ETC. THEY WERE TOLD THESE ARE NOT AVAILABLE.
6. THEY RETURNED TO DANANG AT 211030H LOCAL AND VISITED KEENAN. A PROJECTED VISIT TO SAIGON ON 22JAN WAS CANCELLED AT THEIR REQUEST. ALL ARRANGEMENTS HAD BEEN MADE. COL TOM FIELDS SECURED THE NAME AND TELEPHONE NUMBER OF THE ASSISTANT EDITOR OF THE SAIGON POST, A MR PICCARDO, FOR THEM. AFTER TALKING WITH PICCARDO ON THE TELEPHONE, THEY STATED IT WOULD NOT BE NECESSARY TO GO TO SAIGON. THEY ARE SCHEDULED TO SEE MGEN NICKERSON ON MONDAY AND TO DEPART DANANG FOR OKINAWA ON TUESDAY, 24JAN. THEY HAVE ON MANY OCCASIONS EXPRESSED APPRECIATION FOR THE MANNER IN WHICH THEY HAVE BEEN RECEIVED. THEY HAVE BEEN ASKED REPEATEDLY IF THERE IS ANYTHING

PAGE FOUR DDKE 1502 C O N F I D E N T I A L
ELSE THEY DESIRE. THE ANSWER HAS BEEN NO. TO KNOWLEDGE OF ESCORT OFFICER THEY HAVE HAD NO CONTACT WITH THE PRESS OTHER THAN THEIR TELEPHONE CONVERSATION WITH MR. PICCARDO MENTIONED ABOVE. NO ATTEMPT HAS BEEN MADE TO PREVENT SUCH CONTACT. THEY HAVE NOT REQUESTED IT.

7. FURTHER REPORT WILL FOLLOW THEIR VISIT WITH MGEN NICKERSON.
VERY RESPECTFULLY, LEW

GP-4

BT

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

CONFIDENTIAL

CMC	HAS	
ACMG		h
MILSEC		
CoIS	HAS	
DC/S(P&P)	HAS	
SGS		
DK	HAS	

RETURN
TO
MCCC

NNNNCZCZJ8579
 PFTC JAW RUWMOGF 0128 0092221-CCCC-ROUHOA
 DE RUMHLA 902E 0091041
 ZNY CCCCC
 P R 091041Z JAN 67
 FM CG FIRST MARDIV
 TO RUCINOA/CMC
 INFO RORBP7CG FMFPAC (K041)
 ZEN/CG III MAF/GUARD MAIL
 BT
 C O N F I D E N T I A L
 FOR CODE DK
 GCM CASE OF CPL STANLEY J. LUCZKO

2698524 USMC

- A. CG 1ST MARDIV SPDLTR 17/TPC/MEC OF 23NOV66
 B. CG 1ST MARDIV 250301Z NOV66 (C)
 C. CMC SPDLTR DK-SCS OF 30DEC66

SUBJ MAN RPT IN REF A AND B TRIED ON 7-9 JAN67 ON CHGS OF
 ART 118 UCMJ 2 SPECS PREMEDITATED MURDER OF VIETNAMESE MALE AND
 FEMALE, ART 134 UCMJ MUTILATION OF A CORPSE, ACCUSED PLEADED
 NOT GUILTY. ACCUSED WAS FOUND GUILTY OF PREMEDITATED MURDER OF
 VIETNAMESE FEMALE, NOT GUILTY OF OTHER TWO OFFENSES. ACCUSED
 WAS SENTENCED TO DISHONORABLE DISCHARGE, FORFEITURE OF ALL PAY
 AND ALLOWANCES, REDUCTION TO PVT AND CONFINEMENT AT MARI LAROS

PAGE 2 RUMHLA 902E C O N F I D E N T I A L
 FOR LIFE. THIS WAS COMPANION CASE TO PFC KEENAN AND PFC
 PIATKOWSKI PREVIOUSLY REPORTED.
 GP-4
 BT

5 JAN 67 09 36Z

(D)
 AR
 AG
 AD

CONFIDENTIAL

DEPARTMENT OF THE NAVY

HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**CONFIDENTIAL**

NNNNCZCOHB217

PFTC JAW RUMJTMJ0781 0032117-CCCC--RUCIHOA.

DE RUHHLA 244E 0030751

ZNY CCCCC

P R 030751Z JAN 67

FM CG FIRST MARDIV REIN

TO RUCIHOA/CMC

INFO RUHLBP/CG FMFPAC (K029)

ZEN/CG III MAF

BT

CONFIDENTIAL

FOR CODE DK

A. CG 1ST MARDIV SPOLTR 17/TPCWEC

OF 23NOV66

1. CASE OF CPL ROBERT W. MONROE 212273 USMC REFERRED TO GCM 2JAN67 ON FOLLOWING CHGS. CHG I VIOL ART 118 UCMJ ONE SPECIFICATION ALLEGING PREMEDITATED MURDER OF FOUR VIETNAMESE CIVILIANS. CHG II VIOL ART 120 UCMJ ONE SPECIFICATION ALLEGING RAPE. CHG III VIOL ART 128 UCMJ ONE SPECIFICATION ALLEGING ASSAULT. CHG IV VIOL ART 134 UCMJ SPECIFICATION ALLEGING ASSAULT WITH INTENT TO COMMIT MURDER. SPECIFICATION 2 ALLEGING ASSAULT WITH INTENT TO COMMIT RAPE.

2. CASE OF PFC JOHN D. POTTEQ, JR. 2128272, USMC REFERRED TO GCM 2JAN67 ON FOLLOWING CHGS. CHG I VIOL ART 118 UCMJ

PAGE 2 RUHHLA 244E CONFIDENTIAL

TWO SPECIFICATIONS ALLEGING PREMEDITATED MURDER OF VIETNAMESE CIVILIANS. CHG II VIOL ART 120 UCMJ ONE SPECIFICATION ALLEGING RAPE. CHG III VIOL ART 128 UCMJ ONE SPECIFICATION ALLEGING ASSAULT. CHG IV VIOL ART 134 UCMJ SPECIFICATION ALLEGING ASSAULT WITH INTENT TO COMMIT MURDER SPECIFICATION 2 ALLEGING ASSAULT WITH INTENT TO COMMIT RAPE.

3. KPSE OF PC JAMES W. HENDERSON, 2078016 USMC REFERRED TO GCM 2JAN67 ON FOLLOWING CHGS: CHG I VIOL ART 134 UCMJ ONE SPECIFICATION ALLEGING ASSAULT WITH INTENT TO COMMIT RAPE. CHG II VIOL ART 120 UCMJ ONE SPECIFICATION ALLEGING RAPE. CHG III VIOL ART 128 UCMJ ONE SPECIFICATION ALLEGING ASSAULT.

4. CASE OF PFC CLIFTON G. HOBSON 2214086 USMC REFERRED TO GCM 2JAN67 ON FOLLOWING CHGS: CHG I VIOL ART 134 UCMJ ONE SPECIFICATION ALLEGING ASSAULT WITH INTENT TO COMMIT RAPE. CHG II VIOL ART 120 UCMJ ONE SPECIFICATION ALLEGING RAPE. CHG III VIOL ART 128 UCMJ ONE SPECIFICATION ALLEGING ASSAULT.

5. ABOVE CASES PREVIOUSLY REPORTED IN PARA D REFERENCE A. TWO REMAINING CASES OF ACCUSED INVOLVED IN SAME INCIDENT PENDING REFERRAL FOR TRIAL. TRIALS TENTATIVELY SCHEDULED FOR LATTER PART OF JAN.

GP-4

BT

*mil sec already has a copy
for CMC. cws.*

①

AD

A02

AG

AR

3 JAN 67 22 000

CONFIDENTIAL

CONFIDENTIALDEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380*file*

NNNZZ CDHA664
 PITC JAW RUCGCTAB418 356000Z-CCCC--RUCIHDA.
 CCCCC ZFD
 DE RUHMF 1716 3571356
 ZNY CCCCC ZFD
 P 231356Z DEC 66
 FM CG III MAF
 TO RUHLP/CG FMFPAC
 INFO RUCIHDA/OMC
 ZEN/CG THIRD MAR DIV
 BT

CONFIDENTIAL
 PRESS QUERY ON SERIOUS CRIME

A. CG FMFPAC MSG 122059Z DEC 66
 B. CG FMFPAC MSG 260445Z DEC 66

1. BOB STONE OF OVERSEAS WEEKLY HAS QUERIED CIB ABOUT A FORTHCOMING COURT-MARTIAL OF THREE MARINES OF THIRD BN NINTH MAR FOR RAPE OF A VIETNAMESE WOMAN. HE REQUESTED ONLY DATE OF TRIAL AND CHARGES. STONE HAS NOT MENTIONED NAMES. STAFF LEGAL OFFICER THIRD MAR DIV IDENTIFIES MARINES TO CIB AS THOMPSON, ROBERTSON AND GUI.
 2. IAW REFS A AND B, FOL INFO WILL BE PROVIDED STONE ON MORNING OF 24 DEC 66 (HOTEL):

QUOTE - AS A RESULT OF INVESTIGATION, THREE MARINES HAVE BEEN CHARGED WITH ASSAULT AND RAPE OF A VIETNAMESE WOMAN. DATE OF TRIAL NOT YET DETERMINED. - UNQUOTE. GP-4

BT

25 DEC 66 15 24Z

①
 R
 R
 AG
 AD
 A
 A02
 A01

CONFIDENTIAL

*Keenan
Special Incident*

A-jsg
07B2467
24 Jan 1967

CONFIDENTIAL

MEMORANDUM FOR THE SECRETARY OF THE NAVY

Subj: Visit to III MAF by Keenan's Lawyers

1. The following information was received this date by message from the Commanding General, III MAF, summarizing a visit to his command by Keenan's lawyers.

"1. Mr. Reed and Mr. Daugherty, accompanied by escort officer, Lieutenant Colonel Haden, called on Commanding General, 1st Marine Division at 1315 today.

"2. They stated that they had been shown every courtesy by the Marine Corps and it was deeply appreciated; they had been shown everything they could possibly want to assist them in representing Keenan in his appeal; and they felt, as a result of their visit, they have gained a much better understanding of what our country is trying to do here.

"3. They asked Major General Nickerson not to act on the Keenan case until he had considered the brief which they will send to him. General Nickerson told them he would consider their brief provided it was submitted within a reasonable time. They replied that it would be forwarded to him in 10 to 14 days. Commanding General, 1st Marine Division assured them he would review the case carefully and in its entirety. When Reed and Daugherty started to discuss the facts of the case, Commanding General, 1st Marine Division told them he could not discuss the facts because he had not read the record of trial and such discussion would, therefore, be inappropriate.

"4. Escort officer reports that during return to III MAF, both lawyers made highly complimentary remarks concerning Major General Nickerson and his attitude toward his responsibilities in the administration of justice.

CONFIDENTIAL

CONFIDENTIAL

"5. Mr. Robert Ohman, Associated Press, asked CIB if he could interview Mr. Reed and Mr. Daugherty. They were informed of the request and stated they had not sought contact with the press here, but would see him. They asked that Lieutenant Colonel Haden be present. He stated he would be, if they would explain to the reporter that he was present at their request.

"6. In summary, the following subjects were covered between Mr. Ohman and Keenan's attorneys. No attempt is made to quote exactly. Shortly after the interview began, Mr. Daugherty, the younger of the two, became spokesman:

"A. The lawyers explained that Lieutenant Colonel Haden was there at their request. Haden made clear he would leave if they desired a private conversation. The lawyers stated they had been given every consideration here, were grateful to DOD and particularly to the Marine Corps for the many courtesies extended. They were allowed to see everything they asked to see and were given anything they asked for. They were allowed to review both records of trial, although the second trial record was not in final form. They were allowed to interview Keenan's squad.

"B. When asked if they had visited the scene, they stated they had not but the Marine Corps has been prepared to take them there. They felt the danger too great to everyone concerned and photos provided by the Marine Corps of the scene served their purpose.

"C. Ohman asked if they were satisfied with the military counsel. They stated they were very satisfied with Olson, that he was a fine young man and a very competent attorney. They had talked with him several times. NOTE: Mr. Ohman was surprised to learn that Marine Counsel was a lawyer.

"D. The lawyers stated there had been no star chamber proceedings as claimed in the press. They said such a charge is ridiculous. The court was open and the press was free to enter. Daugherty was particularly emphatic on this point. He stated Keenan got as fair a trial as he would have gotten in any civilian court. He emphasized this and stated their appeal would be based on constitutional issues that many lawyers could disagree on.

CONFIDENTIAL

CONFIDENTIAL

"E. When asked if they thought the case was tried in an accelerated manner, they replied that as far as they could determine there was no speed up nor delay. He was tried in accordance with military procedures. They emphasized again that their appeal would not be based on procedures, but on constitutional issues about which any two lawyers might disagree.

"F. When asked if they thought Keenan got a fair trial, they replied they weren't questioning the fairness of the trial.

"G. They stated they had seen General Nickerson and had told him they wanted to file a brief for his consideration. He had told them he would consider it so long as they filed it promptly. They were going back and work night and day to get it back here, because they were convinced General Nickerson is a fair man.

"H. Questioned concerning how Keenan feels now and on his press interview, they offered no comment.

"I. When asked if they felt the trip had been worthwhile, they replied it was. As civilians, they didn't feel they could have properly represented Keenan without seeing what was happening here.

"J. Mr. Ohman told Lieutenant Colonel Haden, in private, that because of the great interest in the Keenan case in the U.S., his office was going to require them to cover the trials of any similar cases. Ohman observed that he found court proceedings very boring.

"7. Mr. Deugherty, Mr. Reed, and Lieutenant Colonel Haden will depart for Okinawa tomorrow, 24 January, by MarLog. Booking from Camp Butler to CONUS has been requested."

2. The above is furnished for your information.

WALLACE M. GREENE, JR.
General, U. S. Marine Corps

Copy to:
Under Secretary of the Navy
Judge Advocate General
Col James F. Lawrence, Jr., USMC, SpecAsst, Legislative Affairs

CONFIDENTIAL

CONFIDENTIAL

DD WND
DE DDKE 1673 0231430
ZNY CCCCC
O 231430Z JAN 67
FM CG III MAF
TO WND/CMC
INFO YNA/CG FMFPAC
ZEEN/CG 1ST MARDIV
BT

DEPARTMENT OF THE NAVY	
CMC	See
HEADQUARTERS UNITED STATES MARINE CORPS	DDKEE289
WASHINGTON, D.C. 20380	
MILSEC	curt 8th
COIS	has
DC/S(P&P)	has
	AR
	AG
	AD
	AG

RETURN
TO
MAGG

CONFIDENTIAL PERSONAL FOR GEN GREENE, INFOO LTGEN KRULAK
AND MGEN NICKERSON FROM LTGEN WALT
VISIT BY MR REED AND MR DAUGHERTY, LAWYERS FOR KEENAN
1. MR. REED AND MR. DAUGHERTY, ACCOMPANIED BY ESCORT OFFICER, LTCOL
HADEN, CALLED ON CG, 1ST MARDIV AT 1315 TODAY.
2. THEY STATED THAT THEY HAD BEEN SHOWN EVERY COURTESY BY THE MARINE

CORPS AND IT WAS DEEPLY APPRECIATED; THEY HAD BEEN SHOWN EVERYTHING
THEY COULD POSSIBLY WANT TO ASSIST THEM IN REPRESENTING KEENAN IN
HIS APPEAL; AND THEY FELT, AS A RESULT OF THEIR VISIT, THEY HAVE
GAINED A MUCH BETTER UNDERSTANDING OF WHAT OUR COUNTRY IS TRYING TO
DO HERE.

33. THEY ASKED MGEN NICKERSON NOT TO ACT ON THE KEENAN CASE UNTIL HE
HAD CONSIDERED THE BRIEF WHICH THEY WILL SEND TO HIM. GEN
NICKERSON TOLD THEM HE WOULD CONSIDER THEIR BRIEF PROVIDED IT WAS

PAGE TWO DDKEE 1673 CONFIDENTIAL
SUBMITTED WITHIN A REASONABLE TIME. THEY REPLIED THAT IT WOULD
BE FORWARDED TO HIM IN 10 TO 14 DAYS. CG, 1ST MARDIV ASSURED THEM
HE WOULD REVIEW THE CASE CAREFULLY AND IN ITS ENTIRETY. WHEN REED
AND DAUGHERTY STARTED TO DISCUSS THE FACTS OF THE CASE, CG 1ST
MARDIV TOLD THEM HE COULD NOT DISCUSS THE FACTS BECAUSE HE HAD
NOT READ THE RECORD OF TRIAL AND SUCH DISCUSSION WOULD, THEREFORE,
BE INAPPROPRIATE.

4. ESCORT OFFICER REPORTS THAT DURING RETURN TO III MAF, BOTH LAWYERS
MADE HIGHLY COMPLEMENTARY REMARKS CONCERNING MGEN NICKERSON AND HIS
ATTITUDE TOWARD HIS RESPONSIBILITIES IN THE ADMINISTRATION OF JUSTICE.

5. MR ROBERT OHMAN, ASSOCIATED PRESS, ASKED CIB IF HE COULD INTERVIEW

MR. REED AND MR. DAUGHERTY. THEY WERE INFORMED OF THE REQUEST AND
STATED THEY HAD NOT SOUGHT CONTACT WITH THE PRESS HERE, BUT
WOULD SEE HIM. THEY ASKED THAT LTCOL HADEN BE PRESENT. HE STATED HE
WOULD BE, IF THEY WOULD EXPLAIN TO THE REPORTER THAT HE WAS PRESENT
AT THEIR REQUEST.

6. IN SUMMARY THE FOLLOWING SUBJECTS WERE COVERED BETWEEN MR. OHMAN
AND KEENAN'S ATTORNEYS. NO ATTEMPT IS MADE TO QUOTE EXACTLY. SHORTLY
AFTER THE INTERVIEW BEGAN, MR. DAUGHERTY, THE YOUNGER OF THE TWO,
BECAME SPOOKESMAN:

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380**CONFIDENTIAL**

PPAGE THREE DDKE 1675 C O N F I D E N T I A L

AA. THE LAWYERS EXPLAINED THAT LT COL HADEN WAS THERE AT THEIR REQUEST HADEN HAD BEEN CLEAR HE WOULD LEAVE IF THEY DESIRED A PRIVATE CONVERSATION. THE LAWYERS STATED THEY HAD BEEN GIVEN EVERY CONSIDERATION HERE WERE GRATEFUL TO DOD AND PARTICULARLY TO THE MARINE CORPS FOR THE MANY COURTESIES EXTENDED. THEY WERE ALLOWED TO SEE EVERYTHING THEY ASKED TO SEE AND WERE GIVEN ANYTHING THEY ASKED FOR. THEY WERE ALLOWED TO REVIEW BOTH RECORDS OF TRIAL, ALTHOUGH THE SECOND TRIAL RECORD WAS NOT IN FINAL FORM. THEY WERE ALLOWED TO INTERVIEW KEENAN'S SQUAD.

B. WHEN ASKED IF THEY HAD VISITED THE SCENE, THEY STATED THEY HAD NOT BUT THE MARINE CORPS HAD BEEN PREPARED TO TAKE THEM THERE. THEY FELT THE DANGER TOO GREAT TO EVERYONE CONCERNED AND PHOTOS PROVIDED BY MARINE CORPS OF THE SCENE SERVED THEIR PURPOSE.

C. OHMAN ASKED IF THEY WERE SATISFIED WITH THE MILITARY COUNSEL. THEY STATED THEY WERE VERY SATISFIED WITH OLSON, THAT HE WAS A FINE YOUNG MAN AND A VERY COMPETENT ATTORNEY. THEY HAD TALKED WITH HIM SEVERAL TIMES. NOTE: MR OHMAN WAS SURPRISED TO LEARN THAT MARINE COUNSEL WAS A LAWYER.

D. THE LAWYERS STATED THERE HAD BEEN NO STATE CHAMBER PROCEEDINGS AS ANNOUNCED IN THE PRESS. THEY SAID SUCH A CHARGE IS RIDICULOUS. THE COURT WAS OPEN AND THE PRESS WAS FREE TO ENTER. DAUGHERTY WAS PARTICI-

PAGE FOUR DDKE 1675 C O N F I D E N T I A L

IPULARLY EMPHATIC ON THIS POINT. HE STATED KEENAN GOT AS FAIR A TRIAL AS HE WOULD HAVE GOTTEN IN ANY CIVILIAN COURT. HE EMPHASIZED THIS AND STATED THEIR APPEAL WOULD BE BASED ON CONSTITUTIONAL ISSUES THAT MANY LAWYERS COULD DISAGREE ON.

E. WHEN ASKED IF THEY THOUGHT THE CASE WAS TRIED IN AN ACCELERATED MANNER, THEY REPLIED THAT AS FAR AS THEY COULD DETERMINE THERE WAS NO

SPEED UP NOR DELAY. HE WAS TRIED IN ACCORDANCE WITH MILITARY PROCEDURES. THEY EMPHASIZED AGAIN THAT THEIR APPEAL WOULD NOT BE BASED ON PROCEDURES, BUT ON CONSTITUTIONAL ISSUES ABOUT WHICH ANY TWO LAWYERS MIGHT DISAGREE.

F. WHEN ASKED IF THEY THOUGHT KEENAN GOT A FAIR TRIAL, THEY REPLIED THEY WEREN'T QUESTIONING THE FAIRNESS OF THE TRIAL.

G. THEY STATED THEY HAD SEEN GEN NICKERSON AND HAD TOLD HIM THEY WANTED TO FILE A BRIEF FOR HIS CONSIDERATION. HE HAD TOLD THEM HE WOULD CONSIDER IT SO LONG AS THEY FILED IT PROMPTLY. THEY WERE GOING BACK AND WORK NIGHT AND DAY TO GET IT BACK HERE, BECAUSE THEY WERE CONVINCED GEN NICKERSON IS A FAIR MAN.

H. QUESTIONED CONCERNING HOW KEENAN FEELS NOW AND ON HIS PRESS INTERVIEW, THEY OFFERED NO COMMENT.

I. WHEN ASKED IF THEY FELT THE TRIP HAD BEEN WORTHWHILE, THEY REPLIED

CONFIDENTIAL

DECLASSIFIED

MESSAGE REPRODUCTION FORM (2100)
NAVMC HQ 534 (REV. 12-65)

CONFIDENTIAL

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

THESE FIVE WERE 1973 CONFIDENTIAL
IT WAS. AS CIVILIANS, THEY DIDN'T FEEL THEY COULD HAVE PROPERLY
REPRESENTED KEENAN WITHOUT SEEING WHAT WAS HAPPENING HERE.
J. MR OHMAN TOLD LTCOL HADEN, IN PRIVATE, THAT BECAUSE OF THE GREAT
INTEREST IN THE KEENAN CASE IN THE U.S., HIS OFFICE WAS GOING TO
REQUIRE THEM TO COVER THE TRIALS OF ANY SIMILAR CASES. OHMAN OBSERVED
THAT HE FOUND COURT PROCEEDINGS VERY BORING.
7. MR. DANEHERTY, MR. REED, AND LTCOL HADEN WILL DEPART FOR OKINAWA
TOMORROW, 21 JANUARY, BY MARLOG. BOOKING FROM CAMP BUTLER TO CONUS
HAS BEEN REQUESTED. ~~SENT RESPECTFULLY, LBN~~

CONFIDENTIAL

• GPO : 1968 O-238-701

5-9120

DECLASSIFIED

DKE-cah
13 Jan 1967

Mr. A. Montague Geor
112 W. E. 82nd Terrace
Miami, Florida 33138

Dear Mr. Geor:

This is in reply to your letter of 8 January 1967 concerning members of the U. S. Marine Corps stationed in Vietnam.

The uniform Code of Military Justice, 10 USC Secs. 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. These Marines were convicted by general courts-martial according to those laws. Their cases are now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of these cases while they are subject to judicial review. However, I can assure you, all of their legal rights have been and will continue to be afforded them throughout these proceedings. They have been and will be represented by an attorney to assure their rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you, the members of the courts-martial did not pass judgment on them until they had heard all the evidence in the cases and were convinced, in their best judgment, beyond a reasonable doubt that they were guilty as charged.

Your interest in members of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

W. C. B. B. B.
Copy to:
CG FMFPAC
Code A

Kellman Case

✓

DKK-emh
13 Jan 1967

Mr. Charles H. Roberts
113 Circle Drive
Nitro, West Virginia 25143

Dear Mr. Roberts:

This is in reply to your letter of 7 January 1967 concerning Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps.

The Uniform Code of Military Justice, 10 USC Secs. 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by a general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while they are subject to judicial review. However, I can assure you all of his legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you the members of the court-martial did not pass judgment on Private Keenan until they had heard all of the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that he was guilty as charged.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEYLER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

Copy to:
CG FMFPAC
Code A

BKE-emb
13 Jan 1967

Mr. J. E. Lanham
2209 Washington Street West
Charleston, West Virginia 25312

Dear Mr. Lanham:

This is in reply to your letter of 8 January 1967 concerning Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps.

The uniform Code of Military Justice, 10 USC Secs. 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by a general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while they are subject to judicial review. However, I can assure you all of his legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you the members of the court-martial did not pass judgment on Private Keenan until they had heard all of the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that he was guilty as charged.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

Copy to:
CG FMFPAC
Code A

DKE:cmh

13 Jan 1967

Mrs. L. O. Nelson
609 1/2 Georgia Street
Charleston, W. Virginia 25302

Dear Mrs. Nelson:

This is in reply to your letter of 8 January 1967 concerning Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps.

The Uniform Code of Military Justice, 10 USC Secs. 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by a general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while they are subject to judicial review. However, I can assure you all of his legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you the members of the court-martial did not pass judgment on Private Keenan until they had heard all of the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that he was guilty as charged.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

Copy to:
CG FMFPAC
Code A

DECLASSIFIED

OFFICE OF THE CHIEF OF STAFF

10 JAN 1967

From: Chief of Staff

To: Director of Personnel

☒ Appropriate action

☐ Comment and/or recommendation

☐ Retention

☐ Prepare reply for _____ signature

☐ Information and return to CofS

☐ Concurrence

Remarks:

H

H. W. BUSE, JR.
Acting Chief of Staff

DECLASSIFIED

DECLASSIFIED

OFFICE OF THE CHIEF OF STAFF

10 JAN 1967

From: Chief of Staff

To: **Director of Personnel**

☒ Appropriate action

☐ Comment and/or recommendation

☐ Retention

☐ Prepare reply for _____ signature

☐ Information and return to CofS

☐ Concurrence

Remarks:

01-226

H

H. W. BUSE, JR.
Acting Chief of Staff

DECLASSIFIED

DKE:cmh
13 Jan 1967

Miss Ellen Mathena
609 Georgia Street
Charleston, West Virginia 25302

ant

Dear Miss Mathena:

This is in reply to your letter of 7 January 1967 concerning Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps.

The Uniform Code of Military Justice, 10 USC Secs. 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by a general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while they are subject to judicial review. However, I can assure you all of his legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you the members of the court-martial did not pass judgment on Private Keenan until they had heard all of the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that he was guilty as charged.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

no card made
CFI
Copy to:
CG FMFPAC
Code A

UPI-165

(IT MARTIAL)
 CHARLESTON, W.VA.--TWO CHARLESTON AREA ATTORNEYS WILL LEAVE FOR VIETNAM SOON TO FILE AN APPEAL IN THE COURT-MARTIAL OF PFC. CHARLES W. KEENAN OF NITRO, W.VA.

HIS CONVICTION IN THE SLAYING OF TWO VIETNAMESE VILLAGERS IS UNDER REVIEW IN CHU LAI. KEENAN WILL BE REPRESENTED BY ATTORNEYS JOHN REED JR. AND GEORGE DAUGHERTY.

BOTH WILL TRAVEL TO VIETNAM ABOARD MILITARY AIRCRAFT AT A REDUCED RATE ARRANGED BY REP. JOHN M. SLACK JR., D-W.VA.

KEENAN'S FAMILY FRIENDS HAVE SET UP A NON-PROFIT CORPORATION TO RAISE MONEY FOR HIS DEFENSE AND SLACK SAID AN UNIDENTIFIED "PROMINENT CHARLESTON BUSINESSMAN" WILL FINANCE THE COST OF THE TRIP.

KEENAN WAS FOUND GUILTY OF PREMEDITATED MURDER IN THE DEATHS OF TWO VIETNAMESE IN SEPT. 22. HE WAS SENTENCED TO LIFE AT HARD LABOR AS WAS A FELLOW PATROL MEMBER. ANOTHER MARINE RECEIVED 10 YEARS IN PRISON. THE DEFENSE CLAIMED THE VILLAGERS WERE SHOT UNDER ORDERS FROM THE CONG.

SLACK SAID THE DECISION TO ALLOW THE TWO TO GO TO CHU LAI WAS REACHED THURSDAY AFTERNOON FOLLOWING A CONFERENCE WITH DEPUTY SECRETARY OF DEFENSE CYRUS VANCE, A NATIVE OF CLARKSBURG, W.VA.

"THERE SHOULD BE NO MISUNDERSTANDING ABOUT THE STATUS OF THIS CASE," SLACK SAID.

"A VERDICT HAS BEEN REACHED AND A SENTENCE RENDERED. BUT THE APPEAL PROCEDURE IS DETAILED AND EXHAUSTIVE AND EVERY EFFORT WILL BE MADE TO PROTECT PFC. KEENAN'S RIGHTS BOTH AS A SOLDIER AND A CITIZEN."

"SECRETARY VANCE HIMSELF HAS TOLD ME THAT HE IS INTERESTED IN NOTHING LESS THAN THAT, AND EVERYONE INTERESTED IN THE CASE CAN BE ASSURED THAT NOTHING WHICH CAN BE DONE WILL BE LEFT UNDONE TO ESTABLISH THE FACTS AND HAVE THEM WEIGHED JUDICIALLY," SLACK SAID.

1/13--MJ632PES

Serial included

DKE-bcf
16 Jan 1967

From: Commandant of the Marine Corps
To: Commanding General, Fleet Marine Force, Pacific,
FPO San Francisco, California 96602
Subj: Correspondence; case of Lance Corporal Lawrence H.
MORTON, 2204161, U. S. Marine Corps

Encl: (1) Cpl Morton's ltr of 6 Jan 1967 to the Commandant
of the Marine Corps

1. Enclosure (1) is forwarded for your information and such counselling, advice, and assistance as you may consider to be appropriate.

2. It is requested that Corporal Morton be instructed to comply with Paragraph 1609, Navy Regulations.

B. B. FERRELL
By direction

→ Copy to:
Code A

*Keenan Case - he wrote General
Greene - suspect about sentences
of marine for*

DKE:cmf
3 Feb 1967

Mr. Darrell J. Hively
P. O. Box 186
Pinch, West Virginia 25156

Dear Mr. Hively:

General Greene has asked me to reply to your letter of 19 January 1967 concerning the recent general court-martial of Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps, held at Chu Lai, Republic of Vietnam.

The charges were preferred against Private Keenan only after a preliminary investigation and a later formal pretrial investigation were conducted. The Uniform Code of Military Justice, 10 USC Sections 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while it is subject to judicial review. It would be inconsistent with the concepts of justice to comment on the content of any news stories reporting the results of the trial until the full and impartial appellate proceedings are completed. However, I can assure you, all of Private Keenan's legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you, the members of the court-martial did not pass judgment on Private Keenan until they had heard all the

DKE:cmf
3 Feb 1967

evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that Private Keenan was guilty as charged. You may be assured that the disciplinary proceedings against him were not motivated by any interest other than the same concepts of law and justice which every United States citizen is subject.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

FRED M. HADEN
Lieutenant Colonel, U. S. Marine Corps
Acting Head, Discipline Branch, Personnel Department
By direction of the Commandant of the Marine Corps

Copy to:
Code A

3 FEB 1967


Dear Mr. and Mrs. Eitelheimer:

President Johnson has asked me to reply to your recent letter regarding Lance Corporal John Widener, U. S. Marine Corps.

An investigation is presently being conducted to inquire into the circumstances surrounding a firing incident in a Vietnamese hamlet on November 24, 1966. As a result of the shooting, one Vietnamese national was killed and two wounded. John Widener and another Marine are being questioned during this investigation. At this time, they have not been charged with any offense. Throughout the investigation both Marines are being represented by appointed defense counsels who are Marine officer lawyers. While I must reiterate that John has not been charged with any offense, I think that a brief explanation of the law governing the conduct and good discipline of the Armed Forces will be helpful to you.

All members of the Armed Forces are subject to the Uniform Code of Military Justice, enacted by Congress and approved by the President in 1951. This law requires a thorough and impartial investigation prior to preferring charges of a serious nature. Upon reviewing this investigation, the appropriate commanding authority may determine that no judicial proceedings are warranted or he may refer the matter to a court martial. The person accused of a violation of the Code is guaranteed all the rights of any American and enjoys other safeguards designed to protect his interests. For example, he is automatically provided with competent legal counsel who is General Counsel/Military cases must be a qualified and certified lawyer. The accused may present evidence in his own behalf. He may remain silent and no inference can be drawn from his silence. Like any other American he is assumed to be innocent until proven guilty.

In the event a finding of guilty is reached and an appropriate punishment awarded by the court, the entire case then becomes the subject of an extensive appellate review procedure. Initially, a staff judge advocate lawyer prepares a written review for the commanding authority who then considers the contents of this document, the record of trial and other matters relating to the case. The commanding authority



will disapprove such findings of guilt and such part of the sentence as he may find to be incorrect in law and in fact, and which he determines, in his discretion, should not be approved. Following action by the convening authority, the record of trial will be forwarded to the Office of the Judge Advocate General of the Navy for review by a Board of Review.

The accused may be represented before the Board of Review by a military appellate defense counsel designated for that purpose and he may also retain civilian defense counsel at his own expense if he desires. Thereafter, he may petition the U. S. Court of Military Appeals for review of his case. If this court, composed of three civilian judges, grants a review, he will again be represented by counsel furnished by the Government and he may retain civilian counsel at his own expense.

May I again repeat that the information above is applicable in general. It should not be construed to represent what will happen in John Widener's case, since the initial investigation which concerns him remains incomplete.

Your interest in the welfare of our servicemen is appreciated and I trust this information will be helpful to you.

Sincerely,

CHARLES F. BAIRD
ASSISTANT SECRETARY OF THE NAVY

Mr. and Mrs. Max R. Michelman
R. D. #1 - Box 198
Resburg, Ohio 45342

Prep. by: MAJOR DOMOVAN, USMC, White House Cor. Section, #50191
Typed by: J. Eberbach, 31 Jan 67
Rewritten and retyped: 3 Feb 67
Copy to: SECNAV Files #677 - SECDEF #1254 - CMC(Code DK)

REPLY COORDINATED WITH COL ASHLEY 3 Feb 67.
Case of: LCPL John R. Widener, 1999412, USMC

that sent them to Viet Nam does not seem right. We have never written to a President of the United States. We felt that we had to do our part in bringing this matter to your attention.

Very respectfully yours,

Mr. and Mrs. May R. Stinson

Mr. and Mrs. May R. Stinson
Box 1 Bay 158

Cincinnati, Ohio 45363

1967 JAN 21
Jan. 18, 1967
OFF SECY-01

The President
The White House
Washington 25, D.C.

Sir:

We are writing to you because of our concern for John Widener who is being charged in connection with the deaths of two Vietnamese. John is a good boy, and was never in trouble. Would you please check into this matter, and do everything you can for him. We do not know all the circumstances, but this seems quite unfair. These boys are sent to Viet Nam to defend our country and their lives, and to be punished by the very government

DXE:cmf
8 FEB 1967

Mrs. Herbert Nantze
6515 20th Street
Rio Linda, California 95673

Dear Mrs. Nantze:

The Assistant Secretary of Defense has asked me to reply to your letter of 9 January 1967 concerning the recent general courts-martial of Privates First Class Charles W. KEENAN, 2200699, and Ronald A. PIATKOWSKI, 2175093, held at Chu Lai, Republic of Vietnam.

Charges against these men were preferred only after a preliminary investigation and a later formal pretrial investigation were conducted. The Uniform Code of Military Justice, 10 USC Sections 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. These Marines were convicted by general courts-martial according to those laws. Their cases are now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of these cases while they are subject to judicial review. It would not be consistent with the concepts of justice to comment on the content of any news stories reporting the results of the trials until the full and impartial appellate proceedings are completed. However, I can assure you, all of their legal rights have been and will continue to be afforded them throughout these proceedings. They have been and will be represented by an attorney to assure their rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you, the members of the courts-martial did not pass judgment on them until they had heard all the evidence in the cases and were convinced, in their best judgment, beyond a

RETURN TO DISCIPLINE BRANCH (DK)
WHEN ORIGINAL HAS BEEN MAILED

No last made

CMC

DKE:cmf
* 3 FEB 1967

reasonable doubt that they were guilty as charged. You may be assured that the disciplinary proceedings against these men were not motivated by any interest other than the same concepts of law and justice which every United States citizen is subject.

Your interest in members of the Marine Corps is appreciated.

Sincerely,
R. G. WEEDE
Major General, U. S. Marine Corps
Director of Personnel

Copy to:
ASSTSECDEF (MANPOWER)
SECNAV (Control No. 2 524 refers)

DKE-lhf
6 Feb 1967

Mrs. H. L. Neal
811 W. State Avenue
Phoenix, Arizona 85021

Dear Mrs. Neal:

This is in reply to your letter of 6 January 1967 concerning the general court-martial of Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps, held at Chu Lai, Republic of Vietnam.

The charges were preferred against Private Keenan only after a preliminary investigation and a later formal pretrial investigation were conducted. The Uniform Code of Military Justice, 10 USC Sec 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while it is subject to judicial review. It would not be consistent with the concepts of justice to comment on the content of any news stories reporting the results of the trial until the full and impartial appellate proceedings are completed. However, I can assure you, all of Private Keenan's legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you, the members of the court-martial did not pass judgment on Private Keenan until they had heard all the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that Private Keenan was guilty as charged. You may be assured

No Card made

DKE-lhf


that the disciplinary proceedings against him were not motivated by any interest other than the same concepts of law and justice which every United States citizen is subject.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

Copy to:
Code A



DKE-lhf
6 Feb 1967

Mrs. William McGarrety
1055 Water Street
Moosic, Pennsylvania 18507

Dear Mrs. McGarrety:

This is in reply to your letter of 7 January 1967 concerning the general court-martial of Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps, held at Chu Lai, Republic of Vietnam.

The charges were preferred against Private Keenan only after a preliminary investigation and a later formal pretrial investigation were conducted. The Uniform Code of Military Justice, 10 USC Sec 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while it is subject to judicial review. It would not be consistent with the concepts of justice to comment on the content of any news stories reporting the results of the trial until the full and impartial appellate proceedings are completed. However, I can assure you, all of Private Keenan's legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you, the members of the court-martial did not pass judgment on Private Keenan until they had heard all the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that Private Keenan was guilty as charged. You may be assured

No back made

✓

DKE-lhf

that the disciplinary proceedings against him were not motivated by any interest other than the same concepts of law and justice which every United States citizen is subject.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

Copy to:
Code A



DKE-lhf
6 Feb 1967

Miss Gerri Madden
The Colony Surf #1600
2895 Kalakaua Avenue
Honolulu, Hawaii 96815

Dear Miss Madden:

This is in reply to your letter of 7 January 1967 concerning the general court-martial of Private First Class Charles W. KEENAN, 2200699, U. S. Marine Corps, held at Chu Lai, Republic of Vietnam.

The charges were preferred against Private Keenan only after a preliminary investigation and a later formal pretrial investigation were conducted. The Uniform Code of Military Justice, 10 USC Sec 801-939, as passed by Congress, sets forth the criminal code and procedure in military criminal cases. Private Keenan was convicted by general court-martial according to those laws. His case is now in the appellate process and will be subject to extended and thorough review. It would be inappropriate for this Headquarters to comment on the specific facts of this case while it is subject to judicial review. It would not be consistent with the concepts of justice to comment on the content of any news stories reporting the results of the trial until the full and impartial appellate proceedings are completed. However, I can assure you, all of Private Keenan's legal rights have been and will continue to be afforded him throughout these proceedings. He has been and will be represented by an attorney to assure his rights are protected.

It is unfortunate situations of this nature occur, especially in an environment far from family and friends. However, the Marine Corps is responsible for the conduct of its members and must act according to law. I assure you, the members of the court-martial did not pass judgment on Private Keenan until they had heard all the evidence in the case and were convinced, in their best judgment, beyond a reasonable doubt that Private Keenan was guilty as charged. You may be assured

No Encl made

DKE-lhf

that the disciplinary proceedings against him were not motivated by any interest other than the same concepts of law and justice which every United States citizen is subject.

Your interest in a member of the Marine Corps is appreciated.

Sincerely,

C. B. SEVIER
Colonel, U. S. Marine Corps
Head, Discipline Branch, Personnel Department

Copy to:
Code A



DKE-bch

9 FEB 1967

Mr. Al J. Cone, President
American Trial Lawyers Association
P. O. Box 3411
West Palm Beach, Florida 33402

Dear Mr. Cone:

This is in reply to your letter of 1 February 1967 concerning the recent general courts-martial of Corporal Stanley J. LUCZKO, and Privates First Class Charles W. KEENAN, and Ronald A. PIATKOWSKI, U. S. Marine Corps.

I have not read the records of trial in the above cases. The records are held at Headquarters, 1st Marine Division, awaiting the briefs to be submitted by the two civilian attorneys for Private Keenan. This Headquarters is not in the chain of appellate process and normally would not be a party to any review procedure. I have read the record of preliminary inquiry. This formed the basis for the preferring of charges and the basis for the ordering of a formal pretrial investigation.

While it would be inappropriate for me, serving at a higher headquarters, to comment on the facts of a case still undergoing appellate review, I can assure you that the content of the preliminary inquiry did provide information sufficient to warrant the serious charges. The witnesses in that inquiry were the other Marines, members of the patrol. All three of these Marines were represented by experienced lawyer counsel throughout the preliminary procedures and during the trials.

Since I am restricted on what I can comment on in these cases, I will enclose a copy of a news story which resulted from a press interview of two attorneys for Private Keenan. It is hoped that this story will answer some of your questions. All three Marines were tried at public trial. The members of the press in Vietnam did not choose to attend. The record of

*Card
made
A CR,*

DKE-bch

trial is available for press study in Vietnam. During appellate review a copy of these records will be available to any member of the press who desires to read it here in Washington, D. C. at the offices of the Navy Board of Review. It is hoped that there will be sufficient press interest remaining so that a complete story will be published based on the contents of the records of trial.

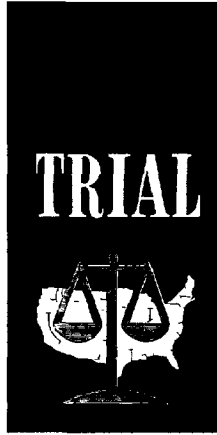
Only a limited number of copies of the record of trial were prepared. These are used by the appellate authorities and one copy is given to each of the accused. The Judge Advocate General of the Navy will be custodian of the records during the appellate process so I would suggest you communicate with him concerning copies of the records of trial.

Your interest in military law in the armed forces and in members of the Marine Corps is appreciated.

Sincerely,

WALLACE M. GREENE, JR.
General, U. S. Marine Corps
Commandant of the Marine Corps

AMERICAN TRIAL LAWYERS ASSOCIATION



OFFICE OF THE PRESIDENT
AL J. CONE
P. O. BOX 3411, WEST PALM BEACH, FLA. 33402

February 1, 1967

General Wallace M. Greene
Commandant of the U. S. Marine Corp.
Washington, D. C.

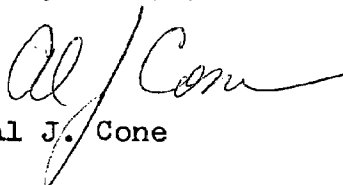
Dear Commandant:

As President of the American Trial Lawyers Association and as a combat infantry veteran of World War II, I have followed with a great deal of interest the courts marshal of Cpl. Stanley J. Luczko, Pvt. Ronald A. Piatowski and Pfc. Charles W. Keenan in connection with the deaths of two South Vietnamese villagers.

Of course, the descriptions of the incident as described by United Press and Associated Press do not give a clear account of the entire matter but it somewhat concerned me that, although civilians were killed, these young servicemen were given life sentences for obeying orders of their superior. This, of course, is assuming the newspaper accounts of the incident are correct.

Under the circumstances, I would appreciate any information you can give me regarding this incident. If copies of the courts marshal are available, if you will advise me as to the cost of same I will forward my check by return mail.

Very truly yours,


Al J. Cone

AJC:ht

