

# NEWS RELEASE



THIRD UNITED STATES ARMY FORT MCPHERSON, GA.  
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## PLEASE NOTE DATE

MY EAI RELEASE #4

FOR RELEASE 20 MAR 70 AT 1055 HOURS

The Army reports that the charges of violations of the Uniform Code of Military Justice previously made against Sgt. Charles E. Hutto, Sgt. Esequiel Torres, and Pvt. Max D. Hutson have been referred to investigating officers who will conduct Article 32 investigations.

Lieutenant Colonel Thomas A. Settle has been appointed investigating officer in the case of Sgt. Hutto and Lieutenant Colonel Richard B. Stephens, in the case of Pvt. Hutson. Lieutenant Colonel William H. Kelly is the investigating officer in the case of Sgt. Torres. All three officers are members of the staff of Headquarters, Third U. S. Army.

Formal investigations of the charges against Sgt. Hutto and Pvt. Hutson will begin on March 23. March 24 has been set for the hearing in the case of Sgt. Torres. These hearings will be held in closed sessions.

The investigating officer (under Article 32) is required to conduct a thorough and impartial inquiry. It is similar to civilian grand jury proceedings except that under military procedures the accused and his counsel are present at all times. At the beginning of the investigation an accused is informed of the following:

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The offense(s) with which he is charged.

His right to be represented by military lawyer counsel of his own choice or one appointed free of charge, and by civilian counsel at no expense to the government.

The name of the accuser and the witnesses against him.

The fact that charges are about to be investigated.

His right to cross-examine, either personally or through his counsel, the witnesses against him, and to present anything he may desire in his own behalf, either in defense or mitigation.

His right to have the investigating officer examine available witnesses requested by him, and his right to make or submit a statement in any form.

That he is not required to make a statement at all concerning the offense(s) of which he is accused, and that any statement he may make may be used as evidence against him.

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