

LINK NEWS

THE SERVICEMAN'S LINK TO PEACE
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BIOGRAPHICAL FACTS ON ROGER LEE FRIEST

AGE: 25 (Born March 13, 1944) HOMETOWN: Houston, Texas
MARITAL STATUS: Single EDUCATIONAL BACKGROUND: Bachelor of
Science degree in journalism from the
University of Houston (June 1, 1967)
ENTERED U.S. NAVY: October 19, 1967 DISCHARGE DATE: October 18, 1971
RANK: Journalist Seaman Apprentice (JOSA) PAY GRADE: E-2

CHRONOLOGY OF EVENTS RELATED TO THE PUBLICATION OF OM AND THE COURT-MARTIAL OF ROGER PRIEST

- April 1, 1969 - First issue of OM--The Servicemen's Newsletter.
Seaman Priest reassigned to the Navy/Marine Corps
Exhibit Center, Washington Navy Yard, 1½ hours after
arriving at the Office of Navy Information in the
Pentagon where he had been serving since January 12,
1968. Circulation: 1,000.
- May 1 Second issue of OM--The Servicemen's Newsletter.
Circulation: 1,000.
- June 1 Third issue of OM--The Liberation Newsletter (name
changed). Circulation: 1,000.
- June 12 Priest interrogated by Office of Naval Intelligence
agents about OM.
- June 17 Priest transferred to the Processing Division, Naval
Yard, Washington, D.C. and put in a "legal hold"
status, pending further investigation.
- June 20 Fourteen official charges filed by the U.S. Navy,
Naval Station, Washington, D.C., including: soliciting
members of the military forces to desert and to commit
sedition; publishing statements urging insubordination,
disloyalty and refusal of duty by members of the mili-
tary forces with intent to impair loyalty, morale and
discipline; and publishing statements which were de-
signed to promote disloyalty and disaffection among
members of the U.S. armed forces.
- July 22-23 Navy conducts Article 32, pre-trial investigation into
the charges. Office of Naval Intelligence (ONI) re-
veals they assigned at least 25 agents to follow Priest.
Agent testifies that D.C. Dept. of Sanitation provided
truck for special pick-up of Priest's trash. D.C.
Mayor orders probe of trash-spying.
- August 28 General Court-Martial ordered by Commandant, Washing-
ton Naval District, Rear Adm. George P. Koch (pro-
nounced like Coke). Six of the original charges dropped
alleging Priest's use of disrespectful language toward
Gen. Earle G. Wheeler, chairman of the Joint Chiefs of
Staff; Rep. L. Mendel Rivers, and Defense Secretary
Melvin Laird; and three specifications alleging minor
violations of regulations that Priest failed to state
in his paper that the views expressed were "the pri-
vate ones of the writer and were not to be construed
as official or reflecting the views of the Navy Depart-
ment or the naval service at large."

- September 4 New York Senator Charles Goodell scored the Navy's decision to court-martial Priest. He urged Navy Secretary John Chafee to give the Priest case "very careful personal attention before embarrassment and discredit to the Navy result."
- October 1 "Court-Martial Edition" of OM released. Circulation: 10,000.
- October 9 Priest announces plan for world-wide distribution of a G.I. REFERENDUM ON VIETNAM, asking servicemen whether they believe U.S. troops should be immediately withdrawn from Vietnam.
- First Article 39A hearing held before the assigned judge in the case, Capt. B. Raymond Perkins. Defense lawyers challenge Perkins' ability to try the case without prejudice after questioning his views on the war and the Constitutional right of GI's to speak out. Perkins overrules the defense challenge.
- Judge takes under advisement the defense requests for dismissal of charges on the basis of legal insufficiency. For example, the defense argued that two charges against Priest for soliciting servicemen to desert and commit sedition failed to state whom he solicited and were, therefore, insufficient.
- November 19 In a second Article 39A hearing, Judge Perkins announced his decision to dismiss the two specifications under Charge I, alleging solicitation for desertion and sedition. He refused, however, to dismiss the remaining six specifications. Prosecution attorneys stated their intention to appeal the judge's decision to the convening authority, Rear Adm. Koch.
- November 24 Rear Adm. Koch heard arguments from the defense why the judge's decision should be upheld. The prosecution argued that the admiral had the right to intervene and overrule the judge and reinstate the two specifications. Defense attorneys argued that he had no such power.
- November 25 Koch submitted in writing his request that the judge reconsider his earlier decision to dismiss the two specifications of solicitation for desertion and sedition.
- In a third Article 39A hearing, Judge Perkins said he felt he was compelled to accede to the ruling of the admiral although he didn't agree with his decision. Defense lawyers then said this decision would force them to appeal this matter of command intervention to the United States Court of Military Appeals (COMA).
- December 8 Defense lawyers file a Writ of Prohibition with the U.S. Court of Military Appeals to prevent the trial from going forward on the charges which were dismissed by the military judge and reinstated by the convening authority. They argued in their brief that the admiral had no power under the Uniform Code of Military Justice (UCMJ) to overrule the military judge and that his action was an invasion and an impairment of the independent role of the military judge as established by the Military Justice Act of 1968.

December 19

The Court Of Military Appeals ordered Adm. Koch, Capt. Perkins, and Cdr. Jimmerson to show cause, in writing by January 7th, why the relief requested by the defense on December 8th should not be granted. "Their decision on command influence," said Seaman Priest, "will indicate whether the court-martial system is, in fact, just, or continues to be merely an instrument of military discipline."