

Save The Priest

Fifth Estate Collective

1970

Washington, D.C.—After nine months of pre-trial hearings, a date was set today for the trial of anti-war sailor Roger Priest. Priest, the first serviceman to face court-martial for statements made in an anti-war newsletter, will stand trial in Washington on April 14th, the day before the nation-wide demonstrations against the war.

In a final pre-trial hearing at the Washington Navy Yard, Judge B. Raymond Perkins denied all motions by the defense, including one request that correspondence between L. Mendel Rivers and the Pentagon be subpoenaed so Priest's lawyers could determine if the House Armed Services Chairman applied improper influence on the Navy to court-martial the 26 year old journalist. In denying the motion, Judge Perkins stated that he interpreted three letters presented to him in court as "routine correspondence" and saw no cause for granting the defense request for the further exploration of any command influence in the case.

The charges against Priest include three specifications that his newspaper, called OM, "contained statements advising and urging insubordination, disloyalty and refusal of duty by members of the military and naval forces of the United States," and three specifications that it contained "statements disloyal to the United States."

Additionally, he is charged with soliciting servicemen to desert and commit sedition. The latter two charges had initially been dropped by Judge Perkins for being "legally insufficient," but were later reinstated when Admiral George P. Koch, the originator of the charges ordered Perkins to reconsider his decision. The defense lawyers appealed this action to the United States Court of Military Appeals on the basis that the Admiral had no such power to interfere in the course of the proceedings. Their petition was denied, however, on March 13th when the court issued an opinion that upheld the right of a convening authority to overrule a military judge.

Priest, who faces up to 39 years in prison, writes in his latest issue of OM, "I am willing to measure my 'crime' against those who have perpetrated the illegal and immoral war in VietNam."

Referring specifically to River's involvement in his case, Priest said, "L. Mendel Rivers' may well get the court-martial that he ordered and the Navy may get the conviction that it wants so desperately, but I tell it to you straight: it will be WE—not THEY—who will have the last word."

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