

# Army Tries to K.O. Kayo

John Spitzer

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SAN FRANCISCO (LNS)—The U.S. Army has decided that the easiest way to win a court martial conviction is to off the defense lawyer.

Terrence “Kayo” Hallinan, defense attorney for 16 of the 27 men charged with mutiny at the San Francisco Presidio last Oct. 14, has been a headache to the Army for more than a year now.

Last November he defended Ronald Lockman, on charges of refusing orders to be shipped to Vietnam. From then on, Kayo was a frequent visitor at the Presidio Stockade defending soldiers and investigating stockade conditions.

On Oct. 11, 1968 he exposed to the press and the public the shotgun murder of Richard Bunch by the stockade guards at the Presidio. And on Oct. 14 he made himself immediately available as a lawyer for the 27 men who staged a sit-in in protest against Bunch’s murder.

With Kayo defending 16 of the Presidio 27, the Army has suddenly panicked. Apparently the Rand Corporation has not sold the Army any contingency plans to deal with a good movement lawyer.

The weapon the Army pulled out of its arsenal to get Kayo was Sacramento lawyer Ron Sypnicki, attorney for Pvt. John Kolip, one of the 27. Sypnicki has not made any comments about “deals” with the Army, but the chronology is pretty simple.

Last week Sypnicki requested a change of venue for the trial from San Francisco to Ft. Irwin, an Army base 20 miles from Barstow in California’s Mojave Desert.

On February 26, Sypnicki began to question witnesses about Hallinan’s involvement in civil rights cases and his legal work at the base. The next day, Sypnicki elicited testimony from a defense witness that he had seen Kayo sneak onto the base, disguised as a priest, in order to foment mutiny among the inmates of the stockade. (Kayo has stated that the charge is totally untrue.)

It was Hallinan, Sypnicki claimed, who had set off the “mutiny” at the base. In San Francisco an accusation like this probably would have caused a riot; in the Mojave Desert there was no one to stop Sypnicki and his Army friends.

“I’ve never heard of this guy Sypnicki before,” says Kayo. “I suppose he’s just using the old-fashioned lawyers’ defense of ‘save my client—fuck the world.’” That includes Kayo’s clients—all 16 of them. Their trial began on March 18 in San Francisco, and Hallinan is worried that the Army will bring formal charges of fomenting a mutiny against him, simply to get him out of the courtroom.

“Fomenting a mutiny” is -a capital charge, but if Sypnicki introduces any more ridiculous stories like the one about the priest, the Army will have a very hard time getting a conviction.

Three of the Presidio 27, none of them Kayo’s clients, have already been convicted, and handed sentences ranging from 14 to 16 years hard labor. Sypnicki’s client, Pvt. Kolip, can probably expect a good deal less.

Now Hallinan expects the Army to put pressure on more of the 27 to turn turkey on him and their comrades. “What they are most afraid of is that my defense of my 16 clients will expose the miserable conditions in the Presidio stockade, particularly the refusal to give medical or psychiatric care to the prisoners.”

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