

Presidio Case

“Mutineers” Take the Stand

Fred Gardner

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MONTEREY, Calif. (LNS)—The Army is taking a Danang-sized shelling as the climactic phase of the Presidio “mutiny” case enters its third week here at Fort Ord.

In a sharp departure from earlier trials, with defendants taking the stand to apologize for the Oct. 14 sit-down, or not testifying at all, Terence Hallinan’s clients have begun testifying that their actions were justified.

Roy Pulley, chosen by his co-defendants to lead off, April 18, withstood a grueling five-and-a-half-hour cross-examination by the chief prosecutor, Major Fred Novinger.

He stuck by his claim that the sit-down was intended to protest the shot-gun killing of Richard Bunch and to dramatize long unheeded complaints about stockade conditions.

“It would have ended,” Pulley said, “as soon as someone would come up and listen to us and find out what we were there for.”

Novinger, who sought to resign his commission during the course of the trial but was refused permission and promoted to Major instead, has now been angered by Hallinan’s aggressive style and tactics. He cross-examined Pulley relentlessly, but couldn’t crack the defendant’s cool.

NOVINGER: You say the stockade was filthy. What, exactly, did you see that gave you the impression it was filthy?”

PULLEY: Dirt sir.

Later Novinger tried to elicit the names of the leaders.

NOVINGER: Who was getting these lists of grievances together?

PULLEY: Most everybody.

NOVINGER: Well, who in Cell Block Four? Let’s have their names.

PULLEY: Everybody in Cell Block Four.

NOVINGER: Who in Cell Block Three?

PULLEY: Everybody in Cell Block Three, everybody in Cell Block Two, everybody in Cell Block One.

NOVINGER: Did you write down your grievances?

PULLEY: Some other people were writing them down, sir, but I came up with a couple of good points.

Pulley frequently said ‘we,’ and Novinger repeatedly said, “I’m asking about you, personally, not the group. Answer the question.”

But Pulley couldn’t help saying ‘we.’ All the defendants do. They share everything, and when one pulls out a new pack of cigarettes, he puts it away with only six left.

Pulley also testified about suicide attempts he had witnessed while in the stockade.

In one instance, “A prisoner named Rick tied his arms off so the blood would back up, then he cut his arm. The blood squirted way up in the air. Some landed and hit me on my bunk about thirty feet away, sir.”

Novinger objected to the use of the term “suicide attempt” on the grounds that it implied an intention to kill oneself (not merely to maim). This objection was sustained.

Following Pulley to the witness stand was Mrs. Ginger Bunch, mother of the slain prisoner. A native of Tennessee, she moved to Ohio with her husband when he was discharged from the Army after World War II. They found jobs in a Dayton Frigidaire plant; she works in the canteen, he is now an inspector.

"What happened to Richard has changed our way of thinking," she told me. "We've lost all respect for the military. I think of the Army and America as two separate things now."

On the stand, Mrs. Bunch was allowed to make only one statement before the prosecution (which has tried hard to prevent her from appearing) successfully complained that her testimony was irrelevant.

She told the court that when Richard came home AWOL in May, "He said he was a warlock, that he had died and had been reincarnated twice, and that he had the power to walk through walls."

She also identified her son's handwriting on several suicide notes ("One click and it's all over...") which the other prisoners had found and saved.

The five judge panel seemed visibly moved by Mrs. Bunch's words.

Hallinan, who considered her brief appearance a triumph, argued that all testimony on Bunch's derangement sheds light on his clients' state of mind prior to the Oct. 14 demonstration. "Perhaps they reacted differently to the killing of Richard Bunch than they would have if a prisoner who was genuinely trying to escape had been shot."

Hallinan was prevented from entering into evidence a letter from the assistant adjutant at Fort Meader, Md., to Mrs. Bunch, promising that Richard would receive psychiatric care if he returned to the Army. That promise was never kept.

Two other mothers, Mrs. Natalie Gentile and Mrs. Irma Trefethen, are attending the trial and may testify as "mitigating witnesses" if their sons, Richard and Ernest are found guilty.

The women are staying at the home of local peace movement people and their mood, during the course of their stay, has changed from apolitical grief to anti- military anger.

"It's just not mutiny!" Mrs. Gentile who works at an Air Force Hospital in Japan told me. "Richard is right I see now. Maybe he's right when he says the Vietnamese don't want us there. A lot of Air Force men tell me the same thing. I blame myself for never having set down and thought the whole thing through. One of these days I'm going to."

Her son, a Vietnam vet, was due to get out of the Army October 13, 1968; on Oct. 12 he went AWOL for eight hours to take part in the San Francisco GIs and Veterans peace march.

The Monterey people who have been filling the spectator's gallery (much to the delight of the defendants) are anxious, but they can't help hoping for an acquittal.

"I keep getting tricked," said a minister "into thinking their testimony matters, that the court is really weighing it."

Reporters and others who have followed the previous trials, in which eight defendants have been given sentences ranging from 16 years to 9 months, also feel a conviction is likely.

My own opinion is that the fix is in, that the judges will convict simply because an acquittal would jeopardize their army careers.

Hallinan himself talks optimistically, either by nature or design. "It's a brand new ball game," he says. "because we've got enlisted men on the court." Only two of the five judges are officers.

The enlisted men-on the court seemed shaken when Michael Marino, the second defendant to take the stand, described his troubled early relationship with his father, a career NCO in the Air Force.

"I never remember him speaking to me in a normal voice. He was a sergeant, and all day long dealt with young airmen, and when he came home I guess he thought I was just another guy under him who might make trouble... We had to move so much it was hard to make friends. When he was transferred to the Philippines I was in fourth grade and I wanted to stay so bad I made this little arrangement with my friend. We told my mother that his mother would take care of me for two years," he said.

Marino, who is 21, first got into trouble with the brass when he submitted "an article that was sort of pro-peace and pro-hippie" to the post newspaper at Ft. Leonard Wood.

Next week, two former Presidio stockade guards, Spec. 4 Roger Broomfield and Spec. 4 Lee Castonguay, will take the stand about stockade conditions.

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