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(As of 4 Nov 71)

165. RUTH ALLEGATION (VVAW-WSI)

ALLEGATION:

1. Torture of VC suspects.
2. Indiscriminate use of fire power, resulting in the injury of 43 VN civilians.

SUBJECT/SUSPECTS:

1. Mr. Ruth (see COMPLAINANT).
2. Unidentified platoon leader and platoon SGT of HHC, 2/12th Air Cav Regt, 1st Air Cav Div.
3. Unidentified Special Forces members.

COMPLAINANT: Mr. Kenneth Ruth, former SP4, HHC, 2/12th Air Cav Regt, 1st Air Cav Div, Feb 66 - Feb 67.

BACKGROUND: Between 31 Jan and 2 Feb 71, at Detroit, MI, Mr. Ruth testified at the "Winter Soldier Investigation" (WSI) as a member of an organization identified as the Vietnam Veterans Against the War (VVAW). Mr. Ruth alleged that he and unidentified Special Forces members participated in the torture of VC/NVA suspects to obtain information from them. Mr. Ruth said this was done by suspending a naked suspect from a tree, his hands tied behind his back, and pulling on a string tied to his testicles. ARVN soldiers were then allowed to pierce the suspect's ears and carve superficial wounds on his body. Mr. Ruth also related an incident in which a VC suspect's penis was burned with a cigarette in an effort to obtain information. On 9 Jul 71, Life magazine carried an article by Mr. Donald Jackson entitled "Confessions of the Winter Soldiers." In this article, Mr. Ruth further alleged that he witnessed the indiscriminate test firing of small arms into a VN village on Highway 19 between Pleiku and An Khe, sanctioned and condoned by his platoon leader and platoon SGT. As a result of the firing, 43 VN civilians were injured. Mr. Ruth, a medic, treated the wounded and requested a helicopter to evacuate the wounded, but instead was sent a truck.

STATUS/PROGNOSIS: Investigation completed; unsubstantiated.

In a CID interview on 28 Jul 71, Mr. Ruth stated that, when interviewed by Mr. Jackson, he said two wounded VN civilians had been brought into camp, and he had heard from other members of his unit that 43 others had been wounded. He said he had no personal knowledge of casualties as a result of the test firing of weapons. Mr. Ruth identified LT [Redacted] as his platoon leader and SSG or SFC [Redacted] as his platoon SGT. Efforts by CID to locate these individuals were unsuccessful.

WITNESSES:

1. LT [Redacted] (not further identified).
2. SSG (or SFC) [Redacted] (not further identified).

INITIATED BY WHOM: AGC; WSI material is contained in the Congressional Records of 6 and 7 Apr 71.

RESPONSE TO INITIATOR: AGC has been notified of review and evaluation.

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