

VETERANS VFW dispute may end in accord

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SANTA CRUZ — The national Veterans of Foreign Wars organization had tentatively agreed this morning to reinstate the maverick Santa Cruz VFW post ousted for its stand against U.S. policy in Central America.

In return, the post had agreed to abide by the rules and bylaws of the national

organization, and to pass no more resolution contrary to the official VFW positions until the next national convention, according to one source.

The national VFW initiated out-of-court settlement talks this morning, after one day of a courtroom fight Tuesday over the ouster.

The final terms of the settlement were under negotiation at noon, and neither local nor national officers would comment

on what those terms might be.

When talks began this morning, the local post had asked for up to \$10,000 for attorney's fees, a retraction of statements about the post and a full reinstatement.

One post member said the working agreement at noon was "a compromise."

Officers of the Bill Motto VFW Post 5888 had met with national Commander Billy Ray Cameron and other officers in the Holiday Inn this morning.

The court fight got off to slow start Tuesday with a long in-chambers session and halting, sometimes-confused questioning by the attorneys.

In March, the national organization revoked the charter of Bill Motto Post 5888 because of its public opposition to the Reagan administration's policy of intervention in Central America, and to the national VFW's support of that policy.

The local post challenged the revocation in court, and the national VFW now must prove it acted within the organization's rules in pulling the charter.

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to move the case to federal court in San Francisco was thwarted when a federal

judge sent it back to state court, saying Constitutional issues are not involved.

The courtroom fight began Tuesday morning with lawyers spending three hours in the chamber of visiting Superior Court Judge Jay Pfothenauer, deciding which matters would be accepted as fact and which would be argued in court.

A courtroom full of spectators — most of them post members and their supporters — waited with varying degrees of patience while the lawyers met.

At 2:30 p.m., the attorneys began questioning the first witness, Richard Anderson, commander of Bill Motto VFW Post 5888.

But attorneys for both sides seemed to have trouble with their examinations.

Local attorney Eric Schenk, who kept the direct examination of his chief witness brief, seemed unsure of what questions he wanted to ask Anderson, pausing frequently and rephrasing his queries.

Bay Area attorney Kristina Hanson stumbled through 1½ hours of cross examination. Her questioning began sharply, but was hampered by an uncooperative Anderson, who fenced with her and evaded many of her questions. Her examination grew increasingly confused, and toward the end she repeatedly referred to the organization as the "FVW."

She and her colleague, Kansas City VFW lawyer Lawrence Maher, would not comment after court.

The fight centers on whether or not the local post contravened the VFW's constitution, bylaws and "usages," or accepted practices, when it passed a resolution supporting "self-determination" and "non-intervention" in Central America, then made that resolution public and delivered it by hand to Nicaraguan President Daniel Ortega in Managua.

Anderson testified the post first passed the resolution in April, 1984, and took it to a state level, where it was defeated.

The resolution was readopted in December, 1984, and post member Bill Watkins took it with him on a private trip to Nicaragua to "let the people know there that not all veterans in the United States agreed with the policy of the Reagan administration," Anderson testified.

Anderson said he was unaware of any rules against making public a resolution which conflicts with national VFW policy. He said it was never made clear to him what specific rules had been broken, or why the post's charter was being revoked.

Under cross examination by Hanson, he acknowledged that as commander, he had pledged to "comply with the laws and usages," and to "enforce a strict observance of orders from proper

authority."

From the VFW rule book, Hanson read that whenever post bylaws are in conflict with national rules, the national rules will be binding.

Several times she tried to ask him if he had "agreed to stop promulgating and communicating a resolution contrary to the national organization's resolution."

Anderson's answers were ambiguous, and finally he told her the question was the same as asking him if he had stopped beating his wife.

Outside court, post officer Lee Bookout said, "We don't support the Sandinista government (in Nicaragua) and we never have. We're supporting self-determination and non-intervention by a superpower."

"When we were in Vietnam, we saw the

rape and the murder and the plunder. And what's happening in Central America right now is there are mercenaries running wild down there, responsible to no one.

"We know what's going on down there, and it is not the American way of life."

Adjutant General Howard Vander Clute of the national VFW said

"We've been tagged, labeled by the press as a 'conservative' organization, and I suppose we are."

The nation has a "security concern close to our border," he continued, and the organization believes "we ought to do something to re-establish our influence, so these people remain our friends, not a Marxist government established south of our borders."