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## Verdict on the Willson tragedy

Thanks to an official investigation that the Navy tried to keep partially secret, much more is now known about how the Navy prepared for the Concord Naval Weapons Station train confrontation that cost anti-war protester Brian Willson both his legs. The investigation makes it clear that inexcusable lapses in official procedures and judgment led to a tragedy that proper advance attention to ground rules would have avoided. But Navy authorities did not take the protests seriously enough to make sure the rules were followed.

Capt. Lonnie Cagle, the base commander who has been officially admonished, told investigators, "Knowing what I know today . . . I would have ensured that procedures were in writing, all personnel would be briefed in detail (and) military personnel put in charge." Cagle also said he would not have left the base for lunch in Alameda half an hour before the train was ordered to roll.

His comments are an admission that he did not take the necessary steps to make sure the rules were understood and followed. And yet Cagle did have enough information to know how serious any confrontation between the anti-war protesters and the Navy might become. He knew from the demonstrators' advance statements and from their past actions that they were determined to stop the trains. He had absolutely no reason to think, as the train crew said it thought, that the protesters would leave the tracks as the train approached.

Had Cagle not left the scene but instead insisted that sheriff's deputies clear away the protesters before the train moved, the Navy would have got its shipment through and prevented a tragedy.

It's hard to accept the experienced civilian train crew's statement to Naval investi-

gator Capt. Stanley Pryzby that they thought their approach speed of 12 to 16 miles an hour was only 5 to 8 miles an hour. It is harder to understand why they would proceed at even 5 mph when they knew that protesters who had publicly stated their determination to block the train were waiting at least beside the tracks, and perhaps on them. A train crew knows that a train cannot stop on a dime, often not even within one or two city blocks. Trains that rush headlong into situations they can't easily get out of are asking for accidents.

There is no conceivable excuse for the callous, wrongheaded attitude shown by Security Manager John Banta's statements to Pryzby. When Banta gave the order to roll the train — despite the absence of the sheriff's officers who were supposed to be present before the train moved — he told the railroad supervisor, "You might as well let them go ahead, we are going to have a confrontation sooner or later."

That shows a shocking ignorance of basic American rights. Americans have a constitutionally protected right to protest. The well-established precedent for dealing with illegal protests is arresting demonstrators and carrying them away, not running trains at them to see if they blink. When striking workers block the entrances to industrial plants, the companies seek court orders restraining the pickets from blocking the entrances. They do not encourage employees who want to go to work to ram their cars through the picket lines.

The anti-war protesters were sure the train would stop. The train crew was sure the protesters would get off the tracks. Both were wrong, as it turned out. But proper precautions by the Navy would have avoided the need to test either conviction.