



U.S. Deserter: Sentence Is Fair

November 4, 2004

By: Eric Talmadge

(AP) Former U.S. Army Sgt. Charles Jenkins believes his conviction and sentence to 30 days in jail for desertion after nearly 40 years in North Korea is "very fair," his defense attorney told The Associated Press on Thursday.

Bringing one of the Army's longest desertion cases to a close, Jenkins, now 64 and in poor health, pleaded guilty Wednesday to abandoning his unit early in 1965 and to then aiding the enemy by teaching English to North Korean military officer cadets.

"Sgt. Jenkins and his family believe the sentence was very fair," Capt. James Culp told The Associated Press in an interview.

In accordance with a pre-trial agreement, Jenkins was sentenced to 30 days in jail, forced to forfeit pay and allowances and demoted from sergeant to private. He will also be given a punitive discharge.

Charges of soliciting others to desert and of making disloyal statements were dismissed. Jenkins was convicted of abandoning his Army unit along the Demilitarized Zone between the Koreas before dawn on Jan. 5, 1965, and fleeing to North Korea. He turned himself in to authorities at Camp Zama, the Army's headquarters in Japan, on Sept. 11, ending one of the longest desertion cases in Army history.

Jenkins, of Rich Square, North Carolina, said he walked into North Korea with a white T-shirt wrapped around his rifle as a surrender flag because he was afraid of being assigned to dangerous patrols along the DMZ and was convinced he would soon be sent into combat in Vietnam.

He said he had planned to seek asylum at the Soviet Embassy, and eventually return to the United States.

In announcing the sentence, the judge, Col. Denise Vowell, recommended the jail time be suspended. That recommendation was not immediately accepted by base commander Maj. Gen. Albert Perkins, however, and Jenkins was transferred to a military jail shortly after the court-martial ended.

With good behavior, Jenkins could be released on Nov. 28. Culp, a veteran military defense attorney and a former infantry sergeant himself, said he was not surprised by the verdict.

"But I was surprised by the judge's recommendation to suspend all confinement," he said in his first public comments since the court-martial.

"That is a very rare thing for a military judge to do."

Culp argued Jenkins had already endured great hardship during his fourdecades in North Korea, suffering poverty, beatings and constant surveillance. The prosecution argued Jenkins brought that misfortune on himself.

After his discharge, Jenkins may not be completely separated from the Army — until his automatic appeal process is completed, he could remain on "involuntary excess leave" status for from one to two years.

Even so, after a couple weeks on Zama, Jenkins is expected to stay in Japan to live in his wife's hometown on the remote island of Sado.

Jenkins' wife, Hitomi Soga, was abducted by North Korean agents in 1978 and forced to live in the communist nation to teach spies the Japanese language and culture. She and Jenkins married in 1980, and have two North Korea-born daughters.

Soga, who made a plea for leniency at the court-martial, was allowed to return to Japan two years ago but Jenkins and the daughters stayed behind.

Soga's effort to reunite her family has generated a huge outpouring of sympathy in Japan, and a flurry of diplomatic negotiations paved the way for Jenkins and the daughters to join her here in July.