

finned for 45 days, and three hired by the defense — testified during the trial. The defense doctors, two of whom were veterans, testified that Lindsay suffered from PTSD because of his combat experience. The government's doctors said *duly* found no sign of the disorder.

One defense doctor noted in a report an incident that Lindsay had related, in which a patrol he led drew fire and engaged in a skirmish, only to find they were fighting Americans. Lindsay tearfully told the doctor he had personally slain five Marines and wounded nine others in the incident. He described to another doctor mutilation of bodies committed by both sides in the war, saying he too had mutilated enemy bodies. That doctor said that as a result of Lindsay's drug use and the **insp.** Lindsay had not been able to distinguish between right and wrong during his years in Whitehall, although he'd understood his actions were illegal.

In the middle of the three-week trial, Lindsay refused to leave his cell one morning in Albany County Jail, saying a flashback had him thinking he was back in a prisoner-of-war camp in Laos. According to McCann, a doctor who had testified for the defense examined Lindsay that day and supported his story, while a doctor from a federal psychiatric facility where Lindsay had been examined for 45 days flew up from North Carolina and angrily dismissed Lindsay's claim. The incident succeeded only in postponing the testimony of Lindsay's own son.

McCann believes Lindsay is a consummate *liar* and the "flashback" was no more than theatrics to support his insanity claim. In fact, the prosecutor claims, Lindsay was never a POW: He says medical records show

Lindsay was being tested for eye-glasses at an army base in 'a during the time he said he was held in Laos. Defense attorney Wilcox says the dates were never established to disprove the POW story. Wilcox says he believes if Lindsay was never a POW, he was at least associated with an intelligence unit concerned with American POWs.

Lindsay could be secretive about his training as an Army Ranger and his experiences in Southeast Asia; during a pre-trial hearing, he refused to answer a question asked by his own attorney about field operations.

According to McCann, Lindsay's war record as told by Lindsay is mostly fiction.

There is no military record of Lindsay being captured. Records involving Lindsay's numerous medals were shown during the trial to be fraudulent. As a clerk for both the Army and Marines during separate tours in Vietnam, Lindsay had access to records and sought to bolster his war record by awarding himself medals, McCann said. "He was able to lie and perpetrate a fraud on the Marines and Army," the prosecutor said.

Nearly 20 of Lindsay's medals, including one intended for a dead comrade, were part of that fraud, according to McCann. Stories about leading long range reconnaissance patrols throughout Southeast Asia were also untrue, he said, claiming Lindsay saw limited combat and served mostly as a clerk. "He sat behind the lines typing orders while his comrades were off in battle."

While Lindsay was guilty of exaggeration and embellishment, he was also a genuine hero, according to Wilcox, who said Lindsay had gotten caught up during the war with a group of men forging themselves citations for valor.

"He wanted to be in war, and he wanted to be a hero," said Wilcox. He said Lindsay told him his father had been rejected by the military during World War II, which hurt the family's scents, and left David Lindsay determined to be a soldier.

Wilcox said that during the Vietnam War Lindsay shuffled between administrative and combat duties. Lindsay was awarded a Distinguished Service Cross legitimately, testimony showed. A veteran who had served under Sergeant Lindsay in Vietnam testified emotionally about a leader who would take five men out on patrol and bring five men back alive, said Wilcox.

Testimony of that veteran, Thomas Barker, also included descriptions of Lindsay under fire, staying with the wounded, refusing to allow even equipment to fall into enemy hands, Wilcox said.

Wilcox said Lindsay was a man whose record had never needed embellishment. "The sad part is, he truly was a hero," he remarked.

Lindsay the Informant

David Lindsay claimed that after the war, he served the government in new capacity — as a government informant. He called himself MI "immunized federal agent" when testifying at a pretrial hearing. A defense memo said he was aiming to help authorities nab drug dealers tied blamed for the suicide of his son Donald Lindsay.

In 1988, Lindsay wore a recording device on at least two occasions for the FBI, and made a drug purchase from another dealer while wired.

His defense attorneys — Joseph Donnelly, who was originally assigned the case by a judge, and Charles Wilcox, who was retained by Lindsay months later said Lindsay believed, even months after his arrest,

that he was still working for the government.

In a memo Donnelly submitted to the court, after visiting Lindsay in Albany County Jail, where Lindsay awaited trial, Donnelly wrote: "The defendant apparently believes, despite all that has occurred to date, that he is and continues to be an agent of the United States government and that his current situation is an attempt to test his loyalty to determine whether he qualifies to continue...He is resolved to 'stand tall' and prove...that he is worthy." He also told Donnelly he would be executed, apparently by the government, if he discussed the case.

Wilcox says Lindsay was encouraged along as an informant by the FBI and continued to contact FBI agents even six months after his

"The government tried to disown Lindsay," Wilcox maintains. "You give him a mission, and he takes the mission. And he takes no prisoners,

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Mcann says Lindsay contacted authorities only to send out feelers in the wake of some area drug arrests, to see what they knew.

Lindsay had never volunteered information until he learned people in his organization were being investigated, says McCann. Lindsay's limited relationship with authorities ended when he continued to deal drugs and refused Psi-directives. McCann says.

He says Lindsay continued to give information concerning rival drug dealers to local police, which he said was a common practice in drug rings. The FBI and State Police never offered Lindsay immunity, he says.

State Police Investigator Dick Eggleston says Lindsay offered information sporadically to the FBI and State Police and it was worthless.

ing to divert authority; front his own activity.

Cocaine for sale

That activity was selling drugs from D.J.'s lounge, where from 1983 to 1990 customers who included minors could purchase 1.4 gram packets of cocaine for \$30, prosecutors said.