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*Clemency*

April 2, 1975

Dear Mrs. Falco:

By this letter, I acknowledge receipt of your letter of March 21 concerning the case of your father, Charles V. Carrollo.

In order for your father to be considered for Executive clemency, he must file a petition for clemency with the office of the Pardon Attorney at the Department of Justice. Until such an application has been processed in accordance with existing guidelines, no action can be considered.

I have forwarded your correspondence and the enclosed newsclipping to the Pardon Attorney's office.

Sincerely,

Philip W. Buchen  
Counsel to the President

Mrs. Rose Marie Falco  
7203 East 107th Terrace  
Kansas City, Missouri 64134

PWB:JTF:ets



THE WHITE HOUSE  
WASHINGTON

April 2, 1975

Dear Mrs. Gessert:

On behalf of the President, I would like to acknowledge receipt of your letter of March 19 concerning Lt. William Calley.

Presently, Lt. Calley's case is on appeal and no final judicial decision has been rendered. Until such a final decision is reached, it would be premature to consider any application for Executive clemency.

Thank you for your inquiry.

Sincerely,

*Phillip W. Buchen*

Phillip W. Buchen  
Counsel to the President

Mrs. Hal Gassert  
404 St. Lawrence Avenue  
Janesville, Wisconsin 53545



Clemency

April 4, 1975

*Clemency*

Dear Ms. Lane:

On behalf of the President, I would like to thank you for your letter of March 31, 1975, recommending Victor Lawrence Taylor for Executive clemency.

The Pardon Attorney's office informs me that Mr. Taylor has filed an application for commutation of sentence.

You may be assured that this application will be given careful consideration in accordance with existing guidelines. Your letter will be made a part of the file in this case.

Sincerely,

Phillip W. Buchen  
Counsel to the President

Ms. Patricia E. Lane  
Editor-in-chief  
Journal of Learning Disabilities  
101 East Ontario Street  
Chicago, Illinois 60611

PWB:JTF:ets



April 7, 1975

*Exec.  
Clemency*

Dear Mrs. Loetell:

By this letter, I acknowledge receipt of your correspondence of January 17, 1975, to the President concerning Executive clemency for Dr. Samuel Mudd.

On February 8, 1869, President Andrew Johnson granted a pardon to Doctor Mudd. Unfortunately, it is not possible for the President to take any further action in this matter.

Thank you for your inquiry.

Sincerely,

Philip W. Buchen  
Counsel to the President

Mrs. Robert F. Loetell  
1000 Greenfield Road, R.D. 3  
Joppa, Maryland 21085

PWB:JTF:ets



THE WHITE HOUSE  
WASHINGTON

April 23, 1975

Clemency

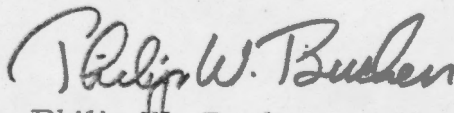
Dear Mrs. Simmat:

By this letter, I acknowledge receipt of your most recent correspondence concerning the case of your son, Ronald Simmat.

The President may only grant Executive clemency to those who have violated Federal law. In the case of your son, it appears that he has violated a State criminal law. Therefore, you must contact the appropriate State officials to request such consideration.

Your inquiry was appreciated.

Sincerely,



Philip W. Buchen  
Counsel to the President

Mrs. Otto Simmat  
17 Stevens Street  
P. O. Box 27  
Woodmont, Connecticut 06460



THE WHITE HOUSE  
WASHINGTON

May 1, 1975

*Clemency*

Dear Mr. Townes:

By this letter I acknowledge receipt of your correspondence in which you request my personal review of your application for Executive clemency.

The U.S. Pardon Attorney informs me that your application for clemency was denied on June 9, 1972, and that you have not filed another application. If you do file another petition, it will be processed by the Pardon Attorney in accordance with existing procedures.

Sincerely,

*Philip W. Buchen*

Philip W. Buchen  
Counsel to the President

Mr. Richard M. Townes  
460 North Camp Meade Road  
Linthicum Heights, Maryland 21090



THE WHITE HOUSE  
WASHINGTON

May 1, 1975

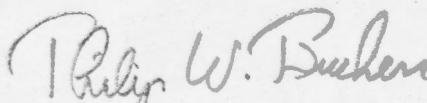
*Exec.  
Clemency*

Dear Mr. Ross:

By this letter, I acknowledge receipt of your correspondence dated April 24, 1975.

The offense for which you were convicted involves the violation of a State law. The President may only consider clemency for those who violate Federal law. Therefore, you must contact the proper State officials to request Executive clemency.

Sincerely,



Philip W. Buchen  
Counsel to the President

Mr. Johnny M. Ross  
Louisiana State Penitentiary  
Angola, Louisiana 70712





THE WHITE HOUSE  
WASHINGTON

May 22, 1975

*Exec.  
Clemency*

Dear Mr. Caponigro:

On behalf of the President I acknowledge receipt of your letter dated May 10, 1975, requesting consideration for Executive clemency.

Your case, unfortunately, involves the violation of a state law. Therefore, the President is without authority to consider your request for clemency because his authority extends only to cases involving violations of Federal law. Your request should be made to the appropriate state officials.

Sincerely,

*Philip W. Buchen*  
Philip W. Buchen  
Counsel to the President

Mr. Philip J. Caponigro  
40 Lakeland Avenue  
Congers, New York 10920



THE WHITE HOUSE  
WASHINGTON

*Justice*

July 2, 1975

Dear Mr. Braden:

A copy of your letter of June 10 to Judge Hoffman concerning the alleged dissemination of your parole records, has been referred to me for response.

I have forwarded your letter to the Department of Justice for appropriate consideration and response directly to you.

Sincerely,

*Philip W. Buchen*

Philip W. Buchen  
Counsel to the President

Mr. Jim Braden  
3224 Peachtree Road, N.E.  
Atlanta, Georgia 30305



July 3, 1975

MEMORANDUM FOR: PHILIP W. BUCHEN

FROM: BARRY N. ROTH

Jim Baaden wrote regarding the status of his parole records. His correspondence has been forwarded to the Department of Justice for reply.



THE WHITE HOUSE  
WASHINGTON

*Exec.  
Clemency*

July 17, 1975

Dear Mrs. Hughes:

On behalf of President Ford, this is in response to your letter of May 26 in which you request Executive clemency for your husband, Michael J. Hughes.

Executive clemency is only considered upon formal application by the person who has been convicted of a Federal offense. You may be assured that if your husband files a petition for clemency, it will be given appropriate consideration in accordance with existing guidelines promulgated by the Attorney General and approved by the President.

In the meantime, I have forwarded your letter to the Department of Justice for appropriate consideration of the remaining questions you have raised and response directly to you. Your inquiry is appreciated.

Sincerely,

*Philip W. Buchen*

Philip W. Buchen  
Counsel to the President

Mrs. Michael J. Hughes  
1921 Jenkintown Road  
Jenkintown, Pa. 19046



*Justice*

THE WHITE HOUSE  
WASHINGTON

July 17, 1975

MEMORANDUM FOR

Office of the Attorney General

The attached correspondence to the President from Mrs. Michael J. Hughes concerning Executive Clemency for her husband and other matters related to his Federal conviction, has been acknowledged and is forwarded to you for appropriate handling.

Thank you.

*P.W.B.*  
Philip W. Buchen  
Counsel to the President



THE WHITE HOUSE

WASHINGTON

July 21, 1975

*Justice  
or  
Clemency?*

Dear Mr. Carter:

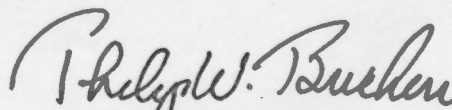
Mr. Stanley Scott has brought to my attention your letter of July 14, 1975, regarding an unconditional pardon for yourself.

The President ordinarily acts in clemency matters only upon the advice of the Attorney General and after submission of a formal petition for pardon to the Pardon Attorney at the Department of Justice and investigation by the Department into the merits of the petition. You may be assured that if you file a petition for clemency, it will be given consideration in accordance with guidelines promulgated by the Attorney General and approved by the President.

I have taken the liberty of forwarding your letter to the Pardon Attorney in order that it may be placed with your file in the event that a formal petition is received. I have also requested that the Pardon Attorney respond to you directly concerning the appropriate form for this petition.

Your inquiry is appreciated.

Sincerely,



Philip W. Buchen  
Counsel to the President

Mr. Russell Carter  
1232 Harvard Boulevard  
Dayton, Ohio 45406



THE WHITE HOUSE  
WASHINGTON

July 22, 1975

*Exec. Clemency -  
Habit,  
Simon*

Dear Dr. Habet:

Congressman Fascell has brought to my attention your letter of June 9, 1975, to the President in which you request a pardon for your brother, Simon Habet, in order to take him to Israel for rehabilitation.

Executive clemency, of which pardon is one form, is only considered upon formal application to the President, filed in the first instance with the Pardon Attorney at the Department of Justice by the person who has been convicted of a Federal offense. When an application is submitted, it is processed in accordance with guidelines promulgated by the Attorney General and approved by the President. These guidelines provide that an applicant for a pardon should wait a minimum of three years after release from confinement before applying for a pardon. On the other hand, these regulations also permit an inmate to petition for Executive clemency in the form of commutation (reduction) of sentence at any time. Application forms and instructions are available at each Federal institution. Although you should be aware that Executive clemency is an extraordinary remedy and is granted only in the most exceptional cases, I can assure you that if your brother should apply for commutation of sentence, his application will be carefully considered.

In the meantime, I have referred your letter to the Pardon Attorney in order that it may be placed with your brother's file in the event that a formal petition is received.

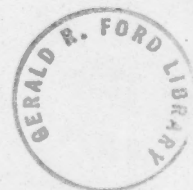
Your inquiry is appreciated.

Sincerely,

*Philip W. Buchen*

Philip W. Buchen  
Counsel to the President

Dr. Beni Habet  
2, Shmariahu Levin Street  
Rishon-le-Zion  
Israel



THE WHITE HOUSE

WASHINGTON

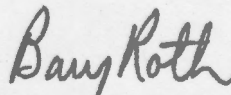
July 22, 1975

MEMORANDUM FOR

LAWRENCE M. TRAYLOR  
PARDON ATTORNEY  
DEPARTMENT OF JUSTICE

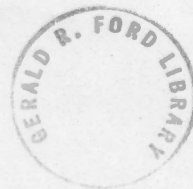
The attached correspondence from Dr. Beni Habot has been acknowledged and is forwarded to you for appropriate handling.

Thank you.



Barry N. Roth  
Assistant Counsel

Attachment





THE WHITE HOUSE  
WASHINGTON

*Pardon  
Atty*

July 29, 1975

MEMORANDUM FOR

LAWRENCE M. TRAYLOR  
PARDON ATTORNEY

The attached correspondence from Congresswoman Virginia Smith concerning a pardon for Mr. R. E. Skillman has been acknowledged and is forwarded to you for appropriate handling.

Thank you.

*Barry Roth*  
Barry N. Roth  
Assistant Counsel

Attachment



THE WHITE HOUSE  
WASHINGTON

July 28, 1975

Dear Congresswoman Smith:

On behalf of the President, thank you for your recent letter concerning a pardon for Mr. R. E. Skillman.

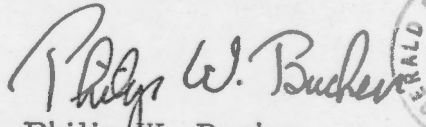
Executive clemency, of which pardon is one form, is only considered upon formal application to the President, filed in the first instance with the Pardon Attorney at the Department of Justice by the person who has been convicted.

Although Executive clemency is an extraordinary remedy and is granted only in the most exceptional cases, I can assure you that if Mr. Skillman should apply for clemency, his application will be carefully considered in accordance with existing guidelines promulgated by the Attorney General and approved by the President.

In the meantime, I have referred your letter and the attached letters from residents of your district to the Pardon Attorney in order that they may be placed with Mr. Skillman's file in the event that a formal petition is received.

Your inquiry is appreciated.

Sincerely,

  
Philip W. Buchen  
Counsel to the President



The Honorable Virginia Smith  
House of Representatives  
Washington, D.C. 20515

*cc: Varn Dorn  
Lawrence Taylor*

July 30, 1975

*Clemency*

Dear Mr. Neira:

On behalf of the President, this is in response to your letter of July 8 concerning clemency for Mr. Edward Hamilton.

The President's authority to grant Executive clemency extends only to violations of Federal law. Consideration of clemency for Mr. Hamilton must be given by the appropriate state officials. I regret that we are unable to be of assistance to you in this regard.

Sincerely,

Philip W. Buchan  
Counsel to the President

Mr. Rafael J. Neira  
3108 Fifteenth Avenue  
Chattanooga, Tennessee 37407

PWB:BNR:GMK:eb



THE WHITE HOUSE  
WASHINGTON

*Bar  
Felling*

August 5

*Pardon*

If there is any discussion about pardons at the White House, please remember "ole Martin Sweig." The backup is to show that the judge thought Martin was a fine fellow. Discussed on the telephone with Russ the question of pardon.

I have no personal interest whatever in Sweig's behalf. Our friendship blossomed after he was convicted and sentenced.

Russ Rourke



THE WHITE HOUSE

WASHINGTON

August 5, 1975

MEMORANDUM FOR: RUSS ROURKE

FROM: PHILIP BUCHEN

*P.W.B.*

The attached correspondence from Martin Sweig does not involve a request for pardon which is within the powers of the President, but only a hearing before a parole board for an adjustment in the subject's terms of the sentence. In that respect, the President has no authority.

Therefore, I suggest you drop the matter unless you think a simple acknowledgement is necessary.



Mehsteno  
W.D.

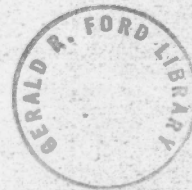
August 4, 1975

MEMORANDUM TO: PHIL BUCHEN  
FROM: RUSS ROURKE

Phil, Jack Marsh advises me that there exists a firm White House rule that letters of inquiry relating to questions of pardon must be referred for reply to the General Counsel's Office, at the White House. I am, therefore, enclosing a communication submitted to me by Martin Sweig, former Administrative Assistant to Speaker John McCormack.

Many thanks.

RAR:cb



THE WHITE HOUSE  
WASHINGTON

Russ -

There is a firm  
rule that letters,  
calls, etc relating to  
questions of pardon will  
be referred to Gen.  
Counsel, and they reply  
JMR



THE WHITE HOUSE  
WASHINGTON

*J*  
An interesting  
letter from  
Judge McIntire -  
R.





28 Pearl Avenue  
Winthrop, Massachusetts 02152

July 23, 1975

Dear Russ:

May I take the liberty of enclosing for your personal information and retention a copy of Judge Mehrtens letter to the Parole Board.

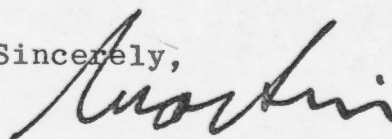
I thought you would like to have this letter in the event the subject ever comes up. I doubt if the President knows of it. The letter is self-explanatory. It is an impressive one. I am sure that all the law enforcement agencies (Allenwood, Probation Officer, etc.) will speak highly of me.

My brother and family have all moved to Florida. I intend to go there in the not too distant future but if I do I will not, because of Florida State law, be able to vote in Federal elections. In Massachusetts I can vote and I would deeply regret not being able to do so.

All I can say is thank you for keeping this matter which is so important to me and my family, in mind.

With kind regards, I am

Sincerely,



Martin Sweig

Honorable Russell A. Rourke  
RFD 6  
1629 Ridout Road  
Annapolis, Maryland 21401



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

W. O. MEHRTENS  
DISTRICT JUDGE  
P. O. Box 2379  
MIAMI, FLORIDA 33101

March 17, 1972

Mr. George J. Reed  
Chairman of the Parole Board  
101 Indiana Avenue N.W.  
Washington, D. C. 20537

Re: Martin Sweig

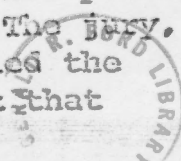
Dear Mr. Reed:

I have been informed that Mr. Martin Sweig will be granted an en banc hearing before the full Parole Board in the near future.

Mr. Sweig was tried before me upon an indictment in four counts charging him with conspiracy to defraud the government in connection with its lawful governmental functions, by receiving and soliciting compensation for services rendered and to be rendered, and traveling and using facilities in interstate commerce to accomplish such acts, in violation of Title 18 U.S.C. §§ 371 and 1952.

The jury returned a verdict of guilty as to counts 1, 3 and 4, and not guilty as to count 2.

During the trial the government's evidence depended largely upon the testimony of Mr. Michael A. Silbert, who had been granted immunity by the government. It was apparent to me that Silbert, who testified that he had received \$5,000 and transmitted it to Mr. Sweig, had, in truth and fact, received \$10,000 and had, at the very least, if he was to be believed, appropriated at least \$5,000 for himself. I personally did not place very much credence in Mr. Silbert's testimony. The jury, however, apparently did believe him. Had I tried the case without a jury, I am not at all certain but that



Mr. George J. Reed

March 17, 1972

Page 2

I would have granted a motion for a judgment of acquittal on all counts because, in my opinion based upon my evaluation of the evidence, there was a serious question as to whether or not the government had sustained its burden of proving Mr. Sweig's guilt beyond a reasonable doubt.

After adjudication of guilt I sentenced Mr. Sweig to three years as to each of the three counts, to run concurrently with each other and with the sentence he is presently serving, pursuant to Title 18 U.S.C. 4208(a)(2). My purpose in imposing that sentence was based upon a number of factors among which were my personal question as to the credibility of the government's witness and the further fact that in Mr. Sweig's case I did not believe that there was any question of rehabilitation involved. So far as punishment is concerned, it is also my opinion that continued confinement in the penitentiary would only be adding to the punishment which he has already experienced.

I therefore believe that Mr. Sweig would deserve serious and favorable consideration for parole when the matter is considered by you. Although I fully realize that the matter is without my jurisdiction and entirely in your hands, I personally feel that the ends of justice have been served and, if his record at this time justifies it, recommend that his application be favorably considered and that he be granted parole.

Very truly yours,

W. D. MEHRTENS

WOM:vc  
Air Mail

bcc: Mr. Martin Sweig  
Paul T. Smith, Esq.



THE WHITE HOUSE  
WASHINGTON

September 22, 1975

*De Jure,  
Robert  
Camvesty*

MEMORANDUM FOR: PHIL BUCHEN

FROM: THEODORE C. MARRE *TCM*

This file recently came to my attention. Is any action indicated -- sending to NSC, for example?

John Vickerman works in the business and industry related areas and cannot handle this.

Robert (Rocky) DeFinis  
523 Edgemont Avenue  
Lansdale, Pennsylvania 19446

July 7, 1975

John Vickerman  
Public Liaison Office  
The White House  
Washington, D.C. 20500

Dear Mr. Vickerman:

Your return phone call from the White House was a refreshing change after all previous efforts failed. This conversation indicated our desire for Presidential consideration of amnesty for Private Eddie D. Slovik A.S.N. 36896415.

If you will kindly review the file, you will note the many communications directed to those concerned with amnesty. The official response would indicate that President Ford is not aware of the efforts to obtain amnesty for Pvt. Slovik. Perhaps through the efforts of your good office, Major Woods and I might have the opportunity to present this case to the President.

This not being plausible, please direct this file to the President's office.

Our deep gratitude for any assistance you may render in this matter.

Sincerely,

*Robert (Rocky) DeFinis*

Robert (Rocky) DeFinis

rmd

Enclosures



THE WHITE HOUSE  
WASHINGTON  
October 14, 1975

*Justice*

MEMORANDUM FOR

Office of the Deputy Attorney General  
Department of Justice

The attached correspondence requesting a transfer within the Federal penal system has been acknowledged and is forwarded to you for appropriate consideration and direct response.

*P.W.B.*

Philip W. Buchen  
Counsel to the President



THE WHITE HOUSE

WASHINGTON

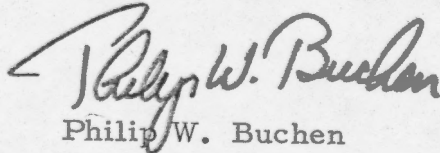
October 14, 1975

Dear Mr. Smith:

By this letter, I hereby acknowledge receipt of your recent letters to the White House requesting assistance in obtaining a transfer from Federal prison facilities in Leavenworth, Kansas, to Terre Haute, Indiana.

I have referred your letters to the Department of Justice for appropriate consideration and response directly to you.

Sincerely,



Philip W. Buchen  
Counsel to the President

Mr. Warner Smith  
#31095-138  
P.O. Box 1000  
Leavenworth, Kansas 66048



Warner Smith #31095-138  
P.O. Box 1000  
Leavenworth, Kansas 66048  
October 7, 1975

Phillip W. Buchen  
President's Counsel  
1600 Pennsylvania Avenue  
Washington, D.C. 20000

Dear Mr. Buchen:

My name is Warner Smith, and I am presently incarcerated at the federal prison facility in Leavenworth, Kansas, for Conspiracy to violate the U.S. Narcotics Law. My legal residence is in East Chicago, Indiana. I was born and raised in East Chicago, Indiana. It is regarding my present place of imprisonment together with my legal place of residence that I am writing you.

Sir, I am trying with all my heart to obtain a transfer to the federal prison facility in Terre Haute, Indiana. I am serving a fifteen year sentence under Section 4208(a)(2); my parole eligibility date is within the month of December, 1977. First among the many reasons I have for wanting to be transferred to Terre Haute, Indiana, is - my mother is seventy (70) years old and determined to visit me. However, there are several negative aspects implicit in a 1200 mile roundtrip to Leavenworth, Kansas, at seventy (70) years of age and prone to illness. Furthermore, there exists financial pressure, of which, to say the least, is well exemplified by the presently depressed economic situation. Certainly, this makes a visit from my mother a situation of hardship, both financially and physically. Secondly, I am the father of two children. In order to maintain proper family ties it is necessary that I be transferred to the prison facility at Terre Haute, Indiana. Finally, I wish to inform you that I arrived at Leavenworth, Kansas, in August, 1974. Since my arrival I have maintained an excellent work and conduct record; and have strived to better myself through the rehabilitative programs offered here: I am enrolled in the academic (educational-school) program. I have obtained my G.E.D. diploma, and I am in Vocation Training School for Air Conditioning. Also, I have an immense desire to enter the field of Social Science specifically relating to helping people with drug related adjustment problems. Towards achieving that goal I have enrolled and become an active participant in the drug counselling program here, even though I am not a user of narcotics.

I wish to simply add that I am forty-nine years old, and this is the first time I've been imprisoned.

Whatever help and/or assistance you will render me will be greatly appreciated by me, and all of the members of my family. Thanking you in advance for your kind consideration and assistance -- THANK YOU VERY MUCH.

Have a nice day.

Respectfully,  
*Warner Smith*  
Warner Smith #31095-138



Warner Smith #31095-138  
P.O. Box 1000  
Leavenworth, Kansas 66048  
October 7, 1975

*over  
draft  
reply*

Robert M. Mills  
President's Counsel  
1600 Pennsylvania Avenue  
Washington, D.C. 20000

Dear Mr. Mills:

My name is Warner Smith, and I am presently incarcerated at the federal prison facility in Leavenworth, Kansas, for Conspiracy to violate the U.S. Narcotics Law. My legal residence is in East Chicago, Indiana. I was born and raised in East Chicago, Indiana. It is regarding my present place of imprisonment together with my legal place of residence that I am writing you.


Sir, I am trying with all my heart to obtain a transfer to the federal prison facility in Terre Haute, Indiana. I am serving a fifteen year sentence under Section 4208(a)(2); my parole eligibility date is within the month of December, 1977. First among the many reasons I have for wanting to be transferred to Terre Haute, Indiana, is - my mother is seventy (70) years old and determined to visit me. However, there are several negative aspects implicit in a 1200 mile roundtrip to Leavenworth, Kansas, at seventy (70) years of age and prone to illness. Furthermore, there exists financial pressure, of which, to say the least, is well exemplified by the presently depressed economic situation. Certainly, this makes a visit from my mother a situation of hardship, both financially and physically. Secondly, I am the father of two children. In order to maintain proper family ties it is necessary that I be transferred to the prison facility at Terre Haute, Indiana. Finally, I wish to inform you that I arrived at Leavenworth, Kansas, in August, 1974. Since my arrival I have maintained an excellent work and conduct record; and have strived to better myself through the rehabilitative programs offered here: I am enrolled in the academic (educational-school) program. I have obtained my G.E.D. diploma, and I am in Vocation Training School for Air Conditioning. Also, I have an immense desire to enter the field of Social Science specifically relating to helping people with drug related adjustment problems. Towards achieving that goal I have enrolled and become an active participant in the drug counselling program here, even though I am not a user of narcotics.

I wish simply to add that I am forty-nine years old, and this is the first time I've been imprisoned.

Whatever help and/or assistance you will render me will be greatly appreciated by me, and all of the members of my family. Thanking you in advance for your kind consideration and assistance -- THANK YOU VERY MUCH.

Have a nice day.

Respectfully,  
*Warner Smith*  
Warner Smith #31095-138



THE WHITE HOUSE

WASHINGTON

October 30, 1975

*Justice*

Dear Mr. Pieras:

Thank you for your letter of October 21 in support of the petition for pardon of Dr. Enrique Ramos-Elvira.

A petition for pardon generally takes between nine months and one year for processing. I am advised by the Office of the Pardon Attorney at the Department of Justice that Dr. Ramos-Elvira's application is in the active file, and that the petition and recommendation of the Attorney General is expected to be sent to the White House shortly. In the meantime, I have referred your letter to the Pardon Attorney for inclusion in Dr. Ramos-Elvira's file.

We appreciate having the benefit of your recommendation on this matter.

Sincerely,

*Philip W. Buchen*

Philip W. Buchen  
Counsel to the President

Mr. Jaime Pieras, Jr.  
P.O. Box 507 - Hato Rey  
San Juan, Puerto Rico 00919



THE WHITE HOUSE

WASHINGTON

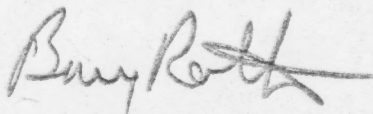
October 30, 1975

MEMORANDUM FOR

Lawrence M. Traylor  
U.S. Pardon Attorney

The attached correspondence concerning Executive clemency has been acknowledged by this office and is referred to you for appropriate handling.

Thank you.



Barry N. Roth  
Assistant Counsel



*Justice*

THE WHITE HOUSE  
WASHINGTON

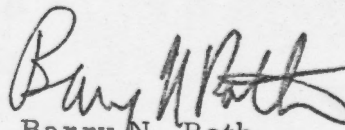
December 1, 1975

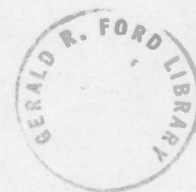
MEMORANDUM FOR

Lawrence M. Traylor  
U.S. Pardon Attorney

The attached correspondence concerning Executive clemency has been acknowledged by this office and is referred to you for appropriate handling.

Thank you.

  
Barry N. Roth  
Assistant Counsel



THE WHITE HOUSE

WASHINGTON

December 1, 1975

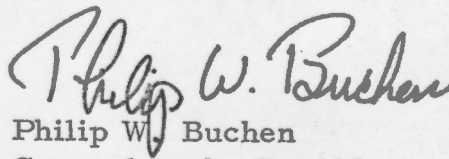
Dear Mr. Fraser:

Thank you for your letter recommending that the President grant Mr. Robert M. McNamara's petition for commutation of sentence.

All requests for Executive clemency, of which commutation of sentence is one form, are considered in the first instance by the Pardon Attorney at the Department of Justice. I am advised that Mr. McNamara's petition is currently under review by the Pardon Attorney. As you may be aware, Executive clemency is an extraordinary remedy which is granted only in the most exceptional circumstances and where no other form of relief is generally available.

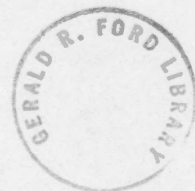
I have taken the liberty of forwarding your recommendation to the Pardon Attorney for inclusion with Mr. McNamara's petition. I can assure you that his petition will be given careful consideration.

Sincerely,



Philip W. Buchen  
Counsel to the President

The Honorable Donald M. Fraser  
House of Representatives  
Washington, D. C. 20515



THE WHITE HOUSE  
WASHINGTON  
December 2, 1975

*Clemency*

MEMORANDUM FOR: BOB HARTMANN  
FROM: PHIL BUCHEN *P.*

Attached is a draft response which you could send to Lloyd Norman.

You asked specifically whether there might be action on this case around Christmas. It is doubtful that the Pardon Attorney will have completed his review by that time. Although we cannot state it publicly, we hope to take action in this case next year.



DRAFT

Dear Lloyd:

Thank you for your letter of October 22 concerning the application of Richard Hagelberger for Executive clemency.

The U.S. Pardon Attorney informs me that a petition for commutation of sentence has been pending since 1969. Currently, the petition is under active consideration.

Unfortunately, it is not possible to indicate when the Attorney General will make his recommendation to the President in this case. As you are perhaps aware, Mr. Hagelberger's case was one of five other cases in which President Eisenhower commuted sentences on condition that the petitioners never be eligible for parole or further clemency from military authorities.

I appreciate your taking time to make me aware of this petition. When the Attorney General has made his recommendation to the President, you may be assured that it will receive most careful consideration and review.

Sincerely,

Robert T. Hartmann

Mr. Lloyd Norman  
1750 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006



THE WHITE HOUSE  
WASHINGTON

Coa -

If Mr. Buchen  
approves this draft  
reply for Bob Hartmann,  
be sure that you  
only forward this  
memo and the draft  
letter. Keep the Pardon  
Atty's memo in our files.  
Jan.



**United States Department of Justice**

**Office of the Pardon Attorney**

**Washington, D.C. 20530**

November 24, 1975

MEMORANDUM FOR  
Jay French  
Assistant Counsel to the President

Re: Richard A. Hagelberger  
Applicant for Executive Clemency

This refers to your request for a status report on this application.

Hagelberger was convicted of murder in 1952 by Army general court-martial and sentenced to death. President Eisenhower commuted his sentence to life imprisonment on condition that petitioner should never be eligible for parole or for further clemency from military authorities. His petition for commutation of sentence has been pending since 1969.

We are contemplating recommending that further clemency be extended to Hagelberger (and five other inmates who are subject to the same condition imposed by President Eisenhower) by removal of the condition denying him the benefit of parole or further clemency by military authorities. The Director, Bureau of Prisons, favors removal of the restriction. We requested the views and recommendation of the Secretary of the Army on September 16, 1975. Although the matter is under consideration in the Department of the Army, we have not yet received the Secretary's report and for this reason I have not made a recommendation to the Attorney General.

*Lawrence M. Traylor*

Lawrence M. Traylor  
Pardon Attorney



THE WHITE HOUSE  
WASHINGTON

From: Robert T. Hartmann

To: Phil Bucher

Date: 11/16 Time: \_\_\_\_\_ a.m.  
p.m.

How do I  
answer this?  
It sounds like  
a very meritorious  
case to me - and  
Christmas is coming.  
RTH



*Pardon + Clemency  
request for  
Richard Hagelberger*

# Newsweek

1750 PENNSYLVANIA AVE., N.W. • WASHINGTON, D.C. 20006 • SUITE 1220 • (202) 298-7880

Oct. 22, 1975

Mr. Robert T. Hartmann  
Counsellor to the President  
The White House  
Washington, D.C.

Dear Bob:

We deal so much in billions of dollars and millions of people that we sometimes forget the One Guy with One Life to live. He is important, too, and sometimes he deserves his day in court long after he has been filed away and forgotten.

I have appealed only once before to a president and for the same forgotten man. I have never met him and don't know him personally but when I was with the Chicago Tribune covering the Pentagon some GIs and sailors came to me with the story of Hagelberger who had been sentenced to die on the scaffold while his army buddy, who had committed the murder, was being given a commuted sentence because some Senator had intervened. President Eisenhower finally was persuaded to commute Hagelberger's sentence to life.

The crime was committed on an off-duty spree when Hagelberger was about 19 years old as I recall. He and his buddy had been drinking in a German inn and they took a taxi ride. His buddy shot the cab driver and another German in the cab. Hagelberger knows he committed a crime and he has been locked up for more than half of his 43 years -- his youth and manhood. He has been a model prisoner and still has hopes of living a normal, useful and productive life.

I feel he deserves a fair break after all these years. I am writing this after a long day and I'm weary and my typing is faulty but I urge you to look at the human tragedy of a life that is being wasted and which could be saved.

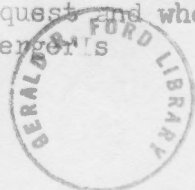
I don't know who handles President Ford's pardon and clemency requests but I would be deeply grateful if you could pass this note and the enclosed letters to the proper official with the hope that Hagelberger can be free after all these years.

President Ford, I feel, is the kind of president, as Lincoln was, who would recognize the justice of Hagelberger's request and who has the quality of mercy to grant him freedom as Hagelberger's lifespan narrows.

Thanks for your thoughtful consideration.

Sincerely,

*Lloyd Norman*  
Lloyd Norman



August 28, 1975

Mr. Lloyd Norman,  
Military Correspondent  
Newsweek  
1750 Pennsylvania Ave., N.W. Suite 1220  
Washington, D. C. - 20006

Dear Mr. Norman:

Thank you for your letter of August 22nd. I also wish to thank you for your continued interest in me and my case. I realize too many years have passed since I was in a fight for my life. I now have the opportunity to thank you for the interest and help you gave at that time. At that time I was aware that several people were fighting for me and commutation of the death sentence, but I did not know the names of these people. It was several years later that I finally found out your name and the amount of fighting you did for me. I now thank Pete Noyes for interesting you again at this time.

It is true I have been trying for Executive Clemency. The truth of the matter is I have been seeking this relief from my present sentence for several years now. My Executive Clemency petition has been in the Pardon Attorney's Office for six (6) years. It has been a long struggle trying to get this petition presented to the President, and in reality it has not been accomplished yet. As far as I have been able to find out, my petition is still in Mr. Traylor's Office.

After my sentence was commuted, I was transferred to the Penitentiary at Atlanta, Georgia. I remained there for the next fifteen years. In the fall of 1971 I was transferred to this Federal Correctional Institution at La Tuna, Tx. This move, in itself, is indicative of the trust placed in me by the Bureau of Prisons. I have received numerous recommendations for clemency from the Officials at Atlanta and also several from the Officials here at La Tuna. I have had only a couple minor disciplinary reports during the many years of my confinement.

Since I have been at La Tuna, I have been given Minimum Custody. I have been on numerous town trips to El Paso and Las Cruces as part of my job assignment here and also to play Bridge at the Local A.C.B.L. Bridge Clubs. I was allowed to visit my sister and her family on two escorted three day furloughs. Then this year I was granted a six and a half day unescorted furlough to spend with my sister and her family in Denver City, Texas. I also have been issued an inmate driver's license and drive the trucks used at work here. Of course, this is good for driving only on the reservation here.

I still have several people on the outside trying to help me get out. My family of course are foremost, my mother and step-father and also my sister and her family. Pete Noyes has been attempting to assist me, and in this matter had written a story about my case that appeared in the Los Angeles Times several months ago. A Mr. Harry Jones, reporter for the Kansas City Star also wrote a story for his paper awhile back. Both were attempting to use this means in an attempt to help me on my clemency petition.

8/28/75

Both stories did get some attention and response, but it was only local in each case. At the present time Congressman Mahon of Texas and Congresswoman Schroeder of Colorado have been making inquiries into my case. Congressman Mahon is from the district where my sister lives in Texas. A Mr. Fred Coughlin, former Chairman of the Army Clemency Board, now in retirement, has been working for me also. In this respect, he has written several letters on my behalf.

I am now 42 years old, Mr. Norman, having spent better than half of my life in prison. I know I am ready to re-enter society and that I can make a new life for myself. I realize that I was involved in a serious crime, but I believe that I have more than paid for my mistake. I have an approved release plan set up. I plan on living with my sister and her family in Denver City, Texas and working for my brother-in-law on his farm there. This plan was verified and approved by the Chief Probation Officer in Lubbock, Texas. All I need is the opportunity to prove that I can make it out there. As long as I have this 55 years with no parole sentence I really have no future to look forward towards. Executive Clemency is the only hope I have.

I wish to thank you again for your letter and for your interest and help Mr. Norman. I know that the interest and effort on my behalf in 1956 saved me from execution. Any further help you may be able to give me will be greatly appreciated. I hope to hear from you again soon.

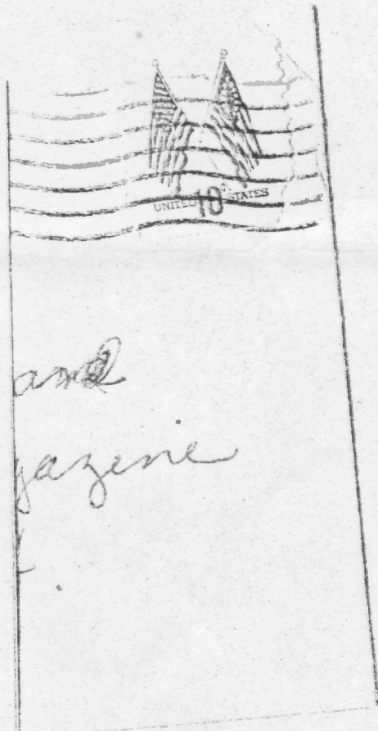
Respectfully yours,

*Richard A. Hagelberger*

Richard A. Hagelberger  
La Tuna Box 1000 - 77946-131  
Anthony, New Mexico-Texas 88021



Oct 16, 1976



Dear Mr Norman,

I am sure after all the people you have met and written about. I don't think you will remember me. Maybe I can refresh your memory.

I am Peggy Winsor cousin of Richard Hagelberger. The boy at the time in 1956 was to be executed for a military crime in Germany in 1952. You helped us thru public interest to get his sentence commuted as his partner had previously done.

The sentence was commuted to 55 years in prison and no chance of parole. After this he was sent from Fort Leavenworth to Atlanta State Prison. At the

and  
gazine



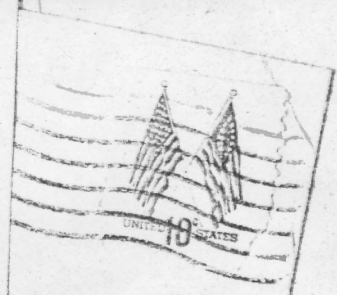
Oct 16 1976

II

present time he is at the prison in Anthony - New Mexico Texas. I believe which is an honor farm.

The reason I am writing to you is I pray with your knowledge you could give me some advice in helping to get the stipulation of "no chance of parole" except by another president. I am sure with his prison record and all of his accomplishments he could then get out on his own merits.

I have a folder with all the paper clippings, letters from wardens etc. I would gladly send them if you believe in anyway you could help Richard and I. He is



me

had

mated  
Dnd  
is he  
worth  
At the



II

now 43 years old. At the prime of life and has never had a chance. We have written to numerous people but to no avail.

Please if there is any thing you can do contact me at this address.

Ms Peg Winsor  
111 Hubbell Ave  
Buffalo, New York  
14220

If you would like to talk to me call me at my expense at 1-716-826-0729

I pray with the kindest you should us before we have





THE WHITE HOUSE

WASHINGTON

*Clemency*

December 4, 1975

MEMORANDUM FOR:

RICHARD CHENEY

FROM:

PHILIP BUCHEN *P.*

Several weeks ago, Don Rumsfeld inquired about the status of the petition for Executive clemency in the case of Lester Binion.

Binion's first petition for clemency was filed in 1970 and was denied in March 1974. A new petition was hand delivered in May 1975 by Senator Laxalt and the Mayor of Las Vegas. This new petition was placed in the inactive file until March 1976 because Justice Department regulations require a waiting period of at least two years from the date a previous petition is denied.

The applicant is seeking a pardon for conviction under the National Prohibition Act in 1929 and for income tax evasion in 1952 and 1953 for which he was sentenced to a total of five years' imprisonment and eight years' probation and fined \$35,000. Prior to the latter conviction, he had an extensive criminal record. He is now engaged in Nevada gambling activities which are legal in that State but he appears to continue to associate with gambling figures who are known to be involved in organized crime.

I doubt that the situation would warrant urging a departure from the usual waiting period.

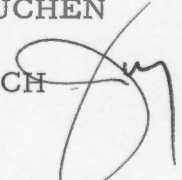


THE WHITE HOUSE

WASHINGTON

December 2, 1975

MEMORANDUM FOR: PHILIP W. BUCHEN

FROM: JAY T. FRENCH 

Several weeks ago, Don Rumsfeld inquired about the status of the petition for Executive clemency in the case of Lester Binion.

Binion's first petition for clemency was filed in 1970 and was denied in March 1974. A new petition was hand delivered in May 1975 by Senator Laxalt and the Mayor of Las Vegas. This new petition was placed in the inactive file until March 1976 because Justice Department regulations require a waiting period of more than two years from the date<sup>when</sup> a previous petition is denied.

If it is necessary, you could sign the attached memo at Tab A to Dick Cheney informing him of these facts.



**NATIONAL ARCHIVES AND RECORDS SERVICE  
WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)**

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
memo	<p><u>ltr case Bucher to Cheney 12-4-75</u></p> <p>Lawrence Taylor to Jay Munde (2 pp) re Lester Brinson</p>	11-24-75	C

FILE LOCATION

Bucher files box 3 folder: Clemeny - General (2)

10/24  
9-30-04

**RESTRICTION CODES**

- (A) Closed by Executive Order 12356 governing access to national security information.
- (B) Closed by statute or by the agency which originated the document.
- (C) Closed in accordance with restrictions contained in the donor's deed of gift.

*Justice*

December 29, 1975

**Dear Dr. Kerf:**

**This is in response to your recent correspondence recommending Executive clemency for Ms. Jane Kennedy.**

**Executive clemency is only considered upon formal application to the Pardon Attorney at the Department of Justice by the person who was convicted. I have been informed by the Pardon Attorney that no application has been filed to date by Ms. Kennedy.**

**You may be assured that if she files a petition for clemency, it will be given consideration in accordance with existing guidelines promulgated by the Attorney General and approved by the President. A copy of these guidelines is enclosed. I have taken the liberty of forwarding your correspondence to the Pardon Attorney in order that it may be placed with Ms. Kennedy's file in the event an application is received.**

**Your inquiry is appreciated.**

**Sincerely,**

**Phillip W. Buchen  
Counsel to the President**

**Dr. Stanley R. Kerf  
1642 East 56th Street  
Chicago, Illinois 60637**

**bc: Roland Elliott -- FYI  
Lawrence Traylor -- w/incoming**



*Clemency*

THE WHITE HOUSE  
WASHINGTON

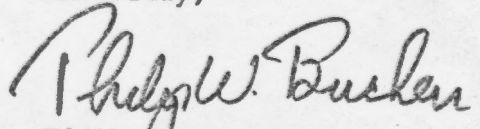
December 30, 1975

Dear Mr. McLarty:

Congressman Alexander has brought to my attention your letter requesting information necessary to apply for Executive clemency on behalf of your client, Mrs. Shirley Rupe.

All applications for Executive clemency are handled in the first instance by the Pardon Attorney at the Department of Justice. I have forwarded your letter to the Pardon Attorney with a request that he send you the appropriate forms for this purpose. In the meantime, I have enclosed for your information a copy of the guidelines on clemency promulgated by the Attorney General and approved by the President.

Sincerely,



Philip W. Buchen  
Counsel to the President

Mr. James A. McLarty  
Pickens, Boyce, McLarty & Watson  
200 Walnut Street  
Newport, Arkansas 72112

Enclosure

*See Cong Bill Alexander*



*Clemency*

THE WHITE HOUSE  
WASHINGTON

December 30, 1975

MEMORANDUM FOR

Lawrence M. Traylor  
U.S. Pardon Attorney

The attached correspondence concerning Executive clemency has been acknowledged by this office and is referred to you for appropriate handling.

Thank you.

*Barry N. Roth*  
Barry N. Roth  
Assistant Counsel

