

**The original documents are located in Box 6, folder “Goodell - Press Conference, 11/29/74” of the Charles E. Goodell Papers at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Charles Goodell donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

**PRESS CONFERENCE**

**November 29, 1974**

**CHAIRMAN CHARLES E. GOODELL  
PRESIDENTIAL CLEMENCY BOARD**

**CONTENTS OF PRESS KIT**

- 1) **Statement by Chairman Charles E. Goodell**
- 2) **Information on Clemency Procedures**
- 3) **Sample of Application and Cover Letter**
- 4) **18 Case Summaries of Individuals who received  
Executive Clemency and Pardons**
- 5) **Regulations and Procedures Governing the  
Board's Actions**
- 6) **Biographies of the Presidential Clemency Board  
Members**



**Contact Joan Vinson: 456-2791**  
**Information on Public Affairs Programs; Coordination of**  
**Veterans & other Group Events & Speakers' Bureau**

**Contact Nia Nickolas: 456-6476**  
**All Press Related Requests and Information**  
**All Electronic and News Media**

Have not reached

John E. Lemon (Parden)

(404) 288-2843

(phone continually busy)

Ronald Keeler (6 mos)

(209) 877-2252

no answer

John Battle (3 mos)

(712) 255-4745 - but

phone disconnected and no

other number listed



all 3 have been sent  
-telegrams. We did reach  
the mother of the 4th (David  
Hale) <sup>1 1/2 mos.</sup> who engaged Bob in

a long conversation.

SUGGESTED REMARKS: For the Senator From Nia

---

SUBJECT: How the actions of the President today could change the course of the future and the thinking of the country.

"The meeting of two personalities is like the contact of two chemical substances; if there is any reaction, both are transformed."  
We hope the country's views today will be transformed as these people's lives will be.

---

SUBJECT: How the Board worked together and learned from each other

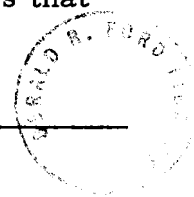
"In cooperating with the many individuals and agencies involved - we, as a Board, have had an opportunity to open new avenues of thinking. We have TRUSTED OURSELVES. We have TRUSTED EACH OTHER. We hope the people will understand our actions and go forward with a more understanding and trusting attitude for the future."

---

SUBJECT: Earned re-entry

"Through the Presidential Clemency Program, there is hope for these individuals. There is opportunity. This country was borne of opportunity for anyone who was willing to work. This program of earned re-entry provides that opportunity. The profile of our applicants proves that these people deserve that opportunity for another chance."

---



QUOTES to use as you find applicable.

"We write our own destiny, We become what we do." Madame Chiang Kai-Shek

"Never think that war, no matter how necessary, nor how justified, is not a crime. Ask the infantry and ask the dead." Ernest Hemingway

"If there was nothing wrong in the world, there wouldn't be anything for us to do." George Bernard Shaw

"Give wind and tide a chance to change." Richard E. Byrd

"Hope is both the earliest and the most indispensable virtue inherent in the state of being alive. If life is to be sustained hope must remain, even where confidence is wounded, trust impaired." Erik H. Erikson

"Injustice anywhere is a threat to justice everywhere" Martin Luther King, Jr.

1. Demographic Characteristics of prospective applicants: age, educational background, SES. What media do they watch/listen to/read? Does DoD have this info? Psychologists such as Lifton, or others who have written about military returnees or about military justice? (Job for Harry Scarr? Ford Foundation contract?)
2. Survey research: What do prospective applicants think about the clemency program? What percentage of them, defined by what characteristics, are really "potential applicants", versus those who fall into the ostensible universe described by the Proclamation but who in reality will never apply? What do we have to do to get them to apply?
3. Statistics on related offenses: If the parameters of the Proclamation were to be broadened in scope so as to incorporate all civilian offenses related to conscientious opposition to the war, and to incorporate further all military offenses (including those subject to administrative discharge) so related, specifically ~~which~~ which offenses would we be including which are not now included? What would the program's (the Board's?) potential universe of applicants then become? What demographic breakouts?)
4. Clemency discharge: What do we want to do either to maximize the utility of the clemency discharge or to replace it? How to go about doing that?
5. Employment and other reintegration for all recipients of clemency: What to do, through which Departments/agencies and how, to maximize employment and reintegration among those to whom the President proffers clemency? Which steps require that we do the same for all, or certain classes of, veterans? What about sealing of criminal records? /J.R. ?/

What should be added in order to maximize the Board's fulfillment of the Proclamation's objectives?



President Ford, declaring "The task of formal forgiveness is under way," Friday granted eight full pardons and 10 conditional clemencies to Vietnam War Resisters.

The 18 cases acted on by the President were the first recommendations made to him since he announced Sept. 16 his earned re-entry program for military and civilian opponents of the Vietnam War.

"These First few decisions do not end the unfinished business of clemency," Ford said in a brief ceremony attended by members of the Board and its staff.

"But the task of formal forgiveness is under way. I hope it marks the beginning of personal forgiveness in the hearts of all americans troubled by Vietnam and its aftermath," Ford added.

Ford said of the 18 initial cases sent to the clemency board, he had "reviewed each one and personally approved each one."

All 18 of the cases involved civilian draft resisters imprisoned at the time of Ford's Sept. 16 announcement. At that time, 85 civilian resisters imprisoned were furloughed from jail and Board Chairman Charles Goodell said Friday the 67 remaining individuals would remain free until the Board and the President have disposed of their cases. The Clemency, which deals only with civilian or military personnel already convicted of a war-related offense, such as draft resister or desertion, has a potential case load of 8,700 civilians and something over 100,000 military personnel. To date, according to Goodell, some 770 persons have applied to the Clemency Board for review of their cases.

Although the Board did release the names of the 18 individuals involved and a summary of the 18 cases involved, Goodell refused to match names with cases or to give out the hometowns of the individuals because, said Goodell, it would violate their right to privacy.

Goodell also said the Board had found "over and over again" that the applicants to the Board "are not the stereotyped ideological war resisters". "For the most part," he said, "The draft violations which we have examined were not consciously and directly related to opposition to the Vietnam war."

Of the 10 given conditional clemencies, which will become full pardons and unconditional pardons upon fulfillment of alternate service, three were told they must perform three months of alternate service, five must perform six months, one was told he must perform 10 months and one other was told he must perform 12 months of alternate service.



PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSEREADING  
COPY

WASHINGTON

Statement by The Honorable Charles E. Goodell  
Chairman, Presidential Clemency Board

The President has accepted the unanimous recommendation of the Presidential Clemency Board that ~~Executive Clemency~~ be granted to 18 individuals. He has granted 8 full and unconditional ~~Pardons~~ and 10 conditional clemencies which will become full and unconditional ~~Pardons~~ upon fulfillment of specified periods of alternate service.

The distribution of lengths of alternate service is as follows:

3 applicants for clemency	3 months of alternate service
5 applicants for clemency	6 months of alternate service
1 applicant for clemency	10 months of alternate service
1 applicant for clemency	12 months of alternate service

Over and over again in the cases before the Board, we have found the inarticulate individual whose father died leaving a family without any means of support, whose mother became acutely ill, or who had severe marriage problems which needed immediate attention. All too frequently, we have found that if the individual had been educated enough to understand how to apply properly through the Selective Service system, he never would have been drafted into the armed forces in the first place.

Mostly, the draft evasions which we have examined were not consciously and directly related to opposition to the Vietnam war. In the cases of Jehovah's Witnesses and some others, there <sup>was</sup> ~~were~~ genuine conscientious objection to killing -- but even these objectors were usually the poor and the illiterate who did not know how to pursue their rights properly through the Selective Service system.

Rather than being the stereotyped war resisters, most applicants to the Board have turned out to be the inarticulate, the unsophisticated, the non-college-educated who did not know how to gain the conscientious objector status, or hardship deferment, or other protections to which they were legally entitled. They just didn't know how. Rather than being educated middle or upper-class persons who tried to beat the system, these were unfortunate individuals who did not understand how to ask for the treatment we owed to them under the law.

Based on the applicants to the Presidential Clemency Board, our image, as a society, of the typical Vietnam-era draft evader is just plain wrong.





Total Written Applications:

	<u>Military</u>	<u>Civilian</u>	
To date:	511	235	
Today:	<u>0</u>	<u>0</u>	
Total:	511	235	Total: 746

Formal Applications:

	<u>Military</u>	<u>Civilian</u>	
To date:	149	105	
Today:	<u>7</u>	<u>3</u>	
Total:	156	108	Total: 264

Requests for Applications:

	<u>Military</u>	<u>Civilian</u>	
To date:	460	138	
Today:	<u>7</u>	<u>2</u>	
Total:	467	140	Total: 607

Oral Applications:

	<u>Military</u>	<u>Civilian</u>	
To date:	35	25	
Today:	<u>0</u>	<u>1</u>	
Total:	35	26	Total: 61

Applications Mailed:

To date:	658	
Today:	<u>10</u>	
Total:	668	Backlog: 0

General Information:	86
Congressionals:	54
Favor Program:	97
Against Program:	58

\*Civilians Furloughed who have sent in applications: 64  
 \*\*Military Home Parole who have sent in applications: 180



PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON

Statement by Chairman Charles E. Goodell  
November 29, 1974

---

The President has accepted the unanimous recommendation of the Presidential Clemency Board that executive clemency be granted to 18 individuals. He has granted 8 full and unconditional pardons and 10 conditional clemencies which will become full and unconditional pardons upon fulfillment of specified periods of alternate service.

The distribution of lengths of alternate service is as follows:

3 applicants for clemency	3 months of alternate service
5 applicants for clemency	6 months of alternate service
1 applicant for clemency	10 months of alternate service
1 applicant for clemency	12 months of alternate service

Over and over again in reviewing the cases before the Board, we have found that the applicants are **not** the stereotyped ideological war resisters.

For the most part, the draft violations which we have examined were **not** consciously and directly related to opposition to the Vietnam War. In the cases of Jehovah's Witnesses and some others, there was genuine conscientious objection to killing -- but these objectors generally did not know how to pursue their rights properly through the Selective Service system.

The other group are generally people who have had severe marital problems requiring immediate attention; the father who died leaving a family without any means of support, or the mother or wife who became acutely ill. Rather than being from educated and middle-class backgrounds, these individuals are unsophisticated, often inarticulate and unable to explain properly their problems. Basically, these people just didn't know how to take advantage of their **rights** under our legal system. They just didn't know how.

Based on the applications to the Presidential Clemency Board, it appears that the image we have held in the past of the typical Vietnam-era draft evader is just plain wrong.



Office of the White House Press Secretary

---

NOTICE TO THE PRESS

The Presidential Clemency Board has reviewed and evaluated applications from the following individuals and has recommended to the President of the United States that each person named receive an immediate pardon or clemency conditioned upon a period of alternative service.

The President has approved the following eighteen persons:

Alford, Philip B.	10 months alternate service
Bartle, John V.	3 months alternate service
Charles, Johnny	Pardon
Covell, Richard J.	6 months alternate service
Del Pino, Valentin L.	6 months alternate service
Gee, William F.	6 months alternate service
Graham, Shelby B.	Pardon
Guerra, Jesse G.	Pardon
Hale, David L.	6 months alternate service
Heflin, Thomas	3 months alternate service
Hyatt, Victor D.	Pardon
Kesler, Ronald E.	6 months alternate service
Lemons, John E.	Pardon
Lineback, Donald R.	Pardon
Lopes, Robert E.	Pardon
Slater, William C.	12 months alternate service
Toth, Robert F.	Pardon
Wallington, Bruce	3 months alternate service

# # #



PRESIDENTIAL REMARKS FOR

CLEMENCY BOARD SIGNINGS

FRIDAY, NOVEMBER 29, 1974



ON SEPTEMBER 16, I ANNOUNCED MY PROGRAM OF CLEMENCY.

I AM PLEASED THAT ON THIS THANKSGIVING WEEKEND I AM ABLE TO

ANNOUNCE MY FIRST DECISIONS ON RECOMMENDATIONS OF THE

PRESIDENTIAL CLEMENCY BOARD INVOLVING EIGHTEEN INDIVIDUAL

CASES OF DRAFT EVASION ~~OR DESERTION.~~

I WANT TO THANK EACH OF YOU HERE FOR SHARING THIS  
CEREMONIAL MOMENT. I ALSO WANT TO THANK THE  
CLEMENCY BOARD MEMBERS FOR THEIR HARD WORK.

SIGNING CEREMONIES OFTEN MARK THE END OF A PROJECT.

BUT TODAY THESE SIGNINGS REPRESENT THE BEGINNING OF THE

DIFFICULT TASK OF ADMINISTERING CLEMENCY. INSTEAD OF

SIGNING THESE DECISIONS IN A ROUTINE WAY, I WANT TO USE

THIS OCCASION TO UNDERLINE THE COMMITMENT OF MY ADMINISTRATION

TO AN EVEN-HANDED POLICY OF CLEMENCY.



WHEN I INITIATED THIS POLICY, I DETAILED THE REASONS  
FOR MY DECISION ON THIS VERY DIFFICULT PROBLEM. I CONSIDER  
THEM AS VALID TODAY AS WHEN I FIRST ANNOUNCED THEM. WE DO  
NOT RESOLVE DIFFICULT ISSUES BY IGNORING THEM.

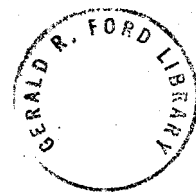
THERE ARE HONEST DIFFERENCES THAT WILL CONTINUE TO BE  
DISCUSSED. BUT DISCUSSION MUST NOT OVERSHADOW THE NEED  
FOR ACTION AND FAIR AND OPEN RESOLUTION OF THE CLEMENCY PROBLEM.



OF THE EIGHTEEN RECOMMENDATIONS THE BOARD HAS MADE  
TO ME, I HAVE REVIEWED EACH ONE AND HAVE PERSONALLY APPROVED  
EACH ONE. INFORMATION ON THESE CASES WILL BE MADE AVAILABLE  
BY THE PRESS OFFICE. I BELIEVE THIS MORE DETAILED INFORMATION  
WILL HELP TO EXPLAIN THE BASIS FOR MY DECISION IN EACH INSTANCE.  
OF COURSE, CONSIDERABLE MORE INFORMATION WAS AVAILABLE TO THE  
BOARD AND TO ME ON WHICH TO BASE THESE DECISIONS. BUT TO MAKE  
PUBLIC THE COMPLETE FILE ON EACH INDIVIDUAL WOULD BE A NEGATION  
OF HIS RIGHT TO PRIVACY.

AS YOU WILL SEE, SOME ACTED BECAUSE THEY DIDN'T UNDERSTAND THEIR LEGAL OBLIGATIONS. SOME WERE TOO POOR OR TOO UNSCHOOLED OR TOO IMMATURE TO UNDERSTAND THE IMPORT OF THEIR ACTIONS. OTHERS FOUND IT DIFFICULT TO CONFORM TO THE LAW'S REQUIREMENTS FOR REASONS OF CONSCIENCE OR RELIGION OR BACKGROUND.

IN EACH CASE, HOWEVER, THE LAW WAS VIOLATED AND  
EACH HAS RECEIVED PUNISHMENT. THE POWER OF CLEMENCY  
CAN LOOK TO REASONS FOR THESE ACTIONS WHICH THE LAW CANNOT.  
UNLIKE GOD'S LAW, MAN'S LAW CANNOT PROBE INTO THE HEART OF  
HUMAN BEINGS. THE BEST WAY WE CAN DO THIS IS TO OFFER  
CLEMENCY AND TO PROVIDE A WAY FOR OFFENDERS TO EARN THEIR  
WAY BACK INTO THEIR RIGHTFUL PLACE IN SOCIETY BY ~~ALTERNATE~~  
~~SERVICE.~~



LAST WEEK, I TRAVELED OVERSEAS IN SEARCH FOR PEACE.

YET WE CANNOT EFFECTIVELY SEEK PEACE ABROAD WITH OTHER NATIONS --

UNTIL WE HAVE MADE PEACE AT HOME. WHILE AMERICA REACHES

OUT TO THOSE WITH WHOM WE HAVE DISAGREED IN THE PAST,

WE MUST DO NO LESS WITHIN OUR OWN NATION. SOMETIMES IT

SEEMS EASIER FOR US TO FORGIVE FOREIGN ENEMIES THAN FELLOW

AMERICANS AT HOME.

LET US CONTINUE TO SEARCH FOR A SOFTENING OF THE  
NATIONAL ANIMOSITY CAUSED BY DIFFERENCES OVER THE VIETNAM WAR.

WE WILL NOT FORGET THE SACRIFICES OF THOSE WHO SERVED  
AND DIED IN VIETNAM. IN THEIR HONOR, AMERICA MUST SEEK  
WAYS TO LIVE UP TO THE IDEALS OF FREEDOM AND CHARITY THEY  
FOUGHT TO PRESERVE.

THESE FIRST FEW DECISIONS DO NOT END THE UNFINISHED

BUSINESS OF CLEMENCY. THE CONTROVERSY IS NOT STOPPED

WITH THE STROKE OF A PEN. BUT THE TASK OF FORMAL

FORGIVENESS IS UNDERWAY. I HOPE IT MARKS THE BEGINNING

OF PERSONAL FORGIVENESS IN THE HEARTS OF ALL AMERICANS

TROUBLED BY VIETNAM AND ITS AFTERMATH.

END OF TEXT

CS3A

CLEMENCY 11-29

BY DAVID E. ANDERSON

WASHINGTON (UPI) -- PRESIDENT FORD PROMISED TO ANNOUNCE HIS DECISION TODAY ON THE THE FIRST GROUP OF VIETNAM WAR CLEMENCY RECOMMENDATIONS SENT TO THE WHITE HOUSE BY THE NEW PRESIDENTIAL CLEMENCY BOARD.

THE BOARD, HEADED BY FORMER SEN. CHARLES GOODELL OF NEW YORK, SAID EARLIER THAT THE CASES OF SOME DRAFT '85 RESISTERS -- WHO WERE IN PRISON WHEN FORD ANNOUNCED HIS CLEMENCY PROGRAM SEPT. 15 -- HAD BEEN SENT TO THE WHITE HOUSE.

THE MEN INVOLVED WERE RELEASED FROM JAIL TEMPORARILY AFTER THE CLEMENCY OFFER PENDING FURTHER ACTION IN THEIR CASES.

BOARD OFFICIALS HOPE THE PRESIDENT'S ACTIONS WOULD BOLSTER THE PROGRAM, WHICH HAS BEEN SEVERELY CRITICIZED BY LEGAL AND PEACE GROUPS AND HAS DRAWN FEWER APPLICANTS THAN EXPECTED AMONG THOSE POTENTIALLY ELIGIBLE.

A SPOKESMAN FOR THE BOARD SAID IT HAD RECEIVED A TOTAL OF ABOUT 300 APPLICATIONS FOR CLEMENCY OUT OF A TOTAL POTENTIAL OF MORE THAN 100,000 APPLICANTS.

THE CLEMENCY BOARD DEALS ONLY WITH CIVILIANS AND MILITARY PERSONNEL WHO HAVE ALREADY BEEN CONVICTED OF VIETNAM-WAR RELATED OFFENSES, USUALLY DRAFT RESISTANCE OR DESERTION.

ONE ORGANIZATION OF VOLUNTEER LAWYERS REPRESENTING APPLICANTS BEFORE VARIOUS CLEMENCY AGENCIES RECENTLY WITHDREW FROM PARTICIPATION IN THE AMNESTY PROGRAM.

THE CLEMENCY-AMNESTY LAW COORDINATING OFFICE SAID IN A LETTER TO FORD THAT "AS TIME PASSED ... IT HAS BECOME CLEAR THAT THERE ARE CERTAIN FUNDAMENTAL FLAWS AND SHORTCOMINGS IN THE PROGRAM WHICH ARE THWARTING OUR EFFORTS TO PROVIDE EFFECTIVE COUNSEL AND REPRESENTATION."

ONE OF THE ORGANIZATION'S CHIEF DEMANDS HAD BEEN WAS THAT BOTH CIVILIAN AND MILITARY APPLICANTS "BE GRANTED FULL AND UNCONDITIONAL PARDONS FOR CONVICTIONS RELATED TO WAR RESISTANCE."

BUT A SPOKESMAN NOTED THE BOARD CAN MAKE NO FINAL DECISION IN CASES OF THOSE APPLYING FOR CLEMENCY, BUT ONLY MAKE RECOMMENDATIONS TO FORD.

UPI 11-29 10:17 AES



2095  
Clemencyzzc06ylvyyx

WASHINGTON AP - President Ford arranged today to sign his first grants of executive clemency, and perhaps some unconditional pardons, of convicted military deserters and draft evaders.

The Presidential Clemency Board earlier this week recommended an undisclosed number of cases for action by Ford, a board spokeswoman said. Board chairman Charles E. Goodell had said last week that 62 cases were being examined.

All 62 men had been furloughed from federal prisons or military stockades while seeking clemency.

The White House signing ceremony early this afternoon was to be followed by a news briefing by Goodell, and individual summaries of the cases recommended to Ford were to be released, the spokeswoman said.

The board is empowered to recommend executive clemency, including commutation of sentence and either unconditional pardon or pardon conditioned on alternative civilian service.

Goodell disclosed last week, the halfway point of the clemency program, that only 7.4% of the more than 100,000 men convicted of military absence or draft violations had filed applications with his board.

He called those figures "greatly disappointing," but said he expected the response to grow after the eligible men understood the program and realized that "they have nothing to lose," by seeking clemency.

Goodell said the board had concentrated during its first weeks on getting its ground rules established.

The clemency program is open only to those persons who have been convicted of absence or draft charges. Those still awaiting trial may sign up for alternative civilian service under auspices of the Justice Dept. and alternative service programs last Sept. 16 and set Jan. 31 as the deadline for submitting applications.

081223 11-80





PRESIDENTIAL REMARKS FOR

CLEMENCY BOARD SIGNINGS

FRIDAY, NOVEMBER 29, 1974



ON SEPTEMBER 16, I ANNOUNCED MY PROGRAM OF CLEMENCY.

I AM PLEASED THAT ON THIS THANKSGIVING WEEKEND I AM ABLE TO

ANNOUNCE MY FIRST DECISIONS ON RECOMMENDATIONS OF THE

PRESIDENTIAL CLEMENCY BOARD INVOLVING EIGHTEEN INDIVIDUAL

CASES OF DRAFT EVASION OR DESERTION.

I WANT TO THANK EACH OF YOU HERE FOR SHARING THIS

CEREMONIAL MOMENT. I ALSO WANT TO THANK THE

CLEMENCY BOARD MEMBERS FOR THEIR HARD WORK.

SIGNING CEREMONIES OFTEN MARK THE END OF A PROJECT.

BUT TODAY THESE SIGNINGS REPRESENT THE BEGINNING OF THE

DIFFICULT TASK OF ADMINISTERING CLEMENCY. INSTEAD OF

SIGNING THESE DECISIONS IN A ROUTINE WAY, I WANT TO USE

THIS OCCASION TO UNDERLINE THE COMMITMENT OF MY ADMINISTRATION

TO AN EVEN-HANDED POLICY OF CLEMENCY.

WHEN I INITIATED THIS POLICY, I DETAILED THE REASONS  
FOR MY DECISION ON THIS VERY DIFFICULT PROBLEM. I CONSIDER  
THEM AS VALID TODAY AS WHEN I FIRST ANNOUNCED THEM. WE DO  
NOT RESOLVE DIFFICULT ISSUES BY IGNORING THEM.

THERE ARE HONEST DIFFERENCES THAT WILL CONTINUE TO BE  
DISCUSSED. BUT DISCUSSION MUST NOT OVERSHADOW THE NEED  
FOR ACTION AND FAIR AND OPEN RESOLUTION OF THE CLEMENCY PROBLEM.



OF THE EIGHTEEN RECOMMENDATIONS THE BOARD HAS MADE  
TO ME, I HAVE REVIEWED EACH ONE AND HAVE PERSONALLY APPROVED  
EACH ONE. INFORMATION ON THESE CASES WILL BE MADE AVAILABLE  
BY THE PRESS OFFICE. I BELIEVE THIS MORE DETAILED INFORMATION  
WILL HELP TO EXPLAIN THE BASIS FOR MY DECISION IN EACH INSTANCE.  
OF COURSE, CONSIDERABLE MORE INFORMATION WAS AVAILABLE TO THE  
BOARD AND TO ME ON WHICH TO BASE THESE DECISIONS. BUT TO MAKE  
PUBLIC THE COMPLETE FILE ON EACH INDIVIDUAL WOULD BE A NEGATION  
OF HIS RIGHT TO PRIVACY.

AS YOU WILL SEE, SOME ACTED BECAUSE THEY DIDN'T UNDERSTAND THEIR LEGAL OBLIGATIONS. SOME WERE TOO POOR OR TOO UNSCHOOLED OR TOO IMMATURE TO UNDERSTAND THE IMPORT OF THEIR ACTIONS. OTHERS FOUND IT DIFFICULT TO CONFORM TO THE LAW'S REQUIREMENTS FOR REASONS OF CONSCIENCE OR RELIGION OR BACKGROUND.

IN EACH CASE, HOWEVER, THE LAW WAS VIOLATED AND EACH HAS RECEIVED PUNISHMENT. THE POWER OF CLEMENCY CAN LOOK TO REASONS FOR THESE ACTIONS WHICH THE LAW CANNOT. UNLIKE GOD'S LAW, MAN'S LAW CANNOT PROBE INTO THE HEART OF HUMAN BEINGS. THE BEST WAY WE CAN DO THIS IS TO OFFER CLEMENCY AND TO PROVIDE A WAY FOR OFFENDERS TO EARN THEIR WAY BACK INTO THEIR RIGHTFUL PLACE IN SOCIETY BY ALTERNATE SERVICE.



LAST WEEK, I TRAVELED OVERSEAS IN SEARCH FOR PEACE.

YET WE CANNOT EFFECTIVELY SEEK PEACE ABROAD WITH OTHER NATIONS --

UNTIL WE HAVE MADE PEACE AT HOME. WHILE AMERICA REACHES

OUT TO THOSE WITH WHOM WE HAVE DISAGREED IN THE PAST,

WE MUST DO NO LESS WITHIN OUR OWN NATION. SOMETIMES IT

SEEMS EASIER FOR US TO FORGIVE FOREIGN ENEMIES THAN FELLOW

AMERICANS AT HOME.

LET US CONTINUE TO SEARCH FOR A SOFTENING OF THE  
NATIONAL ANIMOSITY CAUSED BY DIFFERENCES OVER THE VIETNAM WAR.

WE WILL NOT FORGET THE SACRIFICES OF THOSE WHO SERVED

AND DIED IN VIETNAM. IN THEIR HONOR, AMERICA MUST SEEK

WAYS TO LIVE UP TO THE IDEALS OF FREEDOM AND CHARITY THEY

FOUGHT TO PRESERVE.

THESE FIRST FEW DECISIONS DO NOT END THE UNFINISHED

BUSINESS OF CLEMENCY. THE CONTROVERSY IS NOT STOPPED

WITH THE STROKE OF A PEN. BUT THE TASK OF FORMAL

FORGIVENESS IS UNDERWAY. I HOPE IT MARKS THE BEGINNING

OF PERSONAL FORGIVENESS IN THE HEARTS OF ALL AMERICANS

TROUBLED BY VIETNAM AND ITS AFTERMATH.

END OF TEXT

Case #2

This applicant is white, and is now in his mid-twenties. He was raised in the Midwest, in a deeply religious family of Jehovah's Witnesses. After graduating from high school, he devoted two years to full-time church work. He married and worked steadily as a carpenter. His draft board granted him conscientious objector status, and he was assigned to work in a hospital. Although he reported there, he refused to work. His religion does not allow him to obey an order from his draft board, because the Selective Service is considered part of the military. He would have performed alternative service if ordered to do so by a Judge. He was sentenced to 3 years in prison. He has spent almost a full year in confinement.

Disposition: Pardon.



Case #6

This applicant is white and the product of a stable and religious home. He was graduated from high school and is married. His draft board granted him a draft deferment as a minister of the Jehovah's Witness faith. Financial problems caused him to leave the ministry briefly, and his draft board reclassified him as a conscientious objector. Based on his religious belief that any cooperation with the Selective Service System is immoral, the applicant refused to comply with his draft board's order to report for alternative service. He was convicted and sentenced to 2 years in prison, of which he has served eight months.

Disposition: Pardon.

Case #7

This applicant is white and married. He was born in the south and is one of eight children. He comes from a broken home and has had to be self-sufficient since he was very young. He dropped out of school in the 11th grade. He moved often but did not always tell his draft board of his new addresses. He was tried for failing to report his address and pleaded guilty. However, he explained that the draft had ended and he thought it was no longer necessary to contact his draft board. As a result, he was given a two-year suspended sentence on condition that he work for six months in a non-profit charitable job. He has satisfactorily completed that work.

Disposition: Pardon.

Case #9

This applicant is white and in his mid-twenties. He grew up in a large family from Appalachia. He completed junior college, met a Jehovah's Witness missionary, converted, and married her. He then applied for conscientious objector status. His claim was denied because it was made after he received his induction notice. He reported for induction but failed to step forward and take the oath. He turned himself in and stated that he would do alternative service. However, he was given a 3 1/2 year sentence. He has now served 11 months.

Disposition: Pardon.

Case #15

This applicant is black, and from the south. He has been steadily employed since graduating from high school. His entire family is of the Muslim faith, which prohibits military or alternative service. The applicant reported for induction but thereafter refused to step forward. He was sentenced to three years in prison, of which he has served five months.

Disposition: Pardon.



Case #16

This applicant is white and in his late twenties. He was born in South America to parents who were United States citizens. He finished high school and started junior college. He is married and his wife is expecting their second child. He claimed he was against the Vietnam War and all wars, but he was denied his conscientious objector status. When ordered for induction, he appeared but refused to step forward. He said that he loved his country and would perform alternative service. He was sentenced to two years in prison and has served 8 months.

Disposition: Pardon.

Case #20

This applicant is black, grew up in the Midwest, and provides a major part of his mother's support. His mother has been a semi-invalid since being severely burned many years ago. He did not finish the tenth grade. On the day prior to his induction date, he requested, but was denied, postponement of induction due to his mother's illness. He failed to report for induction and was later convicted and sentenced to three years in prison. At the time of sentencing, the applicant said he was willing to join the Army or perform alternative service. During his 13 months incarceration, he has participated in an unescorted overnight furlough program.

Disposition: Pardon.

Case #21

This applicant is white, and grew up in the Midwest. He has been an active Jehovah's Witness since the age of nine. His draft board granted him conscientious objector status, but he refused to perform alternative service, since to do so would have compromised his religious beliefs. He was sentenced to three years imprisonment and he has been actively involved in his religion during the 10 months he has spent in prison.

Disposition: Pardon.

Case #5

This applicant is white, single and from the Midwest. He only completed the 10th grade. Although he twice applied for conscientious objector status, it was denied on both occasions. He then failed to report for induction. Although he later reported, he refused to step forward. He remained in the area and stood trial. He has served one year of a 4 to 6 year sentence under the provisions of the Federal Youth Corrections Act.

Disposition: Executive Clemency, 3 months alternative service.

Case #17

This applicant is white and in his middle twenties. He was raised in the Eastern United States in a closely knit family. The applicant is a college graduate, and has participated in a Peace Corps training program. He was ordered to report for induction but claims that he did not report because there was no draft call that month. He remained in school and ultimately earned a teaching certificate. He states that he did not hear again from his draft board. It appears that he never attempted to evade authorities. The applicant stood trial for failure to report for induction and was sentenced to 60 days in prison. He served twenty days.

Disposition: Executive Clemency, 3 months alternative service.

Case #25

This applicant is black and in his mid-twenties. He completed 3 years of college and then went to Canada because he did not agree with the war in Vietnam. After 18 months, he returned voluntarily "to work things out". A few months later, he married his college sweetheart. He says he was told that his case would be dropped if he reported for induction. The draft ended before he could meet this condition. He tried to enlist in the National Guard but was rejected. He was sentenced to 3 years in prison and has served 8 1/2 months.

Disposition: Executive Clemency, 3 months alternative service.

Case #4

This applicant is white and comes from a large family in the Midwest. His parents were divorced when he was young. He left high school after the 11th grade and went to work as a store clerk. He failed to report for his physical when ordered. Six months later, he converted to the Jehovah's Witness faith, and then refused to appear for induction. He was convicted and sentenced to 5 years. He has now served 10 months.

Disposition: Executive Clemency, 6 months alternative service.

Case #8

This applicant, who is white and married, grew up in the Northeast in a large religious family. Shortly before his notice of induction, he moved to California where he attended one semester at a junior college. He has stated that he refused to report for induction because of his strong feelings against killing, and that he later attempted to register as a conscientious objector with a draft board in California. Prior to his apprehension, he worked in a hospital for 1 1/2 years. He was convicted for failing to keep his local draft board informed of his current address. He was sentenced to thirty days in jail, to be served on weekends, and has served fourteen days of the sentence.

Disposition: Executive Clemency, 6 months alternative service.



Case #11

This applicant, in his middle twenties, is Mexican. His parents are divorced. He immigrated to the southwestern United States when he was a teenager and completed the 11th grade. He ran away from home. When he returned, he found out he was a fugitive because he had failed to report for induction. He turned himself in and was sentenced to a 4-6 year term. He served six months in prison. He desires to enlist in the United States Armed Forces and become an American citizen.

Disposition: Executive Clemency, six months alternative service.

Case #19

This applicant is white and in his middle twenties. His father died when he was young and he was raised by his mother, during which time the family moved frequently. He only had a 9th grade education. The applicant left home shortly before he was ordered to report for induction. About four years later, he was arrested and convicted of failure to keep his draft board informed of his address. He was sentenced to six months in prison, half of which has been served.

Disposition: Executive Clemency, 6 months alternative service.

Case #23

This applicant is black, in his mid-twenties and comes from the South. He never knew his natural parents and his step-father died when the applicant was in high school. His step-mother is severely ill and relies upon him for financial support. He lost his college deferment for failing to meet Selective Service requirements. He then applied for a hardship deferment based on his step-mother's illness but this was denied. He was sentenced to 3 years in prison and has served 6 months.

Disposition: Executive Clemency, 6 months alternative service.

Case #14

This applicant is white and is from the south. His draft board granted him conscientious objector status and he began alternative service in a hospital. He left this job after conflict with his superior, and was later arrested. He was released on bond, but failed to appear in court. When he was arrested a year and a half later, he was married and steadily employed. He was sentenced to two years in prison, and has served 7 months. His employer has promised to give the applicant his old job back upon his release.

Disposition: Executive Clemency, 10 months alternative service.

Case #18

This white applicant, in his early twenties, was raised in an unstable family environment in the Southeast. He dropped out of school in the 8th grade, and has since held jobs of short duration. He twice failed to report for a pre-induction physical examination. Thereafter, he was ordered to report for induction. The applicant failed to report and when located by the FBI, a year later, indicated that he had not intentionally evaded the draft. The U. S. Attorney advised him that if he joined the service within a month, he would not be prosecuted. The applicant responded that he would rather not serve in the Army and inquired as to civilian service. He then took Navy qualifying tests but was found unqualified for enlistment because of his low test scores and inadequate education. He was thereafter convicted of failing to report for induction and has served 4 days of his 2 year sentence.

Disposition: Executive Clemency, 1 year alternative service.

PRESIDENTIAL CLEMENCY BOARD  
Old Executive Office Building, Room 460  
Washington, D. C. 20500  
Office of the Press Secretary

Contact: Nia Nickolas 456-6476  
All Press Related Information

Contact: Joan Vinson 456-2791  
Public Relations, Speakers' Bureau

INFORMATION ON CLEMENCY PROCEDURES

On September 16, 1974, President Gerald R. Ford issued a Proclamation announcing a "Program for the Return of Vietnam Era Draft Evaders and Military Deserters", thereby establishing the Presidential Clemency Program. This Program was created in the hope of furthering the national commitment to justice and mercy wherein our Country could "bind the wounds" of the past and proceed to the future in a more conciliatory and unifying atmosphere.

There are three organizations involved in the Clemency Program: 1) The Presidential Clemency Board; 2) The Department of Defense; and 3) The Department of Justice. They cover offenses committed between August 4, 1964, and March 28, 1973. In all cases, applicants to all agencies must apply prior to January 31, 1975.

(Unconvicted Draft Evaders or Military Absentees)

I. THE PRESIDENTIAL CLEMENCY BOARD is comprised of nine members with former Senator Charles E. Goodell as Chairman. It deals only with those individuals who have received sentence or military discharge for their offense. There are two types of potential applicants-- those who have been convicted of a draft evasion offense and those who received a punitive or undesirable discharge from the Armed Forces because of a military absentee offense committed during the above specified dates. In reviewing cases, the Board is empowered to make recommendations to the President either granting or denying clemency. If the granting of clemency is recommended, such clemency may be conditioned upon the performance of alternate service. Such clemency may be in the form of a Pardon, a Clemency Discharge or Commutation of sentence.

(Unconvicted AWOLS, Deserters, or Those Who Have Missed Military Movement)

II. THE DEPARTMENT OF DEFENSE has jurisdiction over persons in military service who have gone AWOL, have deserted or have missed a military movement and have not yet been convicted or discharged. A serviceman wishing to avail himself of the Clemency Program should report to the branch of the service from which he absented himself. (Members of the Coast Guard should report to the Secretary of Transportation.) At the time an individual turns himself in, he reaffirms his allegiance to the United States and agrees to perform alternate service. He is given an Undesirable Discharge and is referred to the Director of Selective Service for assistance in placement in alternate service. Upon fulfillment of alternative service, his Undesirable Discharge will be upgraded to a Clemency Discharge.



(more)

(Unconvicted Draft Evaders)

III. THE DEPARTMENT OF JUSTICE has jurisdiction over unconvicted persons with outstanding violations of the Selective Service laws. An individual wishing to avail himself of this component of the Clemency Program must present himself to a United States Attorney before January 31, 1975, and execute an agreement acknowledging his allegiance to the United States and pledge to fulfill a period of alternate service under the auspices of the Director of Selective Service. Upon completion of that service, pending charges against an indicted individual will be dismissed. Non-indicted individuals will have their case files closed without charges being brought.

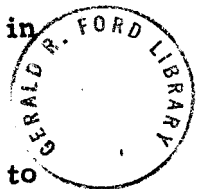
PRESIDENTIAL CLEMENCY BOARD  
Office of the Press Secretary  
202: 456-6476

OUTLINE OF  
PRESIDENTIAL CLEMENCY BOARD PROCEDURES

The Presidential Clemency Board has developed the following procedures to make certain that all applicants are fully aware of their rights when they take their cases to the Board:

Each applicant has -

- The right to an attorney. Applicants that are unable to obtain their own lawyer will be informed of organizations such as the American Legion, the Federal Public Defenders, etc., who may offer them legal assistance.
- The right to see the files that the Board uses to prepare his case.
- The right to suggest other government files that the Board should see.
- The right to review the summary of his case which the Board's attorneys have prepared.
- The right to correct, add, or supplement the information in the summary.
- The right to submit any information he desires the Board to consider.
- The right to submit a statement up to 3 pages in length which will be read to the Board verbatim.





- The right to appear personally, or by representative, in appropriate cases, to present his case in his own words.
- Full notice of the rules the Board will be governed by and the various factors the Board will consider in deciding his case.
- The assurance that the Board will preserve his privacy to the greatest extent possible. No information will be forwarded to other authorities unless it discloses information about a violation of law (except for Selective Service violations covered by the Clemency Program).

The Board will be guided in each case decision by the following factors:

Aggravating circumstances:

- (1) Prior adult criminal convictions.
- (2) False statements by the applicant to the Presidential Clemency Board.
- (3) Use of force by applicants when committing the AWOL, desertion, missing movement, or civilian draft evasion offense.
- (4) Desertion during combat.
- (5) Evidence that applicant committed the offense for obviously manipulative and selfish reasons.
- (6) Prior refusal to fulfill alternative service.
- (7) Prior violation of probation or parole requirements.

Mitigating circumstances:

- (1) Applicant's lack of sufficient education or ability to understand the obligations, or remedies available, under the law.
- (2) Personal and family hardship either at the time of the offense or at the time the applicant was to perform alternative service.
- (3) Mental or physical illness or condition, either at the time of the offense or currently.
- (4) Employment or volunteer activities of service to the public since conviction or military discharge.
- (5) Service-connected disability, wounds in combat, or decorations for valor in combat.
- (6) Tours of service in the war zone.
- (7) Substantial evidence of personal or procedural unfairness in the treatment of applicant.
- (8) Denial of conscientious objector status, or of another claim for Selective Service exemption or deferment, or of a claim for hardship discharge, compassionate reassignment, emergency leave, or other remedy available under military law, on procedural, technical, or improper grounds, or on grounds which have subsequently been held unlawful by the courts.

(9) Evidence that an applicant acted in conscience, and not for manipulative or selfish reasons.

(10) Voluntary submission to authorities by applicant.

In each case the applicant may receive a maximum of 24 months alternative service, reduced by credit for time served in prison, and for time for parole or probation or other periods of alternative service he has already completed satisfactorily.

In appropriate cases, alternative service will be reduced or waived entirely. The alternative service may also be increased if there are particularly aggravating circumstances. Any person who is not required to perform alternative service will receive an immediate full pardon. Any person required to do alternative service will receive clemency conditional upon satisfactory completion of their service. At that time they will also receive full pardons.

**NOTE:** The preceding is a condensed version of the complete Rules, Regulations, and Administrative Procedures of the Presidential Clemency Board published in the Federal Register, Volume 39, Number 230, November 27, 1974.

PRESIDENTIAL CLEMENCY BOARD  
THE WHITE HOUSE  
WASHINGTON

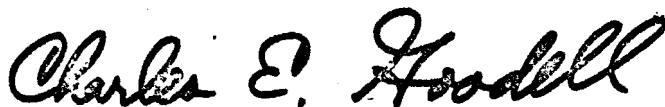
Dear Sir:

We understand that you may be interested in applying for clemency under the President's clemency program. Enclosed is an application form which you must return to us if you want your case considered by the Presidential Clemency Board. We have also enclosed materials which describe the procedure that the Board intends to use and some of the factors which it will consider in examining your case.

If you wish to apply, please complete the application form as soon as possible. You should also send us any information you consider favorable to your case. You can send it with your application, or as quickly afterwards as you can. When we receive your application and any additional papers you may want to submit, the Board will begin to review your case.

You will not have to appear personally before the Board. You may, however, call or see one of our staff and you are invited to add to your file whatever you think helpful. You do not need an attorney to apply for clemency, but we do suggest that you seek the advice of one. If you do not know how to get an attorney, we can tell you.

Sincerely,



Charles E. Goodell  
Chairman

Enclosures



PRESIDENTIAL CLEMENCY BOARD  
APPLICATION

I hereby apply to the Presidential Clemency Board for consideration.

NAME Last First Middle

Mailing Address City State Zip Code

Phone & Area Code Social Security No. Date of Birth

If you were convicted in federal civil court, or military court-martial, please describe the offense, give date of offense, and the date and place of conviction:

Location of prison where last confined \_\_\_\_\_

Former military personnel who were court-martialed or administratively discharged from a military service please complete the following:

Branch of Service \_\_\_\_\_ Military Service No. \_\_\_\_\_  
If Soc. Sec. No., please indicate

Year entered military \_\_\_\_\_ Date of Discharge \_\_\_\_\_

Type of Discharge \_\_\_\_\_ How awarded (check one):

Court-martial ( ) Admin. Discharge Board ( )

Own request to avoid trial ( )

Offenses on which Administrative Discharge based: \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

PRESIDENTIAL CLEMENCY BOARD

Office of the Press Secretary

202: 456-6476

BIOGRAPHIES OF THE  
MEMBERS OF THE PRESIDENTIAL CLEMENCY BOARD

CHAIRMAN CHARLES E. GOODELL, 48 Years of Age

From 1968 to 1970 he served as a United States Senator from New York. He is currently in the private practice of law. He was born in 1926 and is a graduate of Williams College and Yale Law School, with a Master's degree in government. While at Yale, he was a Ford Foundation Fellow. He resides in Northwest Washington.

DR. RALPH ADAMS, 59 Years of Age

Since 1964 he has been President of Troy State University in Troy, Alabama. He was born in Samson, Alabama in 1915, and received his A. B. degree at Birmingham-Southern College and his LL. B, LL. D, and J. D. degrees from the University of Alabama. He also has done postgraduate work at the University of Colorado and George Washington University. He is a Brigadier General with the Air National Guard of Alabama. He is married to the former Dorothy Kelly and they have three children.

MR. JAMES P. DOUGOVITO, 28 Years of Age

He presently serves as a teaching aide of minority students in the Department of Technology at Michigan Technological University in Houghton, Michigan. Mr. Dougovita is a veteran and has been awarded the Combat Infantryman Badge, Silver Star, Bronze Star, Purple Heart and is now a Captain in the Michigan National Guard. He was born in Menominee, Michigan on December 22, 1945, and received his AAS degree from Michigan Technological University in June of 1973. He and his wife Elaine have one child and live in L'Anse, Michigan.



HONORABLE ROBERT H. FINCH, 51 Years of Age

He is a senior partner in the Los Angeles Law Firm of McKenna, Fitting, and Finch. He was born on October 9, 1925, in Tempe, Arizona and received his A. B. degree from Occidental College and J. D. degree from the University of Southern California. He was formerly Secretary of HEW, and Counsellor to President Nixon. He is married to the former Carol Crouthers and they have four children.

FATHER THEODORE M. HESBURGH, 57 Years of Age

He is the President of Notre Dame University. ~~He was born in 1917.~~ He was a permanent Vatican Delegate to the International Atomic Energy Agency. He has served as Chairman of the U. S. Commission on Civil Rights and as a member of the Commission on All-Volunteer Armed Force. Father Hesburgh is also Chairman of the Overseas Development Council.

MR. VERNON E. JORDAN, 39 Years of Age

He has been Executive Director of the National Urban League since January 1, 1972. Mr. Jordan is a lawyer by profession and served previously as the Executive Director of the United Negro College Fund, Director of the Voter Education Project, Southern Regional Council, and as Attorney-Consultant in the U. S. Office of Economic Opportunity. He was born on August 15, 1935, in Atlanta, Georgia, and received his B.A. degree from DePauw University in 1957. He received his J.D. degree from Howard University Law School in 1960, and was a Fellow at the Institute of Politics at Harvard University and a Fellow at the Metropolitan Applied Research Center. He is married to the former Shirley M. Yarbrough and they have one daughter. They reside in White Plains, New York.

MR. JAMES MAYE, 31 Years of Age

Since 1973, he has served as the Executive Director of the Paralyzed Veterans of America, Inc. He was born on January 14, 1943 in Bassett, Virginia, and received his B.A. degree from Bridgewater College and his M.S. degree from Virginia Commonwealth University. He is married and resides in Silver Spring, Maryland.

MRS. AIDA O'CONNOR, 52 Years of Age

She is a practicing attorney at the Two World Trade Center in New York City. She was born in 1922, and received her B.A. degree and LL. B. degree from the George Washington University. She is a member of the American Bar Association and the Supreme Court of the United States. Mrs. O'Connor is also a member of the Supreme Court of Puerto Rico and the U. S. District Court of Puerto Rico.

GENERAL LEWIS W. WALT, USMC (Ret), 61 Years of Age

He retired after 34 years of distinguished service in the Marine Corps and is a veteran of the Second World War, the Korean and Vietnamese Wars. He was an Assistant Commandant of the Marine Corps. He has received the Navy Cross, Silver Star, Legion of Merit, Bronze Star, the Purple Heart, and numerous other military decorations. He was born on February 16, 1913, in Wabaunsee County, Kansas, and received his B. S. degree from Colorado State University in 1936. General Walt is married to the former June Burkett Jacobsen and they reside in Colorado Springs, Colorado.