

The original documents are located in Box 1, folder “Cleaver, Eldridge” of the National Security Advisor, Presidential Name File at the Gerald R. Ford Presidential Library.

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Ed - Hold closely

Confidential material attached

Dear Carl:

Please excuse my lengthy delay in responding to your letter of May 5. It was not for want of interest, but I find that the wheels of bureaucracy grind exceedingly slow in matters of this nature.

As I am sure you know, Eldridge Cleaver has gone public with very much the same line which he presented to you. I am not sure how to assess the significance of that, but I am inclined to feel it probably serves to enhance the chances that he is sincere.

Careful consultations and review with both Justice and the Counsel here have produced the following suggestion for a reply to your query:

"The suggestion you have made presents a very interesting prospect and one that should be explored. However, except for Federal jurisdiction arising out of flight from the applicable jurisdiction to escape prosecution, the primary jurisdiction would be with the state of California. Under these circumstances, it would be better for someone representing Mr. Cleaver to contact the prosecutor's office in California where the charges are pending to see whether that office would agree to meet Mr. Cleaver's desire that he not be incarcerated pending trial. Through the same method it could be determined whether there are any other state charges that might be brought against Mr. Cleaver should he return. Another issue that would probably have to be resolved is the matter of reimbursing the bonding company, if there was one, for any forfeiture which may have occurred.

"Only after satisfactory arrangements have been made with the state authorities would we be able to consider the Federal aspects of the matter."



I am not sure whether or not you will find this helpful. I would be pleased to do whatever else I can to assist in what could be a worthwhile enterprise. If there is anything more you think would be helpful, please let me know. In any event, I would appreciate hearing what further steps you and Eldridge may take.

With warm personal regards.

Sincerely,



Brent Scowcroft
Lieutenant General, USAF
Deputy Assistant to the President
for National Security Affairs

Mr. Carl F. Salans
Law Offices of Samuel Pizar
20, Place de la Madeleine
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THE WHITE HOUSE

WASHINGTON

June 10, 1975

MEMORANDUM FOR: Brent Scowcroft

FROM: Phil Buchen *P.W.B.*



Returned with this memorandum is the original you sent of a letter written to you on May 5 from Carl F. Salans about Eldridge Cleaver.

After consulting with Deputy Attorney General Tyler, my suggestion is that you reply to Mr. Salans substantially as follows:

"The suggestion you have made presents a very interesting prospect and one that should be explored. However, except for Federal jurisdiction arising out of flight from the applicable jurisdiction to escape prosecution, the primary jurisdiction would be with the state of California. Under these circumstances, it would be better for someone representing Mr. Cleaver to contact the prosecutor's office in California where the charges are pending to see whether that office would agree to meet Mr. Cleaver's desire that he not be incarcerated pending trial. Through the same method it could be determined whether there are any other state charges that might be brought against Mr. Cleaver should he return. Another issue that would probably have to be resolved is the matter of reimbursing the bonding company, if there was one, for any forfeiture which may have occurred.

Only after satisfactory arrangements have been made with the state authorities would we be able to consider the Federal aspects of the matter."

Determined to be an administrative marking
Cancelled per E.O. 12356, Sec. 1.3 and
Archivist's memo of March 16, 1983

By KBH NARS date 3/6/91

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May 5, 1975

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Lieutenant General Brent Scowcroft
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Re: Eldridge Cleaver

Dear Brent:

It was good to talk to you last Wednesday during my visit in Washington, although I felt terribly guilty intruding into your time at such a crisis point in Vietnam. As agreed, I am writing this letter to give you the essential points regarding Eldridge Cleaver's desire to return to the United States.

Mr. Cleaver came to see me several weeks ago with the following story. He had been indicted in 1968 by a California grand jury for assault against police officers with intent to commit murder arising out of an incident that occurred on April 6, 1968. At the time, he was on parole from a prior imprisonment. Pending trial for this new charge, he had been released from jail on a writ of habeas corpus; but when an appeals court reversed this decision and ordered him to surrender to prison officials, he jumped bail and left the United States.

Since that time, he has been living in Cuba, Algeria, and now France. He has also travelled to the Soviet Union, China, North Korea and North Vietnam, among other places, during his seven years absence from the States.

Mr. Cleaver says, in effect, that he has been all around the radical world and has become disenchanted with it. He has rejected the Marxist-Leninist world view which he formerly advocated. He no longer wants to tear down the American system; he wants to come home and live with it. Nor does he any longer want to separate black people from the system. While other political radicals are seeking to destroy our system, says Cleaver, most of them have not been exposed to the radical undemocratic

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systems they seek to emulate as he has. He has seen them, and they are not so great after all. He has come to realize the importance of democratic institutions and processes in the life of a nation. He is optimistic about the United States, and while he still advocates change, he no longer advocates political violence.

Mr. Cleaver has already been speaking out publicly along these lines and if he is able to return to the United States, he will continue to do so.

As regards his return, he says he is willing to stand trial in California for the charges pending against him. His only real condition is that he does not want to be thrown in jail pending the trial and its conclusion. He would also like to determine whether there are any other Federal or State charges that may be brought against him should he return.

The idea which I had was that it might not be bad for the United States, particularly in the current rather depressed state of affairs, for Cleaver to "come back into the fold" saying that he has been everywhere else and has concluded that the United States is still the land of opportunity. This might be particularly fitting in the bicentennial year. It also coincides with President Ford's effort to turn the American people away from recriminations and despair about the past to the hope and opportunities which America offers for the future.

I have discussed this with Elliot Richardson who reacted favorably and encouraged me to talk with you and with authorities in the State of California and in the Justice Department. At this stage, I have done nothing more than to make the preliminary contact with you; and as I understood it, you would prefer to make some discreet soundings of your own prior to my doing anything further.

I am convinced that if the proper circumstances can be created for Cleaver's return to the United States, the fact of his voluntary return and the public statements he would make as to why he was returning could, coming from him, have a significant impact in bolstering confidence in the United States not only among Americans but abroad as well.

As for my own role, while I am not a criminal lawyer, it occurred to me that it might be better for me to represent Mr. Cleaver in

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this matter rather than having the usual radical representation. I would gladly play such a role -- without publicity -- if there is any public interest in the course of action I am suggesting in this letter.

I will await word from you regarding your preliminary soundings and, if they are positive, perhaps you could suggest what next steps should be taken. The American Embassy in Paris knows how to contact me so that if you wish to use that channel of communication, please do so. I would only suggest that in that case, you slug your messages "eyes only" for Galen Stone, who is the DCM, or Bill Connett, Chief of the Consular section, in order to preserve the confidentiality of the exchanges because I don't believe publicity will be helpful.

With many thanks for your assistance and best personal regards to you.

Sincerely yours,

Carl

Carl F. Salans

CFS:tj

