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(Bakshian/Tropp)PT

December 26, 1974

6/1/74

PRESIDENTIAL CLEMENCY STATEMENT

The first Christmas marked the beginning of a spirit of charity and love that has inspired the human race ever since.

At this Christmas season, nearly two thousand years later, we have an opportunity to close, in a small way, some of the ~~wounds~~ wounds left by the Vietnam War.

With this in mind, and in keeping with the commitment I made to the American people on September 16th, I have today accepted the second group of recommendations of the Presidential Clemency Board.

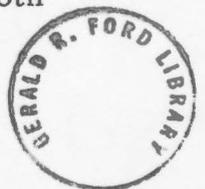
I have today signed pardons under the clemency program for 19 civilians who have never served in uniform -- nine of these effective immediately, and 10 of them conditional upon the recipients earning their way back into society by alternate service.



In addition, I have formally accepted the Board's recommendations for clemency for 29 former servicemen, including 26 whose pardons will be conditional on their completing alternate service.

These former servicemen still have available to them military appellate mechanisms for review of their earlier convictions. Since I do not intend to impair or prejudice their access to that legal process, I have not signed the formal instruments of clemency at this time. ^I~~and~~ will not do so until and unless the convictions ~~will~~ have become final, and the resulting punitive and undesirable discharges ~~will~~ have been executed.

Each of these cases involves ^{an individual}~~a human being~~ -- a judgment of his past and a determination of his future. The responsibility in each decision is a grave one. The Board and I have carefully considered each case on its individual merits. I believe we have acted with both justice and mercy.



On my part, I tried to use a simple yardstick. It is in the spirit of the New Testament (Ephesians 4:32) which enjoins:

"Be ye kind to one another, tenderhearted, forgiving one another, even as God for Christ's sake hath forgiven you. "

As a Nation that reflects the brotherhood of man under the fatherhood of God, we pride ourselves on our justice as well as our mercy. In considering the Board's recommendations, these were the qualities I sought. And it is particularly fitting that this action be announced in this season of celebration of the birth of the Prince of Peace.

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THE WHITE HOUSE

WASHINGTON

December 26, 1974

MEMORANDUM FOR: JACK MARSH
FROM: JAY FRENCH
SUBJECT: RECOMMENDATIONS FROM THE
PRESIDENTIAL CLEMENCY BOARD

The Presidential Clemency Board has forwarded its most recent recommendations. Some cases involved military absentees and others involved Selective Service Act violators.

It is my recommendation that the President sign the pardon warrants for Selective Service Act violators attached in Tab A. These warrants are similar to ones which he signed on an earlier occasion.

With regard to the cases involving Uniform Code of Military Justice violators, I urge the President to accept all these recommendations by signing the letter to Chairman Goodell which is attached in Tab B. The pardon warrants for these individuals should not be issued until completion of final statutory appellate review procedures.

The Presidential Clemency Board requests that a Presidential statement be released concurrent with these actions and one is provided for this purpose in Tab C.

The full text of the pardon warrants may be released, although, the list of names attached to each warrant should not be released to the press. The Press Office should release the "case histories," in Tab D. Selective Service Act violators cases are denoted by a "C" and military cases by a "M" after the case number.

The letter from the President to Chairman Goodell should not be released to the press.



PRESIDENTIAL CHRISTMAS CLEMENCY STATEMENT

The first Christmas marked the beginning of a spirit of charity and love that has inspired the human race ever since.

At this Christmas season, nearly two thousand years later, we have an opportunity to close, in a small way, some of the wounds left by the Vietnam War.

With this in mind, and in keeping with the commitment I made to the American people on September 16th, I have today accepted the second group of recommendations of the Presidential Clemency Board.

I have today signed pardons under the clemency program for 19 civilians who have never served in uniform -- nine of these effective immediately, and ten of them conditional upon the recipients earning their way back into society by alternate service. In addition, I have formally accepted the Board's recommendations for clemency for 29 former servicemen, including 26 whose pardons will be conditional on their completing alternate service.

These former servicemen still have available to them military appellate mechanisms for review of their earlier convictions. Since I do not intend to impair or prejudice their access to that legal process, I have not signed the formal instruments of clemency at this time. I will not do so until and unless the convictions will have become final, and the resulting punitive and undesirable discharges will have been executed.

Each of these cases involves an individual -- a judgement of his past and a determination of his future. The responsibility in each decision is a grave one. The Board and I have carefully considered each case on its individual merits. I believe we have acted with both justice and mercy.

On my part, I tried to use a simple yardstick. It is in the spirit of the New Testament (Ephesians 4:32) which enjoins: "Be ye kind to one another, tenderhearted, forgiving one another, even as God for Christ's sake hath forgiven you."

As a Nation that reflects the brotherhood of man under the fatherhood of God, we pride ourselves on our justice as well as our



mercy. In considering the Board's recommendations, these were the qualities I sought. And it is particularly fitting that this action be announced in this session of celebration of the birth of the Prince of Peace.



December 26, 1974

MEMORANDUM TO: THE PRESIDENT
FROM: JACK MARSH
SUBJECT: CLEMENCY RECOMMENDATIONS

The Presidential Clemency Board has forwarded its most recent recommendations. These cases involve convicted military absentees and Selective Service Act violators.

With regard to the recommendations concerning Uniform Code of Military Justice violators, I urge you to sign the enclosed letter to Chairman Goodell indicating you accept these findings. Pardons will be signed by you at a later date when final mandatory review procedures have been completed.

With regard to the recommendations concerning Selective Service Act violators, I urge you to sign the enclosed pardon warrants. These warrants are similar to ones you have already signed.

The White House Counsel's Office and the Defense and Justice Departments concur in these recommendations.

JF:cb



FOR: THE PRESIDENT

FROM: JACK MARSH

CLEMENCY

SUBJECT: ARECOM RECOMMENDATIONS



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White House Counsel's Office, ^{and} the

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PRESIDENTIAL CLEMENCY BOARD
THE WHITE HOUSE

WASHINGTON
December 21, 1974

MEMORANDUM FOR THE PRESIDENT

FROM: CHARLES E. GOODELL

SUBJECT: First Recommendations for Clemency: Persons
Convicted of Military Offenses; Further
Recommendations for Selective Service Cases

Summary of Recommendations

On behalf of the Presidential Clemency Board, I am pleased to submit to you a second group of recommendations for executive clemency for persons convicted of draft-evasion by federal civilian courts, and for persons convicted by courts-martial of Articles 85, 86, or 87 of the Uniform Code of Military Justice.

Attached to this memorandum as Exhibit 1 is a list showing the distribution of recommendations for the civilian and military cases.

Additional cases will be forwarded to you in the Tuesday pouch, along with the necessary formal documents and suggested language for a statement, should you wish to make one.

As was your procedure when you reviewed the initial collection of recommendations, I suggest that you set aside only cases in which you have questions or which you wish to discuss with me further.

Discussion of Proposed Military Dispositions

There are two matters with respect to the military cases which should be brought to your attention. First, in five instances the Board, upon motion of those members with Vietnam service, unanimously recommends that instead of a Clemency Discharge, you order either a General Discharge or an Honorable Discharge.

The Board has in its review of military cases, found that some individuals performed well and faithfully their military duties prior to their offense. Many served courageously in Vietnam. Some were



awarded decorations for valor in combat. Often they suffered severe psychological injuries from their experiences, and these led to the commission of the military offenses for which they were discharged under other than honorable circumstances.

Because the Clemency Discharge does not adequately reflect the prior faithful service of these individuals, and does not confer entitlement to the benefits which that prior service otherwise earns, the Board believes that further action is required in these cases.

We recommend that pursuant to your authority as Commander-in-Chief and consistent with existing statutory authority, you should order the immediate issuance of an Honorable Discharge or General Discharge in these special cases. The issuance of such discharges will result in the removal of such impediments to benefits that may accompany the issuance of a Clemency Discharge. Such further action is not precluded by the terms of the Proclamation and is entirely consistent with the spirit of your act. The Board has consulted with representatives of the Department of Defense and there is complete agreement that you have the authority, both constitutionally as Commander-in-Chief, and statutorily under Title 10 of the U.S. Code, to order such discharges.

Pursuant to discussions with representatives of the Department of Defense, the records of these cases have been temporarily returned to the appropriate service Secretaries for their review under existing military procedures. I have been informed that the Department will be able to advise me prior to the time of your anticipated action whether it concurs in the Board's recommendations and, if so, whether in each case you should order either a General or an Honorable Discharge. Summaries of these five cases have been included with this memorandum for your preliminary review.

Each of the military recommendations pertain to persons who were in military custody at the time of the announcement of your clemency Proclamation on September 16. Pursuant to your direction, they were then released. However, in each instance they remain under the jurisdiction of their appropriate military service until the completion of all avenues of review of their convictions and of the less than honorable discharges ordered in their cases. This review is not yet complete and in some instances may continue as long as until mid-1975. It is possible, although highly unlikely, that some of these convictions will be reversed or that the punitive discharges will not be executed.



In order not to foreclose procedural rights of these individuals which may possibly result in a disposition more favorable than a pardon and a Clemency Discharge, the Board recommends that you announce your grant of clemency now, but make it contingent upon the completion of available military review, the ultimate approval of the conviction, and the execution of the less than honorable discharge. The Uniform Code of Military Justice, in Article 74, authorizes the Secretaries of the military departments to upgrade or set aside unexecuted punitive discharges as an act of clemency. When presented with similar circumstances, the Secretaries also make their acts in mitigation contingent upon the final results of the courts-martial review. The Board believes that its recommended approach best accomplishes your desire to act promptly in the disposition of military cases, while not precluding the rights of review available to those individuals under military law.

Timing of Your Announcement

I recommend that you announce your decisions in this second collection of cases during Christmas week. This will serve to highlight your decisions and to bring further attention to the program. Prompt action is also desirable because of the imminent end of the application period on January 31, 1975. Persons eligible for the Board's jurisdiction have already been convicted of their military or civilian offenses and are under no further threat or jeopardy if they apply to the Board. To the contrary, they stand to gain substantial legal and practical benefits if they apply. Nonetheless, the Board is convinced that the low level of participation thus far in its program is due to the lack of knowledge and to the substantial confusion on the part of those eligible. The Board has begun steps to remedy this situation to the extent within its capabilities. An announcement by you during Christmas week will further help to explain the program and focus needed attention on it.

The Contents of Your Christmas Announcement

I recommend that your announcement stress, among other matters, the general nature of the military cases you are awarding General and Honorable Discharges. This will give further credence to the value of the program for former military personnel. Because of the appealing nature of these cases it will also serve to ease the doubts of those who have expressed concern over the advisability of granting clemency to persons who left military service in time of national need. Finally, and perhaps most important, your special recognition of service-



men who served with valor in Vietnam will be another and much needed expression of national gratitude to all those who served in this controversial, misunderstood and painful war.

Decision on Board's Recommendations

1. We recommend after your examination of the cases, that you sign the grants of clemency in the civilian cases (Tab A).

Approve _____ Disapprove _____

2. We recommend that you approve and sign the grants of clemency in the military cases involving Clemency Discharges (Tab B).

Approve _____ Disapprove _____

3. We recommend that you announce your action during Christmas week.

Approve _____ Disapprove _____

Enclosures:

- Exhibit 1
- Tab A
- Tab B



EXH.
1

EXHIBIT I

DISTRIBUTION OF RECOMMENDATIONS
December 21, 1974

Civilian:

| | | |
|-----------|---|--|
| 9 persons | - | Immediate Pardon |
| 5 persons | - | Pardon - Conditional on 3 months alternative service |
| 1 person | - | Pardon - Conditional on 6 months alternative service |
| 1 person | - | Pardon - Conditional on 9 months alternative service |
| 1 person | - | Pardon - Conditional on 10 months alternative service |
| 2 persons | - | Pardon - Conditional on 12 months alternative service |

Total: 19 Cases

Military:

| | | |
|------------|---|---|
| 5 persons | - | Pardon and a General or Honorable Discharge |
| 3 persons | - | Pardon and a Clemency Discharge |
| 13 persons | - | Pardon and a Clemency Discharge Conditional on 3 months alternative service |
| 6 persons | - | Pardon and a Clemency Discharge Conditional on 6 months alternative service |



Military (Continued):

| | | |
|-----------|---|--|
| 1 person | - | Pardon and a Clemency Discharge Conditional on 7 months alternative service |
| 2 persons | - | Pardon and a Clemency Discharge Conditional on 9 months alternative service |
| 1 person | - | Pardon and a Clemency Discharge Conditional on 10 months alternative service |
| 2 persons | - | Pardon and a Clemency Discharge Conditional on 11 months alternative service |
| 1 person | - | Pardon and a Clemency Discharge Conditional on 12 months alternative service |

Total: 34 Cases



11/11/11

A



Applicant is a black Muslim, the second of four children, who grew up in a large city in the Midwest. He has 14-1/2 years of formal education, but he had to terminate his schooling because of financial problems. After leaving school, applicant began a career in retail sales where he rose to a managerial level. He declined to seek conscientious objector status and subsequently refused to submit to induction. He was convicted and sentenced to 18 months in prison, although he stood ready to perform alternative service if ordered to do so by the judge. His religion forbids him from accepting alternate service from Selective Service because it considers that agency part of the military. Applicant served 11 months of his sentence. Prison authorities commended his attitude, deportment and work performance during his incarceration.

Disposition: Pardon



Case # 102-071-C

This applicant is in his mid-twenties and is white. He was born in the Southwest and was graduated from college. He claimed conscientious objector status based on his moral beliefs and his sincere opposition to the war. However, his claim was denied and he was ordered to report for induction. He refused and was convicted. The judge placed him on probation on condition that he perform alternative service. He worked part-time in his voluntary job and supported himself in a full-time factory job. This factory went on strike and he refused to cross the picket-line. He left his part-time volunteer work because of personal difficulties although he continued to do alternative service on weekends. However, his probation was revoked because he failed to do the service as prescribed. He was sentenced to 3 years in prison. He has now served 8 months.

Disposition: Pardon



Case # 103-014- C

This applicant, who is white and married, was raised in a Midwestern town in a middle-class family. Following his graduation from college with a degree in accounting, he submitted a request for classification as a conscientious objector. He also attempted to meet his alternative service obligation by first teaching in a public school for 4 months, and later working for a year in a hospital. However, both his application and appeals were denied and, after refusing to submit to induction, he was convicted and sentenced to 18 months in prison. Prior to his furlough, he had served approximately 8-1/2 months.

Disposition: Pardon



Case # 104-051-C

This black applicant, in his middle twenties, comes from a large stable home in the South. He was classified as a conscientious objector by his local board, and completed approximately eleven months of alternative service. He was convicted of failing to remain in alternative service when he failed to report to a hospital to which he had been reassigned. The hospital was located a substantial distance from his home and he lacked the financial means to make the trip and set up a residence. The applicant was convicted and originally sentenced to five years in prison. The appellate court, on appeal, remanded the case for sentence reduction. The trial judge reduced the sentence only by eleven months. He has completed 12-1/2 months of his sentence. When the applicant was released on bond during his appeal, he performed work in the public interest.

Disposition: Pardon.



Case # 105-053-C

This white applicant, in his middle twenties, was raised in a financially stable home in the Midwest. While attending college he applied for conscientious objector status, which was denied. The local board noted he did not claim conscientious objector status until he no longer qualified for any other kind of deferment. It appears this may have been an improper act by the local board. Selective Service rules allow an individual to apply for conscientious objector status until the time he receives his induction notice. When he was ordered to report for induction, he appeared but refused to submit to induction. He was sentenced to three years for failing to submit to induction and has served eleven months. When he was in prison, applicant's fiancée died in an auto accident while returning from visiting him.

Disposition: Pardon.



Case # 106-072-C

This applicant, who is white, in his mid-twenties, was raised in San Francisco. His parents were divorced when he was 19. He was a good student in high school and is closely affiliated with the Catholic Church. Applicant was denied conscientious objector status and advised that he would be denied an in-service hearing for non-combatant duty. On advice of his attorney, he refused to submit for induction. He was sentenced to 6 months in prison and a 2-year probation. He was in prison 2 months. This case was reviewed by the Supreme Court of the United States. The Court held against the applicant, but stated that people in his circumstances are entitled as a matter of right to a hearing while in service.

Disposition: Pardon



Case # 107-102-C

This applicant is white, in his early twenties and the eldest of several children. Due to a family health problem, applicant's father was forced to leave his job and stay in the home. Consequently, the family has been receiving public assistance. The applicant is a high school graduate, and was granted conscientious objector status. Based on his Jehovah Witness belief, applicant failed to report to the Selective Service System assignment and was sentenced to 5 years in prison. He has served 18 -1/2 months.

Disposition: Pardon



Case # 108-104-C

This applicant is black and grew up in a midwestern city. His father abandoned the family when he was quite young and his mother remarried, divorced and remarried again. He had completed one year of college and had a stable employment record before being sentenced to 3 years imprisonment for failing to report for induction. Applicant claims he was denied procedural due process and that he was not given a physical disability deferment. Prison records show that he was a model prisoner, and he was recommended for meritorious pay as a result of outstanding performance in prison. He has served 17 and one-half months in jail and was due for parole October 4, 1974.

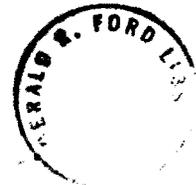
Disposition: Pardon.



Case # 109-074-C

This applicant is white, single and from the West. He is the product of a broken home. He began to have troubles when he was very young. He became an alcoholic when he was eleven years old. As a result of his drinking problem, he spent a total of 18 months in reform school. He has attempted to secure help for his drinking but was unable to follow through. After reporting for his pre-induction physical, he was given a break for lunch, after which he was supposed to return for a psychiatric examination. Instead, he got drunk and did not return. According to the applicant, he always intended to go into the military but one day realized that he couldn't handle it. In fact, his records show that on several occasions he left his home to report to the induction center but each time he turned back. He subsequently pled guilty to failure to submit to induction and was given an indeterminate sentence under the Federal Youth Corrections Act. He has served one year of his sentence.

Disposition: Pardon.



Case # 110-095-C

This applicant is black, in his mid twenties and single. He was born and raised in a large Midwestern city. His father died when applicant was seven and his mother who is in a mental institution was unable to provide any care for him. Consequently, he was raised by various relatives. He dropped out of school in the 11th grade. He was convicted of failure to report for induction, sentenced to 3 years and placed on immediate probation. After his conviction, he attempted to enlist in the Army but was rejected. He failed to report to his probation officer; thus his probation was revoked and he was sentenced to 4 to 6 years. He has served 19 months and 20 days.

Disposition: Executive Clemency, 3 months alternative service.
Upon completion of alternative service, Pardon.



This applicant is black, in his mid-twenties, and was raised in a religious home in New York City. Although he and his numerous brothers and sisters were reared in a ghetto-type setting, his parents always attempted to provide support and guidance. This applicant has no prior criminal record, and, like his parents, is a Jehovah's Witness. He pleaded guilty to failure to report for induction, and was given probation contingent upon 24 months alternate service. Because he did not find the requisite employment, probation was revoked, and an indeterminate sentence, under the Federal Youth Corrections Act, was imposed. He has served over 13 months imprisonment.

Disposition: Executive Clemency, 3 months alternative service.
Upon completion of alternative service, Pardon.



Case # 112-080-C

This applicant is white, in his middle twenties, married, and has one child. After his father died, his mother remarried and the family moved to the West Coast. Applicant's formal education stopped at the 11th grade. He has a minor physical disability. In 1969, applicant became interested in farming and moved from the West Coast to Hawaii. Before leaving, applicant informed his draft board that he was moving. Living in relative isolation, and believing that he was physically disqualified for induction, applicant became oblivious to his legal obligations. He was convicted of failing to report for induction and was sentenced to 4-6 years under the Federal Youth Corrections Act. Applicant has served 10 months of his sentence.

Disposition: Executive Clemency, 3 months alternative service.
Upon completion of alternative service, Pardon.



Case # 113-097-C

This applicant is black and in his mid-twenties. Although his father died when the applicant was an infant, his mother remarried, and he was raised in a stable environment in the South. This applicant is a Jehovah's Witness who was assigned by his local draft board to civilian work. He failed to report. When he agreed subsequently to perform civilian employment he was placed on probation. After performing his required alternative service for over one year, the applicant left his job. The applicant was sentenced to three years in prison of which he has served almost 6 months.

Disposition: Executive Clemency, 3 months alternative service.
Upon completion of alternative service, Pardon.



Case # 114-093-C

This applicant is in his mid-twenties and comes from a broken home. He lived with many different relatives, in the South and in New York, during his early years. His parents separated when he was 13 and his mother had difficulty supporting him and herself. He was tried for failing to report for induction. He said that, when he reported, he was told that he had a felony conviction which was being investigated. He said that the Marines told him the same thing when he tried to enlist. The refusal to accept him arose from an unsealed juvenile conviction. He was sentenced to an indeterminate term of 4 to 6 years and has now served 3 years.

Disposition: Executive Clemency, 3 months alternative service.
Upon completion of alternative service, Pardon.



Case # 115-090-C

This applicant is white, in his early twenties, and the eldest of four children. He was brought up in a comfortable middle class home, and had no delinquency problems. He attended a Quaker boarding school. He is committed to the Quaker religion and states that he felt a duty to oppose the Vietnam War and the military system in general. He failed to register for the draft and fled to Canada. One of his employers in Canada describes him as industrious, conscientious and capable. When he returned to the United States, he was taken into custody, he pled guilty, and received a six year indeterminate sentence. He spent six months in jail. The applicant states that if faced with the same decision again, he would still refuse to go into the service, but he would accept alternate service if ordered to do so by a court.

Disposition: Executive Clemency, 6 months alternative service.
Upon completion of alternative service, Pardon.



This applicant is white, married and has two children. Following his graduation from a university in the South, he received a I-A classification from the Selective Service, which he contested over the next three years on the basis of dependency, employment, and health. During this time, he taught in a secondary school for 1-1/2 years, and then returned to college to obtain his Masters Degree in Fine Arts. Approximately seven months after he moved to another state to accept a teaching position in a community college, his latest appeal was denied and an induction notice was mailed to his last known address. He was subsequently convicted of failing to keep his local draft board informed of his current address and failure to report for induction, and was sentenced to two years in prison with the final eighteen months suspended, to be followed by two years probation. He has presently served almost two months of this term.

Disposition: Executive Clemency, 9 months alternate service.
Upon completion of alternate service, Pardon.



Case # 117-101-C

This applicant is white and in his mid-twenties. He was born and raised in New York City. He left school in the 11th grade and has been employed as a construction worker and mail carrier. He reported for an Armed Forces physical examination and was found acceptable; however, he claimed he was inadequately examined but never submitted any substantive proof of that fact to his local draft board. Later he communicated with his draft board and claimed conscientious objector status which was denied. He failed to report for induction and was declared delinquent. Although for a time he was classified as ineligible for induction, he was subsequently reclassified I-A and he failed to show up for another physical. Several months later he again requested conscientious objector status; again he was refused. He was convicted of failure to report for induction and sentenced to four months in prison, followed by two years probation. He has served 3-1/2 months.

Disposition: Executive Clemency, 10 months alternative service.
Upon completion of alternative service, Pardon.



Case # 118-081-C

This applicant is Puerto-Rican; his family moved to New York when he was four years old. He dropped out of school in the eighth grade and has four children by his common-law wife. He attempted to enlist in the Army when he was eighteen but was refused. The applicant was charged and pled guilty of failing to report for induction. He expressed remorse for this offense, explaining that he was not refusing induction but just attempting to postpone it in order to settle some personal problems. He has a previous criminal conviction for a minor offense. After being sentenced to a four to six year term under the Federal Youth Corrections Act, he served four months in prison.

Disposition: Executive Clemency, twelve months alternative service.
Upon completion of alternative service, Pardon.



Case # 119-012-C .

The applicant is white and came from a broken home in New York State. He was raised under very deprived socio-economic conditions. He dropped out of the eighth grade when he was sixteen years old. Applicant registered for the draft during a period when he was having difficulty providing for his family which included his wife, his wife's mother, and a daughter burdened with a birth defect. He attempted to obtain a hardship classification but was classified I-A when he failed to submit proof of his claim. He failed to report for induction and shortly thereafter became separated from his wife. He was sentenced to four to six years under the Federal Youth Corrections Act and has served three months in prison.

Disposition: Executive Clemency, 12 months alternative service.
Upon completion of alternative service, Pardon.



B

This white applicant is married, was born in the South, and is one of six children. When he was thirteen, his father died and his mother subsequently remarried. His relationship with his stepfather was poor and his home life became increasingly unstable. He quit school in the tenth grade and left home. During his initial enlistment, applicant served as a volunteer helicopter "door gunner," a very hazardous mission. He was honorably discharged in 1965 and re-enlisted for a three-year period. While in Vietnam, he was awarded the Armed Forces Expeditionary Medal and two Air Medals. He was consistently rated excellent for conduct and efficiency. He has a drinking problem growing out of his war experience which contributed to his unauthorized absence. During his absence, he was gainfully employed and managed to rehabilitate himself. Applicant surrendered voluntarily to authorities in 1974, and was tried and convicted by general court-martial. He received a Bad Conduct Discharge and a nine-month confinement at hard labor. He has served more than six months in jail.

Disposition: Pardon. Clemency Discharge with recommendation for discharge under honorable conditions with veterans benefits.



This white applicant in his early twenties is one of 17 children. Since his father was an alcoholic and unable to hold a steady job, his mother worked entrusting the care of her large family to a live-in babysitter. The family income was barely adequate. In the absence of a good family relationship applicant quit school in the 9th grade, left home and was employed at various jobs. Subsequently, he enlisted in the Army, was honorably discharged and then re-enlisted for a more desirable assignment. He served in Vietnam for one year as a medical corpsman and earned the Republic of Vietnam Campaign Medal, the Vietnam Service Medal and the Army Commendation Medal. After being in the states for approximately one year he assumed a status of unauthorized absence because of his dissatisfaction with no further overseas duty. He was apprehended by civilian authorities, tried and convicted by general court-martial and sentenced to a Bad Conduct Discharge, confinement at hard labor for seven months, total forfeiture and reduction to the lowest enlisted pay grade. He served more than six months of his approved confinement.

Disposition: Pardon. Clemency Discharge with recommendation for discharge under honorable conditions with veterans benefits.



This white applicant is in his mid-twenties and has a 7th grade education. He resided with his mother until he was fourteen, at which time he was committed to a juvenile center for a period of eighteen months. He later enlisted in the Army, served more than eight months and was honorably discharged in order to re-enlist for duty in Vietnam. He served there as a scout and grenadier for one year, earning, among other awards, the Bronze Star, the Combat Infantryman's Badge and the Army Commendation Medal. During this combat tour, the applicant's platoon leader was killed as he was awakening applicant to start his tour of guard duty. This traumatic experience resulted in applicant's heroin addiction. Applicant was afraid that his problem with drugs would end his Army career so he went AWOL for 2 years in order to rehabilitate himself. While absent, applicant overcame his drug dependency only to become an alcoholic. Having finally rehabilitated himself, he surrendered to military authorities, was tried and convicted by general court-martial, and sentenced to a Bad Conduct Discharge, confinement at hard labor for six months, partial forfeiture of pay and allowances and reduction to the lowest enlisted pay grade. He has served more than two-thirds of his sentence.

Disposition: Pardon. Clemency Discharge with recommendation for discharge under honorable conditions with veterans benefits.



Applicant was born and reared in the Far West in a stable and intact family. He has above-average intelligence. Applicant withdrew from school in the 11th grade and thereafter enlisted in the U. S. Army. Completing basic and advanced training as a vehicle mechanic, applicant was assigned to Vietnam where he volunteered for service as a "door gunner" in an assault helicopter unit, a very hazardous mission. For this service, applicant received the Army Commendation and Air Medals. He also has been awarded the National Defense Service, the Vietnam Service and Vietnam Campaign Medals. On return from Vietnam, applicant found himself unable to adjust to a new environment. His Vietnam experiences made him irritable, tense and erratic. These psychiatric problems were unabated for two years. Applicant became dissatisfied with garrison life in the United States and volunteered for further service in Vietnam three times. His requests were denied. Frustrated by the denials and garrison life, applicant absented himself. He was convicted of an unauthorized absence of two months and eleven days by a general court-martial and was sentenced to a Bad Conduct Discharge and imprisonment for six months. Applicant is now a skilled technician in the oil industry.

Disposition: Pardon. Clemency Discharge with recommendation for discharge under honorable conditions with veterans benefits.



The applicant is black and was born and raised on the West Coast. He left school after the 11th grade and enlisted in the Army for three years. He was trained as a mechanic and assigned to a post in Texas where he married a girl from Mexico. He subsequently spent a year in Vietnam where he was wounded in combat, earned the Army Commendation Medal and was promoted to E-5. Upon his return, he re-enlisted for six years. Approximately one and one-half years later he received orders for a European assignment and was given eight days to report to Ft. Dix, N. J. He did not have sufficient time to sell his home and obtain citizenship status for his wife and daughter so that they could accompany him. Although he was allowed to return, his home had been repossessed and his wife had left. A few months later, he went AWOL, going first to Mexico and then to Florida in an attempt to find his wife and child. He was unsuccessful and was apprehended approximately two years later when he returned. He was sentenced to a reduction to E-1, confinement for seven months, forfeiture of \$225 per month for seven months, and a Bad Conduct Discharge. Prior to his release, he had been in prison for two and one-half months.

Disposition: Pardon. Clemency Discharge with recommendation for discharge under honorable conditions with veterans benefits.



Case # 233-117-M

This applicant is black and grew up in a broken home in the Midwest. He and four other children were raised by his mother, who has become disabled. He dropped out of high school after his freshman year, and two years later enlisted in the Marines. While he was home on leave, his mother lost her eyesight and was hospitalized. He remained to support the family, but he turned himself in when his mother returned from the hospital. While awaiting trial for his four-month AWOL, he learned that his brother had been hospitalized after being hit by a taxi. He again went AWOL. This time he remained absent about two and one-half years before turning himself in. He was sentenced to a Bad Conduct Discharge and 18 months confinement. Prior to his release, he had served almost 10 months in prison.

Disposition: Pardon and Clemency Discharge



Case # 231-251-M

This applicant is white, in his early twenties, and has an 11th grade education. He was adopted at an early age by his aunt and uncle. When applicant was 17 his step-parents threatened to turn him out unless he enlisted in the Army. He did so, served more than eight months and then was honorably discharged in order to effect his re-enlistment for Vietnam duty. He served there for 14 months as an ammunition specialist and was awarded the Vietnam Service Medal, the Vietnam Campaign Medal and two overseas service bars. In 1972, applicant learned the identity of his natural mother. He went AWOL in an effort to find her. After 16 months of AWOL, he was sentenced to a Bad Conduct Discharge, and confinement at hard labor for 9 months and total forfeitures. He has served more than 8 months in jail.

Disposition: Pardon. Clemency Discharge.



Case # 230-227-M

This applicant is white and grew up in an unstable New England family. He has a ninth grade education. He was inducted into the Army despite his disclosure of a congenital birth defect of the spine which caused disability pain during vigorous physical activity. During basic training, he suffered severe problems because of this physical defect. On leave at home after five years in the Army, he discovered that his father had cancer. The applicant stayed AWOL to tend to his father who died five months later, and he remained AWOL for four years and ten months. In a court-martial, he was sentenced to a Bad Conduct Discharge and imprisonment for six months, four months of which he has served.

Disposition: Pardon. Clemency Discharge.



Case # 229-175-M

This applicant is black and grew up as one of ten children in a low-income family in the South. His father is a disabled farm laborer. He quit school after the 8th grade to work as a farm laborer also. He was drafted into the Army, where he has received excellent conduct and proficiency ratings. He served over 1 1/2 years of creditable service, including a full tour of duty in Vietnam. He then went AWOL and he worked as a farm laborer to support his family during his 6 1/2 year absence. In a court-martial, he was given a Bad Conduct Discharge and sentenced to four months in confinement. He has completed his sentence.

Disposition: Executive Clemency, 3 months alternate service. Upon completion of alternate service, Clemency Discharge and Pardon.



Case # 228-242-M

This applicant is black, married and has two children. He was born and raised in a large city in the Midwest and is the second of three children. His parents were separated when applicant was ten years old. Because his mother suffered from heart trouble, applicant began working part-time at the age of twelve and eventually quit school before completing the 9th grade to support his family. At the time of his induction into the Army, applicant was married, had a child and was the sole support of his invalid mother. Applicant's AWOL was precipitated by the medical and financial problems suffered by his family. He was absent six and one-half years. He was sentenced to be dishonorably discharged, forfeit all pay and allowances and be confined at hard labor for five months. He served four months of the sentence.

Disposition: Executive Clemency, 3 months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case 227-219-M

This applicant is white and the oldest of two children. He has only an 8th grade education. Enlisting in the Army, he was trained as an armor crewman and assigned to Germany. He served for almost one year until he obtained compassionate leave to attend to some marital problems. Unable to resolve those problems, he overstayed his leave and became AWOL. His emotional distress caused him to commit two other unauthorized absences. His last absence lasted for four years and eight months. After apprehension, he was sentenced by a court-martial, given a Dishonorable Discharge and imprisoned for eight months. He has served over six months of confinement.

Disposition: Executive Clemency, 3 months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case # 226-112-M

This applicant is white, in his early twenties, and grew up in an economically-deprived Midwestern family. He has completed only two years of high school. He enlisted in the U. S. Marine Corps at the behest of his stepfather, but with the reluctant consent of his natural mother. He served honorably for eighteen months before going AWOL because of an overwhelming family crisis. During his absence, he became a religious convert. Finding that his religious conscience could no longer cope with his disregard of his legal obligations, he surrendered to the military authorities. He was prosecuted before a General Court-Martial and sentenced to a Bad Conduct Discharge and imprisonment for ten months. The applicant was successful in rehabilitating himself upon release from confinement by finding employment in industry.

Disposition: Executive Clemency, three months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case # 225-122-M

This white applicant, in his mid-twenties, was born and raised in a small midwestern town. Applicant's father was extremely cruel to him and the other children in the family. His parents eventually were divorced. Applicant completed high school by passing the GED test. After enlisting in the Marines in 1969, the applicant volunteered for overseas duty but was rejected because of high blood pressure and bleeding feet. His AWOL was precipitated when an automobile rental agent threatened to have him placed in the brig. He was absent from the Marines for three years. At his court martial, applicant received a sentence of Bad Conduct Discharge, confinement at hard labor for a period of nine months, reduction to lowest enlisted grade and forfeiture of all pay and allowances. He has served approximately ten months in prison; this includes pretrial confinement. He has one year creditable service.

Disposition: Executive Clemency, three months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case # 224-231-M

Applicant is of Spanish surname, and he was one of 12 children in a stable but low-income family. He dropped out of school in the 9th grade. Inducted into the Army, applicant completed basic and advanced individual training and was assigned to the Republic of Vietnam. He served as a light vehicle driver in an artillery unit for a full tour in Vietnam, and he returned with his unit to the United States. He had excellent conduct and proficiency ratings and one year and seven months of creditable service. With his father facing prison for vehicular homicide and his girlfriend pregnant, he went AWOL to deal with these problems. He remained absent for nearly three years. In a court-martial, he was sentenced to a Bad Conduct Discharge and imprisonment for six months, 2 1/2 months of which he has served.

Disposition: Executive Clemency, three months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



This applicant is white and was born and raised in the northeastern United States. After the age of twelve, he was reared by his grandmother. He left high school before graduation, worked for some years for a moving company, and then joined the Marine Corps. He went AWOL three times because he wanted to help his parents reconcile their marriage. He was absent for a total of one year and seven months. During his three and one-half months of creditable service, he accumulated good conduct and proficiency reports. The applicant was court-martialed and sentenced to a Bad Conduct Discharge and four months confinement. He has served his sentence.

Disposition: Executive Clemency, 3 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



This applicant, in his early twenties, is Puerto Rican and is one of 15 children. He left school during the 10th grade. He enlisted in the Marine Corps and has 11 months creditable service. He went AWOL twice for a total of three and one-half years. These absences were caused by his drug problem, for which he sought assistance, and by marital problems. He received a Bad Conduct Discharge and a six month sentence which he has completed.

Disposition: Executive Clemency, 3 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



Case # 220-167-M

This applicant is white, in his early twenties, and one of three children. His father was prevented from working because of a heart condition. Having dropped out of school in the ninth grade, he was the sole support of his father and sister before he was drafted. One month after his induction, he attempted to obtain a weekend pass because of his father's worsening condition. When the pass was refused, he went AWOL. He was absent for three years, as he worked to support his family and his father. He is married and has two children, but his wife suffers from curvature of the spine and is unable to work. He was sentenced to seven months confinement and a Bad Conduct Discharge. He served nearly six months in prison.

Disposition: Executive Clemency, three months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



This white applicant in his mid-twenties is the product of a stable home. Having completed high school, he entered a three-year enlistment in the Army, specifying a certain job preference. He was trained in his job preference but nevertheless ordered to a duty assignment unrelated to his skills. After a year and one-half of creditable service, he went AWOL due to family financial difficulties caused by his father's loss of employment. He lived openly during almost three years of AWOL. He was sentenced to a Bad Conduct Discharge and confinement for two months. He has served nearly 14 months in jail. While confined and performing assigned duties, he suffered a hand injury which resulted in some permanent paralysis.

Disposition: Executive Clemency, 3 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



This applicant is white and one of nine children raised in the rural South. He has only a 10th grade education. He enlisted in the Army in 1965, and later re-enlisted. He served creditably until 1969, when he learned that his wife was ill. He went AWOL to find someone to help take care of his four children. He returned to the Army and requested leave in order to go back to his family. He was refused and again went AWOL and remained absent for 4-1/2 years until he voluntarily turned himself over to military control. In a Court-Martial, he was given a Bad Conduct Discharge and sentenced to ten months confinement, seven months of which he has served.

Disposition: Executive Clemency, 3 months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case # 217-247-M

This applicant, in his middle twenties, is black, single and the youngest of five children. He grew up in the South in a closely-knit family. His father died when he was 15, and he was thereafter raised by his mother. He did not finish the 11th grade. He was then inducted into the Army. He went AWOL twice, but he has fifteen months of creditable service. During his over four years of AWOL, he helped provide for his mother and his blind grandmother. He was given a Dishonorable Discharge and two years of confinement, of which he has served seven months.

Disposition: Executive Clemency, 3 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



Case # 216-187-M

This applicant is white and grew up in a low-income Midwestern family. After completing the 10th grade, he quit school. He worked as a truckdriver to help support his family until he was drafted. He served four months in the Army before going AWOL. He left the Army due to his strong family ties and a feeling of responsibility for his family's financial well-being. During his absence, he was gainfully employed and contributed to the support of his family. He was apprehended 3-1/2 years later. In a court-martial, he was sentenced to a Bad Conduct Discharge and eight months confinement, five months of which he has served.

Disposition: Executive Clemency, 3 months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case # 232-232-M

Born in a stable midwest Caucasian family, applicant is the oldest of three children. His formal education is very limited. Inducted into the Army, applicant was trained as an infantryman. On leave, pending assignment overseas, applicant discovered that his wife was contemplating divorce. Emotionally disturbed, applicant overstayed his leave. Applicant remained AWOL for 4 years and 11 months. He was court-martialed, sentenced to a Bad Conduct Discharge, and 10 months confinement. He has served over 3 months of that sentence. Applicant has nearly 5 months of creditable military service.

Disposition: Executive Clemency, 6 months alternate service.
Upon completion of alternate service, Clemency
Discharge and Pardon.



Case # 214-106-M

This black applicant was born and raised in Texas in a stable home environment. He completed one year of college. He is married and has two children. He was drafted into the Marines in 1969. Prior to being drafted he worked as a truck driver. He states that he went AWOL in 1971 to be with his family and help them resolve several serious problems. One of his children died in 1972, and his father is in poor health. He was employed during his unauthorized absence. Apprehended in 1974, he was sentenced to a Bad Conduct Discharge and imprisonment for nine months. He has seven months of creditable service and has served three months in confinement.

Disposition: Executive Clemency, six months alternative service,
Upon completion of alternative service, Clemency
Discharge and Pardon.

LDR. FORD LI

Case # 213-113-M

Applicant is white and the product of a disadvantaged background and family instability; his formal education is limited. He withdrew from school to become self-sustaining because his relatives were unable to help him. Applicant chose enlisting in the Marine Corps on the recommendation of a friend. After enlisting, applicant married and soon encountered financial problems. Applicant volunteered for service in Vietnam. He returned home on emergency leave to discover his pregnant wife could no longer live with her sister. Applicant then absented himself to provide her support and a home. After apprehension, applicant was tried before a General Court-Martial and sentenced to a Dishonorable Discharge, two years imprisonment and accessory penalties. The final approved sentence was a Dishonorable Discharge and 6 months confinement. At his trial, numerous associates attested to his outstanding character and reputation in his community. In confinement, he was a model prisoner.

Disposition: Executive Clemency, 6 months alternative service.
Upon completion of alternative service, Clemency
Discharge and Pardon.



Case # 212-120-M

This applicant is white, in his early twenties, and was raised in a stable home environment in the South. After completing nine years of education he went to work for a construction company and later enlisted in the Marine Corps. He has seven months creditable service. During Infantry Training School he experienced back problems, and, unable to obtain satisfactory medical treatment, he went AWOL. Thirteen months later he surrendered and was sentenced to a Bad Conduct Discharge and six months confinement. He surrendered seven months later and has served two months of his sentence.

Disposition: Executive Clemency, 6 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



Case # 210-162-M

This applicant is black, in his mid-twenties, and grew up in an intact family with seven children. He dropped out of high school and thereafter enlisted in the Army. He has 9 months, 20 days of creditable military service, during which his conduct and efficiency were rated excellent. He went AWOL after injuring his arm in a parachute jump and being unable to get medical help to relieve the pain. He married while AWOL and now has three children. After 2 months AWOL, he received a Bad Conduct Discharge and 6 months confinement. He has served 3 months of his sentence.

Disposition: Executive Clemency, 6 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



Case # 209-170-M

This applicant, who is white and 26 years old, was born and raised in the Northeast in a family of poor financial circumstances. After the 11th grade, he dropped out of school to get a job. The following year he enlisted in the Army and obtained his GED. During his first year he had two lengthy periods of AWOL for which he was sentenced to 6 months confinement. The third time he remained absent for over 7 years. During this time both his father and his brother had health problems and he worked in a factory to help support the family. After turning himself in, he was convicted and sentenced to a Bad Conduct Discharge and five months confinement at hard labor. On appeal, the confinement was reduced to 3 months. Applicant served 4 months and 10 days in confinement.

Disposition: Executive Clemency, 6 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



Case # 208-125-M

The applicant is white and lived in a large New England family. His family was on welfare, and he completed only eight years of school. He is now married and has two children. After enlisting in the Marine Corps, he had eight months of creditable service. His two incidents of AWOL totaled over six years. The first time, he and a friend went on leave, and he was afraid to return when his friend went AWOL. The second offense occurred when he was having marital troubles. At his court-martial he received a Bad Conduct Discharge and an eight months sentence. He has served over five months of that sentence.

Disposition: Executive Clemency, seven months alternative service.
Upon completion of alternative service, Clemency
Discharge and Pardon.



Case # 207-221-M

Applicant is the third of five children born to a stable but economically disadvantaged Caucasian family in the South. Applicant's formal education is limited. Inducted into the Army, applicant enlisted in the regular Army after serving five months, receiving an Honorable Discharge from his inducted service. His total creditable service is two years and almost four months. Applicant absented himself shortly before the termination of his enlistment contract because of frustration about his inability to ascertain his projected date of discharge and his immediate concern for his ailing father. During his absence, applicant supported himself as a construction worker, occasionally on military bases. After an absence of five years and almost nine months, applicant was arrested, tried, and convicted before a general court-martial. His final sentence was a Dishonorable Discharge and imprisonment for six months. He has served three months and four days of that sentence.

Disposition: Executive Clemency, 9 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



Case # 206-176-M

This applicant is black, is one of nine children, and was raised by his mother in a stable but low-income midwestern home. He graduated from high school and worked as a laborer and painter until he was drafted. After almost six months service, he went AWOL rather than report to an overseas replacement station because of his opposition to the Vietnam War. He had never applied for conscientious objector draft status because he had no religious justification for doing so. He returned but went AWOL again, making him absent for a total of over 4 1/2 years. After a court-martial and sentence review, he was given a Bad Conduct Discharge and sentenced to six months confinement. He has served that sentence.

Disposition: Executive Clemency, 9 months alternative service.
Upon completion of alternative service, Clemency
Discharge and Pardon.



Case # 205-256-M

This applicant in his mid-twenties is of Hawaiian ancestry. He was drafted after leaving high school, but he claimed to be unfit for military service because of his bad back. His claim was rejected. After nine months of creditable service in the Army, applicant went AWOL to get medical attention for his back problem. After 3 1/2 years of AWOL, he surrendered to civil authorities. In a general court-martial, he was sentenced to a Bad Conduct Discharge and confinement for ten months. He was incarcerated for nearly six months.

Disposition: Executive Clemency, 10 months alternative service. Upon completion of alternative service, Clemency Discharge and Pardon.



This applicant is Caucasian, the third of five children born to a disadvantaged family. When he was in his formative years, his mother divorced his father because of physical cruelty. The applicant continued to live with his natural father, a farm laborer. At the age of twelve, he resumed living with his mother who had remarried. The applicant lived with this family unit until age fifteen when he separated because of conflict with his stepfather. Applicant has since had problems relating to adult figures. His formal education is limited. At the age of nineteen, he enlisted in the U. S. Marine Corps. Although achieving good proficiency and conduct ratings during his nine months of creditable service, applicant could not adjust to the rigors of a regimented existence. He went AWOL for over two years until arrested. He was sentenced to a Bad Conduct Discharge and imprisonment for eight months. He is now unemployed.

Disposition: Executive Clemency, 11 months alternate service. Upon completion of alternate service, Clemency Discharge and Pardon.



Case # 203-196-M

This applicant is white, in his mid-twenties, and one of a family of seven children raised in Colorado. His family was not well off financially. However, there was a stable and harmonious family relationship. He completed one year of college before dropping out because of drug problems. He was drafted and again began to take drugs. He blamed his renewed addiction on the availability of drugs in the Army and the pressure he was under. He went AWOL in 1971, and remained absent until he was apprehended in 1974. His stated reasons for going AWOL were to get away from the drug environment in the Army and to be with his wife. He was court-martialed and sentenced to a Bad Conduct Discharge and eight months in confinement. He served four months of that sentence.

Disposition: Executive Clemency, eleven months alternate service. Upon completion of alternate service, Clemency Discharge and Pardon.



Case # 201-205-M

This applicant, who is white, was born and raised in New England. He dropped out of high school prior to graduation due to his marriage and the birth of a child, and joined the National Guard. Two years later, he was discharged for failure to attend meetings and, two years after that, was ordered to active duty. In the meantime, he had obtained his GED Certificate and worked as a truckdriver, accountant, salesman, and sales manager. He explains his AWOL was because he was unable to obtain a medical discharge for a back problem. He was apprehended after six months, but three weeks later again went AWOL and this time remained absent over four and one-half years. Part of the time, he was in a Canadian prison for a bigamy conviction, due to his mistaken belief that his first marriage had been annulled. After being released to U. S. Authorities, he was convicted and sentenced to one year confinement and a Bad Conduct Discharge. The applicant has served ten months and eleven days in prison.

Disposition: Executive Clemency, 12 months alternative service.
Upon completion of alternative service, Clemency
Discharge and Pardon.

