

**The original documents are located in Box 130, folder “Lazarus, Kenneth” of the Ron Nessen 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. Ron Nessen donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections.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.

THE WHITE HOUSE  
WASHINGTON

April 6, 1976

MEMORANDUM FOR:       RON NESSEN  
THROUGH:               PHIL BUCHEN  
FROM:                   KEN LAZARUS  
SUBJECT:                Calley Case

Attached is a chronology of significant events in the development of the case of Lieutenant William L. Calley, Jr.

As you will note, the sentence imposed on Lieutenant Calley was reviewed by former President Nixon in May 1974. At that time, the ten-year sentence imposed on the defendant was left undisturbed.

As the Supreme Court yesterday refused to review Lieutenant Calley's collateral attack on the conviction (habeas corpus), the case is closed.

Lieutenant Calley has served the sentence imposed upon him (less ten days as noted in the chronology) and will now be referred to a Federal parole officer for supervision during his period of parole.

Although President Ford could utilize his constitutional pardon power to eliminate the parole component of Lt. Calley's sentence, there are no plans to do so.



CALLEY CASE  
CHRONOLOGY

1. Lt. Calley was convicted by a military court martial on March 29, 1971, of murdering 22 people at My Lai hamlet, village of Song My, Quang Ngai Province, on March 16, 1968. A sentence of life imprisonment was imposed on March 31, 1971.
2. In April 1971, former President Nixon announced that he would review the sentence imposed upon Lt. Calley after the military process had run its course. The former President also announced that Lt. Calley would serve his sentence under house arrest rather than in Federal prison.
3. The sentence of confinement imposed by the court martial was reduced to 20 years by a convening authority on August 20, 1971.
4. On February 16, 1973, the Army Court of Military Review affirmed the verdict and sentence imposed on Lt. Calley.
5. On December 21, 1973, the Court of Military Appeals affirmed the verdict and sentence imposed on Lt. Calley.
6. On February 4, 1974, the Court of Military Appeals denied a petition for reconsideration of the verdict and sentence imposed on Lt. Calley.
7. On February 11, 1974, Lt. Calley filed a collateral attack (petition for habeas corpus) on the military verdict and sentence, claiming a denial of compulsory due process and undue publicity, in the U. S. District Court for the Middle District of Georgia.
8. On February 27, 1974, the presiding judge in the habeas corpus proceeding (U. S. District Judge J. Robert Elliott) released Lt. Calley on bail.
9. On April 15, 1974, the Secretary of the Army reviewed the case, affirmed the verdict and commuted Lt. Calley's sentence to 10 years, pursuant to his clemency authority.

10. On May 3, 1974, then President Nixon indicated that he had reviewed the Calley case and would make no change in the sentence imposed under military process.
11. On June 13, 1974, the U. S. Court of Appeals for the Fifth Circuit reversed the bail order of Judge Elliott and ordered Lt. Calley returned to Federal custody.
12. On September 25, 1974, Judge Elliott ruled in favor of Lt. Calley on his habeas corpus petition and ordered him to be released.
13. On September 26, 1974, the Army obtained a temporary stay of the release order from the U. S. Court of Appeals for the Fifth Circuit.
14. On November 8, 1974, the U. S. Court of Appeals for the Fifth Circuit dissolved the temporary stay and released Lt. Calley on bail.
15. On November 8, 1974, the Secretary of the Army announced that Lt. Calley would be paroled effective November 19, 1974, after serving one-third of his 10-year sentence.
16. On September 10, 1975, the U. S. Court of Appeals reversed the decision of Judge Elliott on the habeas petition.
17. On April 5, 1976, the Supreme Court announced its refusal to review the decision of the Fifth Circuit on the habeas petition.
18. The Department of the Army has announced that it will not impose the additional 10 days of confinement on Lt. Calley. He will be referred to a Federal parole officer for supervision during his period of parole.