

The draft evaders who may be free

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WASHINGTON — There may be as many as 200,000 young men who fled the United States to evade the draft but never were indicted.

Thus they do not need to subject themselves to the Ford administration's limited clemency program, according to the American Civil Liberties Union and the United Church of Christ.

Co-operating with the program, according to the two antiwar groups, may net the men a prison term where none is called for, or alternate service for 24 months when it may not be justified.

Instead, said the ACLU and the UCC, war resisters in this country and abroad should telephone the organizations' Clemency Information Network before turning themselves in to the U.S. District Attorney in their home areas.

They will get advice on the options open to them, said the organizations' representatives at a press conference yesterday. The toll-free numbers are, in the United States, 317-635-8259, and in Canada, 800-665-8885.

The ACLU-UCC statements were triggered by their obtaining a list of 5,755 names of men under indictment or investigation by the

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Justice Dept. for draft violations.

An estimated 200,000 men were declared draft dodgers by Selective Service boards between 1963 and 1973, and their names were turned over to the justice department. But more than 90 per cent were not indicted — and never were told that by the government, the ACLU-UCC charged.

"This list is crucial in preventing thousands of American war resisters from being unnecessarily shanghaied into the punitive clemency program," said Henry Schwarzschild, director of the ACLU program aimed at securing unconditional amnesty.

War resisters who are living here incognito, or living abroad, should first find out whether they are on the indictment list or are wanted for investigation, he said.

Simply walking into the U.S. Attorney's office and surrendering may — according to a directive by Atty. Gen. William Saxbe — result in prosecution, if a draft-dodger doesn't agree to the clemency program's requirements — even though no charge is pending, said Schwarzschild.

A Justice Department spokesman confirmed Schwarzschild's statement, adding that the key point in the program is that in exchange for signing up for alternate service for as long as 24 months, a war resister will not have to go to court or go to jail.

Meanwhile, the Presidential Clemency Board said it has received 560 queries from deserters or draft evaders who have been convicted and are seeking clemency under the controversial earned re-entry program. The Defense Department said more than 1,000 yet unconvicted deserters have applied.