

# Clemency Bungling



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JUST eight days after President Ford pardoned Richard Nixon for his Watergate crimes, the President established a clemency board to offer similar charity to the draft dodgers and deserters of the Vietnam war.

He promised at an oval office ceremony in September, 1974, that the new board would bind up the nation's wounds and would offer the Vietnam violators an opportunity "to earn their return to the mainstream of American society."

For the next year, the board became bogged down in a jungle of red tape. The Vietnam outcasts found themselves caught in a sort of bureaucratic Vietnam, complete with the in-fighting, the bungling and the poor leadership that characterized the lost war.

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THE BOARD offered conditional clemency to about 100,000 servicemen and 13,000 civilians who had committed offenses related to the war. To encourage the violators to apply, the board pledged not to make the files available "to any other agency of government." It was a promise that the board shortly violated by voting to forward evidence of serious crimes to the Justice Department.

This heightened the distrust of members of an alienated generation who, therefore, were slow to respond to the clemency offer. They were just beginning to gain confidence in the board when its charter ran out. The board asked President Ford for a six-

month extension. But he extended the board only a month, then another month.

Despite a sudden surge of applications, he rejected a request for another extension and closed down the board. Of 113,337 eligible for clemency, only 21,729 applied before the deadline. The program ended in failure, therefore, with 91,608 Vietnam violators still consigned to purgatory.

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THE PRESIDENT, under increasing fire from the right wing of his own party, had become uneasy over the clemency program. He wanted to wind it up, according to White House sources, with a report that would appease its conservative critics.

The staff produced draft reports, however, that contained blistering criticisms of the selective service system.

In September, 1975, the board met at the Camp David, Md., presidential retreat and quietly cut out almost all criticism of the selective service system. They produced a final report that our sources describe simply as a "white-wash."

The staff members who played the most important roles in the board's operation were chief counsel Lawrence Baskir and staff director William Strauss. Now Baskir and Strauss have obtained a \$220,000 grant from the Ford Foundation to study the clemency program they helped administer. Both men assured us they will be both fair and objective in assessing the program.