

NIXON COMMUTES HOFFA SENTENCE, CURBS UNION ROLE

Teamster Served 4 Years
of 13-Year Term for Jury
Tampering and Fraud

DEC 24 1971

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Special to The New York Times

WASHINGTON, Dec. 23 — President Nixon commuted today the prison term of James R. Hoffa, former president of the International Brotherhood of Teamsters. Hoffa walked free from the Federal Penitentiary in Lewisburg, Pa., after serving 4 years, 9 months and 16 days of a 13-year term.

Hoffa was released under a conditional commutation of sentence that specifies that he cannot "engage in the direct or indirect management of any labor organization" until March 6, 1980, the date his full term would have ended.

President Nixon commuted the 13-year prison term—which represented an eight-year sentence for jury tampering and a five-year term for pension fund fraud—to six and one-half years.

Because the 58-year-old former chief of the union's largest union was entitled to time off for good behavior, that made him eligible for release today.

Will Join Family

He was met on his release by Robert Crancer of St. Louis, his daughter's husband. He was clad in a baggy charcoal suit and a dark coat. He told reporters that he would go as quickly as possible to St. Louis to spend Christmas with his family.

He will reside in Detroit, where he will have to report regularly to a Federal probation officer until 1973. Hoffa, who was voted a \$75,000-a-year lifetime salary as "president emeritus" of the teamsters' union after he resigned the presidency last June, has said that he will lecture and teach.

Before today's executive clemency, Hoffa applied three times to the Federal Parole Board and was turned down each time. The last time, on Aug. 20, the board stressed that when his case next came up for consideration, in June, 1972, the board

would want assurances that he had cut all ties to the teamsters' union.

The commutation came with exceptional speed—especially for the Nixon Administration, which has frequently been accused of being slow to act on requests for clemency.

Morris Shenker of St. Louis, his lawyer, filed a request for commutation on Dec. 16. This morning, President Nixon signed the Executive order setting Hoffa free. He also signed other clemency actions.

Six other prisoners' sen-

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fences were similarly shortened to time served, so they were eligible for release today. The terms of 10 others were shortened, but not to time served, and the fines of two were remitted.

Mr. Nixon also granted pardons to 235 persons. This action returns voting privileges and other civil rights to persons who have served their terms and are free.

About 15 minutes after Hoffa was freed at 4 P. M., the Justice Department's information office announced the action and issued a statement.

It said that Hoffa's wife, Josephine, "is suffering from a severe heart condition with attendant difficulties" and noted that he was released briefly last April to visit her in San Francisco.

Terming Hoffa's prison record "excellent," the statement said that he had been housed in a minimum-security honor unit, assigned to a clothing issue detail. "He has maintained a good attitude toward supervisory officers and has maintained close family ties," it added.

John W. Hushen, director of public information for the Justice Department, said that the terms of his commutation would also bar Hoffa from any connection with the teamster pension fund.

Mr. Hushen said that the conditions would not affect the status of Hoffa's wife, who is the \$50,000-a-year director of the women's auxiliary of the teamster's union's political action group. It will also not affect his son, James P. Hoffa, who is a teamster lawyer in Detroit.

Conditional commutations have rarely been granted to Federal prisoners. Mr. Hushen said that the department's research had turned up two precedents—the release of Col. Rudolph Abel, the convicted Soviet spy whose term was shortened on the condition that he return to Russia in a prisoner exchange, and the release of an imprisoned Ger-

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man national on the condition that he go home.

Mr. Hushen declined to say if the Justice Department, before deciding to recommend clemency, had followed its usual procedure of asking the opinion of the judges who had imposed the sentences.

Mr. Nixon's inclusion of Hoffa in his Christmas clemency list could pay important political dividends. The former truck driver is still enormously popular with rank-and-file union members, and pressure for his release had come from the single most powerful Republican figure in the Presidential primary state of New Hampshire—William Loeb, publisher of The Manchester Union Leader.

Asked by reporters today if he thought Mr. Nixon's action was politically motivated to get teamster support and whether he planned to support Mr. Nixon for re-election, Hoffa said, "I will determine whatever I'm going to do politically after I learn what the restrictions are" on his release.

Hoffa's release brought to a close a long and controversial era of litigation, in which a special squad organized by the late Attorney General Robert F. Kennedy brought a series of prosecutions until two convictions were obtained against the teamster chief. His lawyers made repeated efforts to have the convictions overturned.

His first conviction came in March, 1964, when he was found guilty of tampering with a jury in Nashville, Tenn., while standing trial for an earlier charge brought by the Government. In August, 1964, he was convicted in United States District Court in Chicago on four counts of defrauding the teamsters' pension fund of some \$2-million. He entered prison on March 7, 1967.

Scene at Prison

LEWISBURG, Pa., Dec. 23 (UPI)—James R. Hoffa beamed and waved to his former fellow inmates as he left the penitentiary today.

"Anyone who tells you prison's not tough just isn't telling the truth," he said to newsmen. "I have spent many days in loneliness."

Asked whether he would seek to return to leadership of the union, Hoffa laughed, then turned serious and replied:

"I have no intention of returning to the teamsters. The leadership is in good hands. Frank Fitzsimmons is doing a good job."

In Washington, a Justice Department spokesman said that Mr. Nixon had granted executive clemency on the recommendations of the United States Parole Board's attorney and Attorney General John N. Mitchell.

As Hoffa walked across a prison courtyard to two electronically controlled gates, dozens of inmates in cellblocks behind him cheered his exit.

"Good luck, Jimmy," they shouted. "Take it easy."

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Hoffa smiled broadly and turned back, raising a clenched fist.

"O.K., fellas," he shouted back.

When a guard in a tower 30 feet above opened the final gate for Hoffa's release, the former union leader was crowded by newsmen and almost pushed back inside.

"Hi, ya, fellas," he said. "It's good to be out."

At one point, Hoffa interrupted questions and said:

"I just want to say one thing."

I want to thank all the 1,500 guys that I lived with in prison over the last 57 months. They're a great bunch of guys."

Champagne in Detroit

DETROIT, Dec. 23 (UPI)—Detroit labor leaders celebrated James R. Hoffa's release from

prison today with champagne, and the festivities lasted into the night.

They praised President Nixon for granting him clemency.

The political implications of the action, however, were not ignored.

"I hope this was not a political

move for votes," Tom Turner, president of the metropolitan Detroit A.F.L.-C.I.O. Council, said in between sips of his champagne. "I hope this was based on long consultation with Hoffa's legal counsel and the parole board."