

Ford okays amnesty; resisters ridicule it

WASHINGTON (UPI) — President Ford Monday offered conditional amnesty to an estimated 28,000 Vietnam war resisters in return for up to two years' public service and an oath of allegiance. He called it "an act of mercy to bind the nation's wounds."

Spokesmen for draft evaders and military deserters in Canada and Sweden denounced the plan as "absurd" and "a gross miscarriage of justice," and predicted few would accept it.

Ford's proclamation, twice delayed while he dealt with the Nixon pardon and economic issues, offered conditional amnesty to those who deserted or evaded the draft between Aug. 4, 1964, and March 28, 1973, the date the United States withdrew its last soldiers from Vietnam.

Later, at his news conference, Ford was asked why he granted only conditional amnesty to war protesters while granting a full pardon to former President Nixon. He said the aim of each action was to "heal wounds" the nation has suffered, and that "this is the only connection between the two."

Those wishing rehabilitation and freedom from prosecution must surrender to a U.S. attorney or military official before

next Jan. 31. Basically, they will then earn forgiveness by: — Agreeing to perform "a period of alternate service in the national interest" in such areas as public health and safety jobs but not including "the privilege" of military service. Ford set the service period at 24 months but said it could be reduced in individual cases at the recommendation of various designated officials or a clemency board established by the proclamation.

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— Taking an oath of "allegiance to the country and its constitution."

A spokesman for the Selective Service, which will administer the alternate service program, said about half the amnesty workers would likely serve in hospitals or homes for the aged or children. He said many others would find work in conservation or with religious service groups.

In addition to social rehabilitation, military deserters will first receive an undesirable discharge — a category considered less punitive than dishonorable — and, upon completion of alternate service, a "clemency discharge" not affording any veterans benefits.

"Desertion in time of war is a major, serious offense," Ford said. "Failure to respond to the country's call of duty is also a serious offense. Reconciliation among our people does not require that these acts be condoned."

"Yet reconciliation calls for an act of mercy to bind the nation's wounds and to heal the scars of divisiveness."

Ford briefed congressional leaders on the plan before making it public and they told newsmen it would have the support of both Congress and the military.

But spokesmen for anti-war and amnesty groups reacted with disappointment and hostility.

"It's a coverup, it's not amnesty," said Dee Knight, a member of the National Council For Universal and Unconditional Amnesty in Washington, D.C.

Knight said it was unjust to give Richard M. Nixon unconditional pardon while requiring "further punishment" for the war resisters and predicted "very few, if any" of those who have fled abroad would return.

In Toronto, spokesmen for the Amex Canada expatriates group called Ford's offer a "gross miscarriage of justice" compared to Nixon's pardon and urged its members to reject

it. In Sweden, American exiles called the program "absurd" and "a punishment, not an amnesty."

Ford set up a nine-member Clemency Board to help administer the program. It will deal with the cases of those already convicted of draft evasion offenses or military men already given punitive discharges for unlawful absences.

Ford urged it to give priority consideration to releasing the estimated 130 persons now imprisoned for such offenses.

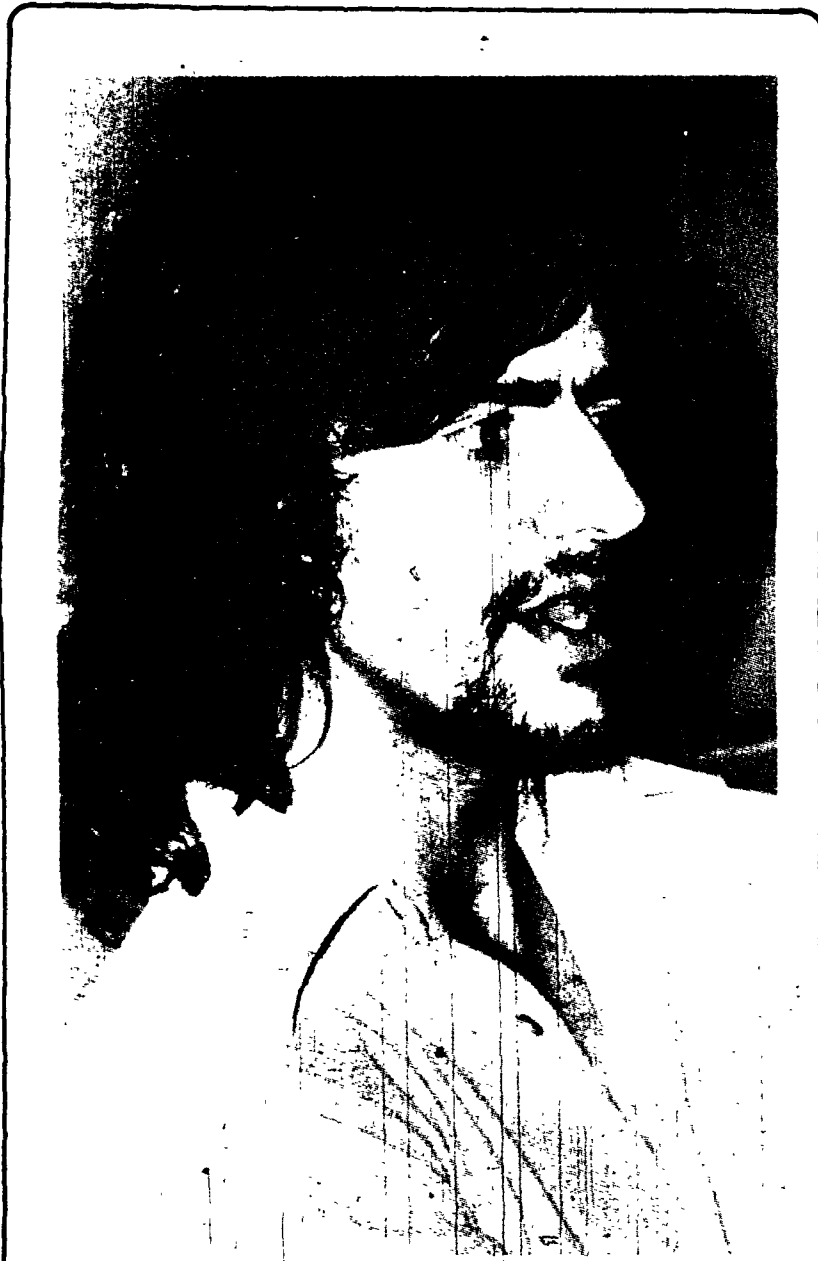
The White House has estimated there are about 15,600 draft evaders and about 12,500 military deserters at large and eligible for amnesty, including about 4,500 evaders and deserters in Canada.

Ford assigned the director of the Selective Service to set up the programs of "alternative service" for amnesty applicants.

He empowered U.S. attorneys, the armed service secretaries and the Secretary of Transportation who has jurisdiction over the Coast Guard and the Clemency Board, in various circumstances, to recommend reduced periods of alternate service where "mitigating circumstances" favor an individual.

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George Cernusca

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USG expects ruling on insurance case

By SHEILA McCaULEY
Collegian Staff Writer

Undergraduate Student Government President George Cernusca last night said a decision involving the insurance case should come in the next few days.

Cernusca defended his right as president to create a permanent insurance committee of two Academic Assembly members, two USG Senators, two USG executives and two USG Executive Council members to look into future student insurance matters.

Cernusca said that within the next calendar week there would be decisions "which affect implementation of the insurance program."

Cernusca added there is "a good chance of deciding on an insurance company within a week."

The Senate's insurance investigators questioned Cernusca's right to form the permanent insurance committee.

USG Senator Pam Michaels said the resolution creating the Senate committee gives that committee authority to recommend an insurance company once the court has ruled on the case.

But Cernusca said that decision will be made when the court decides the

case. If the court rules in favor of Cernusca, he said the Higham-Nielson contract then is automatically valid.

Cernusca said the resolution creating a special committee did give the committee power to make recommendations on the insurance policy. But Cernusca said the special committee will not be ready to act as soon as is necessary.

Special Committee Member Gary Lightman said the committee asked for extension of its two-week deadline because many aspects of the case needed verification. Lightman said he had read only half of the 300-page testimony but had already found "conflicting testimony" between Cernusca and Arthur Williams, professor of insurance.

Cernusca said the danger of Lightman's statement was that people might misinterpret what he said as a negative judgment on particular testimony.

Cernusca also announced he will appoint two Senate members to serve on the permanent insurance committee he created, because the Senate itself will not do so.

The Senate went on record 16-4 as negating the two Senate appointees' power to speak for the entire Senate on future insurance matters.

Judge berates prosecution as AIM leaders are freed

ST. PAUL, Minn. (UPI) — A federal judge yesterday dismissed all charges against American Indian Movement leaders Russell Means and Dennis Banks, bringing a sudden end to the 8-month-old Wounded Knee trial. The judge said he was "ashamed" of the prosecution's handling of the case.

U.S. District Court Judge Fred Nichol announced his ruling after doctors said a woman juror had suffered a stroke last Friday and could not continue deliberations. The woman had been hospitalized over the weekend.

The government had refused to entrust its case to the remaining 11 jurors.

Jury members questioned by reporters late yesterday said the 11 had already reached a unanimous verdict of innocent for both men on a conspiracy charge and were running heavily for acquittal on a larceny charge against each man.

Banks and Means also had been charged with three counts of assault in last year's 71-day armed occupation of Wounded Knee, S.D., a hamlet on the Pine Ridge Indian reservation.

When the dismissal was announced, defense attorneys William Kunstler and Mark Lane exchanged smiles with colleagues at the defense table. There was a burst of applause from the packed courtroom, but Nichol quickly restored order.

One defendant later said, "Thank God."

Assistant U.S. Attorney R. D. Hurd from South Dakota, chief prosecutor in the case, and other government attorneys slumped in their chairs when the decision was read.

The judge took the occasion of the dismissal to chastise government attorneys for allegedly trying to keep from the court a criminal charge against a key prosecution witness.

"I was ashamed the government was not represented better," Nichol said.

He also criticized the FBI for "stooping so low" in its investigation of the case. And, referring to Watergate and President Ford's pardon of former President Richard Nixon, Nichol said:

"This has been a bad year for justice. From what has happened this past year I have not been so proud of the country I love."

After the hour-long session was adjourned, there was another outburst from the defense table and about 20 supporters who had been present for most of the trial.

"Today is a blow for freedom for everybody," Kunstler said. But he voiced fears the public would not understand Nichol's ruling. "They didn't understand the judge in the Ellsberg trial and they won't understand this one," he said.

Means said, "Thank God. Members of AIM believe more in the American judicial system than in the government."

Banks tossed a bag of Wounded Knee pins into the air and supporters grabbed them and put them on.

The jury had begun deliberations Thursday in the long and occasionally turbulent trial.

Deliberations were halted Friday by the illness of Mrs. Therese Cherrier, 53.

Other jury members had been sequestered over the weekend, pending

a decision on future deliberations.

When they checked out of their hotel yesterday, members of the panel said the first vote on a conspiracy charge was 8-3 for acquittal and a second ballot was unanimous for acquittal.

On a larceny charge, the first vote was 8-4 for acquittal of Means and 11-1 for acquittal of Banks, jurors said.

Nichol said Hurd had deceived the court regarding a key prosecution witness — Louis Moves Camp, 22 — when Hurd said he knew of no more serious charge against Moves Camp than public intoxication.

The defense claimed Moves Camp also had been charged with rape but that the FBI had persuaded local authorities not to prosecute him on that charge.

"This hurt deeply and it will take a long time to forget this sordid story," Nichol said.

The judge said Hurd was guilty of "errors of judgment" and negligence, which he said would not have happened if the government had been "half as thorough" in investigating the case as the defense attorneys.

Moves Camp had given the government's most damaging testimony against Banks and Means, each charged with one count of larceny, three counts of assault and one count of conspiracy.

During the weekend, while court officials and doctors watched Mrs. Cherrier's condition, the defense moved to acquit Banks and Means on grounds

that the prosecution violated ethical and professional standards.

Nichol said he treated the defense motion for a judgment of acquittal as a motion to dismiss because he felt it was a matter of misconduct by the government — not one of insufficiency of evidence.

Defense attorneys, headed by William Kunstler, had favored letting the 11 jurors decide the case if the judge did not order acquittal. But the government, feeling Mrs. Cherrier was in favor of conviction, opposed this.

Several times the judge criticized the FBI, once saying "I didn't realize the FBI was stooping so low."

The judge criticized Joseph Trimbach, special agent in charge of the FBI for Minnesota, North Dakota and South Dakota, for not ordering a lie detector test for Moves Camp before he was used as a government witness.

Nichol also criticized the FBI for keeping Moves Camp at a vacation resort in Wisconsin while he was waiting to testify and the government for allegedly paying him more than \$2,000.

Regarding the involvement of the military during the Wounded Knee takeover, the judge said, "We don't want the military running civilian affairs in this country — running the U.S. marshals and the FBI."

Under the law, he said, the military cannot be used to enforce civil laws in the United States.

Ford: 'No deals'

WASHINGTON (AP) — President Ford declared last night he is absolutely convinced he made the right decision in pardoning a "shamed and disgraced" Richard M. Nixon. He said there were no secret deals and no secret reason for the pardon.

And Ford added that the former president's acceptance of the pardon can be construed as an admission of Watergate guilt.

"I must say that the decision has created more antagonism than I anticipated," Ford acknowledged at a White House news conference. But he said it was right for the nation, for the sake of national healing and unity.

"... As I look over the long haul with a trial or several trials of a former president, criminal trials, the possibility of a former president being in the dock so to speak, and the divisions that would have existed... I'm still convinced that despite the public reaction so far that the

decision I made was the right one."

Again and again at the nationally broadcast and televised news conference, the questioning turned to the pardon, and Ford defended it.

"... I had no secret reason," he said at the outset. Nor, said Ford, did he have inside information on Nixon's health — although he was not oblivious to reports that the former president was ailing.

And later, Ford said there were no private deals:

"There was no understanding, no deal between me and the former president nor between my staff and the staff of the former president, none whatsoever."

Instead, Ford said, there was his concern that Nixon would be indicted for obstructing justice and possibly 10 other counts, that the proceedings would drag out for well over a year, and that they would worsen the national wounds of Watergate.

Shots fired near embassy

THE HAGUE, Holland (UPI) — A man in a speeding car fired shots last night at police standing guard outside the French embassy where three Japanese gunmen held nine hostages, including the French ambassador, under a death threat.

The shooting came as the takeover of the embassy went into its fourth day, with the Japanese still negotiating with Dutch officials by telephone for safe passage out of the country. Authorities said there had been some progress in the talks, but a police official said no breakthrough was expected before today.

Police said a man driving a Fiat sped past the besieged embassy, fired at a policeman and roared off. They said the shots missed.

Police said they had no further details on the incident.

Early yesterday, the gunmen released two women hostages and threatened to kill the nine remaining male captives. French Foreign Minister Jean Sauvagnargues said negotiations had taken a "very positive turn," but he did not elaborate.

Police said they felt the guerrillas would probably wait until today before fleeing to avoid attempting the 25-mile drive to the airport at night.

Dutch Premier Joop den Uyl said the two young women were released by the guerrillas after an Air France Boeing 707 jetliner demanded by the guerrillas arrived from Paris at Amsterdam's Schiphol airport, 25 miles away from the embassy.

Weather

Partly cloudy and milder through tomorrow. High today 70. Low tonight 54. High tomorrow 75.