

# News Notes

*of the Central Committee for Conscientious Objectors*

## Peace Corpsmen refuses induction

Fred Lonidier of Seattle, Washington, whose local draft board is at Oroville, California, refused induction on January 10, 1967. At a press conference the preceding day, Lonidier stated that he could not participate in the "cruel and unjust war" in Vietnam.

While still a graduate student at San Francisco State College, and classified as II-S, Lonidier was accepted into Peace Corps training. His draft board responded to this information by removing his II-S (which should have been continued until graduation), and placing him in I-A instead of granting the conventional discretionary II-A (occupational deferment). A member of the board stated publicly that the Peace Corps was not meant to be a "haven for draft dodgers." Presumably he feels the Peace Corps should accept only women, veterans, and the disabled. The local board decision was confirmed by the State and National Appeal Boards, and Lonidier was ordered to return from the Philippines to report for induction. Only one other man has been drafted from the Peace Corps, but 33 others are on appeal.

Both Lonidier, 24, and his wife, Paulette, feel he has been unjustly treated because of his local board's dislike of the Peace Corps. Lonidier made it clear, however, that his conscientious objection to the war in Vietnam was his reason for refusing induction. He quoted Felix Greene: "All over the world people are watching with numb horror the sheer brutality of the war that the United States is waging in Vietnam. The evidence is overwhelming and undeniable." Lonidier said atrocities committed by the National Liberation Front did not excuse our own.

### **They won't go —**

Dozens of men have refused induction or compulsory work orders, and dozens of others have been sentenced to prison in recent weeks. Six Jehovah's Witnesses in Rhode Island, Oregon, and Texas received two-year sentences; a New York JW was given a three-year term and Charles Allen Jackson, a Virginia JW, had his three-year sentence confirmed by the Fourth Circuit Court of Appeals. Two Maryland JWs were given four-year sentences. Art Harvey reports that New Hampshire JW A. Leonard Martin was given a four to six-years sentence under the Youth Correction Act, and two other trials are pending.

CCCO is seeking further information about four men, apparently not JWs, all of whom received three-year sentences. Curtis Day White, Gordon Lee Schisel and Robert James Lingo were sentenced in Fresno, Cal., at the beginning of January, 1967. Simuel Schultz, a civil-rights worker, was sentenced last fall.

West Coast CCCO reports that Jason I. Magid of Berkeley,

Cal., turned 18 last November, 1966, and has refused to register for the draft, and that Bruce Eugene Boswell has been arrested for refusing induction.

Twenty-one year old James T. Rowland, an honor student before he dropped out of Arizona State University, refused induction last fall. He wrote his draft board: "I undertake this action as a protest against the imperialistic policy of the United States. Guatemala, the Congo, Iran, Cuba, the Dominican Republic, and, of course, Vietnam have all felt the heavy hand of U.S. aggression. In all conscience I cannot lend myself to such a repulsive, brutal, racist and obviously inhuman regime." Indicted last November, CCCO does not know whether Rowland has yet been tried.

In Chicago, Ill., two men, Barry Martin and Robert Sheeley, refused induction and William Earl Butler was arrested for earlier refusal. In Baltimore, Md., Thomas G. Boos of Grand Rapids, Mich., was arrested for failure to report for induction. More information is needed. In Lexington, Ky., non-registrant Charles N. Alexander was given a five-year prison sentence last September. He has a wife and child.

### **More sentences**

Phillip Stiles, formerly of New England CNVA, was indicted by a Rhode Island grand jury along with non-registrant Gerald Caparco and Dennis Costa and John McManus, both of whom refused induction. Caparco was arrested and required to post \$2,000 bail.

Eugene Jessup, 20, of North Carolina, was sentenced early in December to two-years imprisonment for refusing induction. Before refusing induction, Jessup, a Methodist, started three times to enlist in the Air Force, but each time "his conscience would not let him complete his enlistment." Draft objector Michael Schreiber of New York on December 29 received a two-year sentence.

Three Californians, Charles J. Buskirk, Malcolm Dundas, and Brice Peddy, and Louis Waronker of Philadelphia, Pa., have disaffiliated from Selective Service by returning their draft cards to their local boards. Gregg Carlson, also of Philadelphia, burned his draft card in front of the White House in Washington D.C. on December 17.

As more and more federal district courts report calendars crowded with Selective Service cases, the Department of Justice announced there had been 680 prosecutions of draft violators during the governmental fiscal year ending June 30, 1966, compared with 349 the preceding year. CCCO predicts there will be over 1,000 prosecutions during the current fiscal year.

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## Returned Christmas greetings

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The Federal Reformatory at Chillicothe was closed down on December 1, 1966. CCCO will find out where the two COs who remained in Chillicothe have been transferred. There were inaccuracies as well on other lists used for the sending of Christmas greetings to imprisoned COs, for a variety of reasons. Why the Warden at Sandstone, Minnesota refused to deliver greetings to Jon Jost is under investigation.

Paul Perrier, in the military barracks at Ft. Leavenworth, has expressed his delight at receiving cards "from all over the world."

CCCO thanks those who informed us of greetings which were returned, and asks to be forgiven for not acknowledging each person individually.

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## Portland man objects

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"It is the corpses of my generation that lend weight to the empty platitudes of Lyndon Johnson" in the opinion of William Nygren, 21, of Portland, Oregon, an objector to the war in Vietnam who refused induction last year. Nygren stated two reasons for his draft resistance. "I disagree with the draft system itself, believing it to be a menace to democracy and an inducement to militarism." "My government in Vietnam is violating every standard of decency I hold dear."

At first Nygren entered a guilty plea, and was scheduled to be sentenced on January 4. After consultation with an attorney however, he changed his plea to "not guilty," causing a postponement of trial date. Nygren will contend that an individual has the moral responsibility to refuse to fight in a war which violates his deeply held beliefs.

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## Salute the Captain!

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Captain Howard Levy of Brooklyn, N. Y., head dermatologist of the U.S. Army Hospital at Fort Jackson, S. C., made headlines at the end of December when Col. Henry Fancy, his Commanding Officer, filed charges against Levy for disobeying orders and for making "disloyal statements." An investigation will determine whether he is to be court-martialed and face up to eight years imprisonment.

"I am not a pacifist but, like many other Americans in uniform, am appalled at our role in Vietnam," wrote Cap. Levy to CCCO six weeks earlier. Now he has publicly stated "I would refuse to go to Vietnam if ordered to do so," and "If I were a colored soldier, I would refuse to fight."

Levy's second charge stems from his decision not to continue teaching medical corpsmen dermatology skills for possible use in Vietnam. He felt the length of instruction too brief, and in any event medical aid should be given because it is needed, and not "in an effort to win over their

sympathies." During the investigation Capt. Levy is continuing to work at the hospital.

The American Civil Liberties Union has agreed to defend Levy should he be brought to trial.

### Writs of habeas corpus

The American Civil Liberties Union filed a writ of habeas corpus on behalf of Pvt. David W. Brown, a conscientious objector in Ft. Dix stockade, but Judge Arthur Lane of Trenton, N. J. refused to take jurisdiction. His decision will be appealed.

A breakthrough was obtained by Mark L. Schwartzman in Chicago. His writ was filed on behalf of Corp. Barry Laing who, like Brown, has been denied discharge on grounds of conscientious objection. Judge Will took jurisdiction and will determine whether Laing is being illegally held.

Petition for writ of habeas corpus, filed by J. B. Tietz on behalf of Pvt. Stanley J. Maly, was heard by the Federal District Court for Western Texas on January 12, but the outcome was not known at the time of writing.

### From Private to public figure

One of the hundreds of men in the military who have become conscientious objectors to all war or to the war in Vietnam is Specialist J. Harry Muir, stationed at Ft. Benning, Ga. At that base alone at least 21 men have applications for discharge pending, and six have been given non-combatant status apparently without an advisory opinion from National Selective Service. The latter no longer considers CO claimants on the basis of individual merit, but recommends against virtually all discharges and most non-combatant requests.

Specialist Muir, a poet, ceased to wear his uniform when he became a conscientious objector but was refused a discharge as provided by Army Regulations. Muir says he enlisted in 1964 specifically to "erase the pacifist leanings so common in poets and artistic people." Instead, his military experience led him into a principled rejection of organized violence. "My objection is to war in general, but because Vietnam is the war in progress it is my primary concern." Muir, an Episcopalian, comes from a prominent North Carolina family.

Specialist Muir went AWOL briefly on January 2 in order to deliver a mimeographed public explanation to the office of the *Columbus Ledger*, and faces imprisonment.

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## Price increase

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The price for the First and Second Editions of the **HANDBOOK FOR CONSCIENTIOUS OBJECTORS** was 35¢. For the 1957 Third Edition the price was raised to 50¢, where it remained through subsequent editions.

At its December meeting, CCCO reluctantly decided that the Third Printing of the Eighth Edition, now available, must sell for \$1.00 each, five for \$4.00. Our financial condition is such that we can no longer subsidize the **HANDBOOK**, of which 69,000 copies have been distributed—over half of them during the past two years. *If you have an Eighth Edition you do not need a copy of this Third Printing*, but remember the price: \$1.00; five for \$4.00.

## Men in Canada

At least three U.S. citizens who emigrated to Canada have been indicted for failure to report for induction. Thomas Hathaway, a conscientious objector formerly of Massachusetts, was arraigned *in absentia* on November 14, 1966. The other two men who live in Montreal, Canada, now, are Frederick C. Sumner, 23, formerly of Arlington, Va., and Gregory R. Garach, formerly of Hartford, Conn. Sumner was indicted in October, 1966 and Garach, who was featured in a recent *Life* magazine article on draft dodgers, was indicted on January 8. A bench warrant was issued to facilitate his arrest should he return to the United States.

On December 12, 1966, opposition leader John Diefenbaker said in Parliament there were from 1,500 to 3,000 U.S. citizens who had fled the United States and were living in Canada. He demanded to know the Canadian Government's attitude. Prime Minister Lester Pearson replied that applications for citizenship would be considered "on the individual merits of the applicant." He indicated that evasion of the U.S. draft would be a factor but that he "wouldn't like to give a general answer to the question." He denied knowledge of any U.S. Government protest in the matter.

## Barry Bondhus guilty

On December 2 Barry Bondhus was found guilty of damaging government property and of obstructing the functioning of the draft. As reported earlier in NEWS NOTES (causing one lady to ask to have her name removed from the mailing list and one other complaint) Bondhus dumped two buckets of human excrement into the files of his local board. Damage was estimated at \$500.

Trouble began for Bondhus at his pre-induction physical examination. On a form he filled out his birthplace as "earth" and his race as "human." The infuriated officer in charge was unable to make him alter the answers. He was sent home.

At one point Bondhus obtained the Form No. 150 to make a CO claim, but returned it without filling it out, saying the questions "didn't apply" to his position. During the trial, however, Bondhus' father obliged the prosecuting attorney to set out the CO procedures.

There are ten boys and one girl in the close-knit Bondhus family, which is deeply religious and studies the Bible daily. In court it was suggested that Bondhus had not been a free agent, but was acting under a fanatic father's instructions. But a CCCO supporter came away from a visit with the Bondhuses filled with admiration for their courage and integrity. "We came away better people than when we went."

Bondhus was sentenced to 18 months imprisonment and fined \$2,500.

## Briefly noted

**At Petersburg Federal Prison three COs — Gregory Beardall, David Reed, and Charles Muse — are in administrative segregation because they will not work. On Christmas day a hostile prison guard ordered Reed and Muse to clean the bars of their cells. Both refused, were taken to the hole and decided to fast until they were placed back in administrative segregation. Beardall refused to re-enter his cell when they were not returned the next day, and was also placed in the hole. All have since been returned to administrative segregation, in which status they can correspond, have visits, and access to books and commissary.**

*The Pentagon has asked Selective Service for 10,900 conscripts this month, February, and 11,900 conscripts in March.*

**In Chicago the Ford Foundation funded Conference on the Draft sponsored by the University reached suprisingly general agreement that the draft both could and should be abolished. The concept of Universal National Service received little support. Most participants favored an expansion of CO provisions if the draft continued. CCCO's Executive Secretary was a panelist at a public meeting following the conference, with an audience of 1000 persons.**

*Briefs were filed January 10 with the Supreme Court in connection with the David J. Miller case. The Circuit Court upheld the constitutionality of the draft card burning amendment to the Selective Service law.*

**An 82nd birthday appeal has been launched for A. J. Muste by his secretary, Beverly Sterner. As the peace movement's elder statesman, the Rev. Muste's Co-Chairmanship of CCCO represents but one of his many positions of responsibility in the peace movement. Contributions (checks payable A. J. Muste) are welcomed at Tenth Floor, 5 Beekman Street, New York, N. Y. 10038 and will be given for him to use as he sees fit in the cause of peace. A. J. Muste returned recently from a peace mission to Hanoi.**

*News flash! Word has come that the federal judge in San Antonio, Texas concluded that Pvt. Stanley Maly's rights had been violated (see Writs of habeas corpus, preceding page) and ordered that Maly's application for discharge from the Army be "reprocessed at the earliest practical time by personnel other than that which heretofore participated in consideration of said request". This success gives the Army the intriguing problem of finding a different "chain of command" through which the application can pass without violating the governing Army Regulation 635-20.*

**Figures released in December by Selective Service indicated there were 5,148 men classified as I-W — performing civilian alternative service. This is the largest number yet under the present draft law. The total number of men classified as I-O or I-W rose**

about a thousand during 1966, to 20,765. Thousands of COs have applications pending, and thousands of once-recognized COs are deferred or have moved on to V-A, the "overage" category.

The Navy Review Board recently ruled that James D. Minnix, who became a Jehovah's Witness after joining the Naval Reserves in 1961, should not be given a bad conduct discharge for refusing orders. His three months sentence was confirmed, said the board, but "although his separation from the service is indicated, the circumstances of this case are such that a punitive discharge is not warranted."

The General Board of the National Council of Churches on December 3, 1966 put aside a proposed statement of support for those who cannot participate in unjust wars, and instead called for an end to the draft which, "since 1945, has plagued the plans for education, career, marriage and family of successive waves of young men and women."

On January 10 Mohammed Ali (Classius Clay) was denied the CO classification. Two days later his local board declined to reopen his classification to determine whether he is entitled to the IV-D ministerial classification. Ali had submitted 92 petitions signed by 3,810 Muslims testifying that he is a full-time minister teaching the faith wherever he goes.

## The Court Reporter

### Arrested

Thomas G. Boos (Mich.)  
Bruce E. Boswell (Cal.)  
William E. Butler (Ill.)  
Phillip Wallach (Pa.)

### Indicted

Gerald Caparco (R.I.)  
Dennis Costa (R.I.)  
John J. Danna (N.J.)  
William Nygren (Ore.)  
James T. Rowland (Ariz.)  
Phillip Stiles (R.I.)

### Convicted

Barry Bondhus (Minn.)  
Edward H. Ferguson

### Appeals

12-5-66 David Mitchell, Second Circuit Court of Appeals. Conviction confirmed. On appeal.

### Sentenced

7-26-66 Charles N. Alexander (Ky.) Judge MacSwinnford, non-registration. Five years.  
12-6-66 Eugene J. Jessup (N.C.) Judge Eugene A. Gordon, refusal of induction. Two years.  
12-9-66 James E. Wilson (N.J.) Judge Shaw, non-cooperation. Three years.  
12-12-66 Richard Cool (N.Y.) Judge Edmund Port, noncooperation, up to six years (Youth Correction Act).  
12-29-66 Michael Schreiber (N.Y.) Judge Mishler, noncooperation, two years.  
1-5-67 Gordon Lee Schisel (Cal.) Refusal of induction, three years.

1-5-67 Robert James Lingo (Cal.) Refusal of induction, three years.  
1-5-67 Curtis Ray White (Cal.) Refusal of induction, three years.  
1-9-67 William B. Rhodes (Cal.) Judge Jesse W. Curtis, refusal of induction, three years probation.

### Prisons not verified

Charles Alexander, Eugene Jessup, Simuel Schultz, Gerald Simms, Victor Tammi, Jerry Venable, David B. Wood.

### Currently imprisoned

Allenwood, Pa. — Christopher Hodgkin, George Jalbert, Fred Moore  
Ashland, Ky. — David Benson, Jeffrey Whittier  
Danbury, Conn. — Richard Barthold, William McMillen, Terry Sullivan, James Walsh  
El Reno, Okla. — Robert A. Hill  
Lewisberg, Pa. — Barry Bassin  
Lompoc, Cal. — Darryl Skrabak  
Petersburg, Va. — Gregory Beardall, Richard Cool, Charles Muse, John Phillips, David Reed, Tom Rodd  
Sandstone, Minn. — Jon Jost  
Seagoville, Tex. — Murphy Dowouis  
Springfield, Mo. — Francis Galt  
Ft. Bliss Stockade, Tex. — Stanley Quast  
Ft. Dix Stockade, N.J. — David W. Brown  
Ft. Knox Stockade, Ky. — Mike Wittels  
Disciplinary Barracks, Ft. Leavenworth, Kan. — Raymond Crane, James A. Johnson, Dennis Mora, Paul Perrier, David Samas, James M. Taylor  
Camp Lejeune Brig, N.C. — John Morgan  
Fort Ord Stockade, Cal. — Felix Chavez  
Naval Correctional Inst., Portsmouth, N.H. — James Hayes, Bert Kanewske  
Treasure Island Brig, San Francisco, Cal. — Michael Couch  
Total number of COs convicted of Selective Service violations since 1948, 460 to date (minimum).

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