

HERSHEY PLEDGES DRAFT CRACKDOWN

Says Selective Service Will Induct or Help to Prosecute Those Violating Law

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Special to The New York Times

WASHINGTON, Nov. 7—The Director of the Selective Service, Lieut. Gen. Lewis B. Hershey, said tonight that his agency had decided to "live up to the letter" of the draft laws and to induct or aid in the prosecution of persons who violated them.

The decision, in the most obvious case, could result in the drafting of students or other young persons who hold deferments but who participate in antiwar demonstrations adjudged to interfere with Selective Service operations.

In other cases, the decision could result in the prosecution of persons who have no draft obligation but are charged with obstructing draft procedures.

Over the last several years, as the war in Vietnam has become increasingly controversial, opposition to the draft has become more and more widespread.

There have been numerous individual and mass antiwar protests in which draft officials have decided that laws were violated, but rarely have punitive measures followed.

General Hershey, who has headed the Selective Service for a quarter of a century, recently sent a letter to draft boards throughout the country recommending that steps be taken to insure the enforcement of draft statutes.

Commenting on the letter this evening in a telephone interview, the general said:

"From now on, we intend to live up to the letter of the laws. I don't want any revenge. I

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actually have a lot of confidence in the kids of this country. All I hope to do is to discourage some of the excesses we have had in the past."

The Selective Service laws provide penalties for "any person who shall knowingly hinder or interfere or attempt to do so in any way by force or violence or otherwise" with the operations of the draft.

Generally speaking, the punishment for such interference for persons with a draft obligation is placement at the top of the draft list, where speedy induction is virtually certain.

For persons with no draft obligations — women, for instance — there is the normal course of court prosecution. Usually, the Department of Justice will handle the case, but Selective Service policy in the future will be to provide all possible information — such as testimony — that might aid in gaining a conviction.

General Hershey's letter to the draft boards, which are responsible for determining when violations of the Selective Service laws have taken place and who is to be inducted as a result, was dated Oct. 26.

In the letter, the General dwelt at length on student deferments, noting that they were granted "only when they serve the national interest." He then concluded:

"It follows that illegal activity which interferes with recruiting or causes refusal of duty in the military or naval forces could not by any stretch of the imagination be construed as being in support of the national interest."

General Hershey said tonight that he anticipated long and hot disputes over what constitutes violation of draft laws.

He termed destruction of a draft card a clear-cut violation, and he also view the physical obstruction of selective service operations — such as barring doors — as worthy of punishment.

But, he acknowledged that peaceful picketing could rarely, if ever, be called a violation, and he thought it would be particularly hard to determine when the harassment of recruiting officers constituted a violation, since recruiting deals with volunteers, not draftees.

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