



H. R. Haldeman Diaries Collection, January 18, 1969 – April 30, 1973

National Archives and Records Administration, Online Public Access Catalog Identifier: 7787364

Friday, April 2.

This turned out to be pretty much Calley day all-day, as we worked on the whole question of the approach to further action. The President wanted to be sure that we got out the details regarding his decision yesterday to release him from the stockade. Tape's continued on the other side.

[End of tape reel AC-06(A)]

[Begin tape reel AC-06(B)]

Continuing Friday April 2. The points he made regarding his decision yesterday for letting Calley out of the stockade were, that he had checked on how long the review process would take, found it might be up to two years, recognized that common criminals are given bail; that he acted personally without consulting others; he got the facts and issued the order. He referred to the Lincoln period, and his study of that history and his idea that the Presidents have this right, but it must be exercised personally. It's not a legalism, or something done through the NSC process.

He felt strongly that we had to move on our next step today, or-- and at least announce it by tomorrow, so that we'd cover the Sunday papers and the magazines, as well as affect the Gallup poll being taken over this weekend. There was about a three-hour break for a meeting on welfare with Reagan, and then back to Calley considerations again. The President decided finally, after going through all the range of options, to take precisely the action that Dick Moore had recommended at the very beginning. That is, to announce now that he will review the case before the final sentence is imposed.



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He reviewed with Ehrlichman the basis for making the announcement on this action. Wants him to make the point that he's consulted with the AG and the Secretaries of Treasury, Defense, State, and HEW, and has received a lot of advice from them and other sources. Some said he should move now to free Calley or lighten the sentence, but he decided not to because this would be a derogation of the review process, and he had learned that it would take two months before the trial record was even available. Others said he should not get involved at all; that some of them even objected to his action yesterday, but that it was done as President, not as a lawyer, and he, of course, respects the right of others to take a different view, but he acted from a personal, human viewpoint.

There were also a lot of ideas regarding outside commissions or a Cabinet committee to review it, and others suggested leaving it in channels and having the Secretary of the Army take the heat on the whole thing. The President feels, though, that because the ramifications in this are far beyond those of an ordinary case, and that there are strong personal considerations, and because he happens to be a lawyer, he should not pass the buck or shirk his responsibility. That only he can have the larger view of the country, the military, the court system, and the individual. In other words, he rejected a strong recommendation to pass the buck or to pu-- or to avoid picking it up and, rather, decided to take action himself.

We had the results of our poll which showed overwhelming popular feeling that the President should act in the case and that the sentence should be completely eliminated. He won't go this far, but obviously, public opinion runs strongly on this. The awareness level of 96 percent is the highest we've gotten on any subject in any of our polls. With this whole thing behind him, he now plans to turn to the Wednesday night speech and has had Buchanan come out tonight to get started on that.

End of April 2.