

American

SEPTEMBER 1942

p. 18


100,000 DRAFT DODGERS

From the files of the G-men—the first story of how 7,000 men each month try to evade military service. They skip town, offer bribes, get their teeth yanked out, and even pull guns on Government agents. But they don't get away with it



*More than 1,200 evaders already
have been sent to prison*

by **MARK HYNES**

 **AS THIS** is written, 100,000 cases of attempted evasion of the Selective Service Act have been handled by the Federal Bureau of Investigation, and new cases are being reported at the rate of about 7,000 a month.

Nearly half the would-be evaders have settled their difficulties by making themselves available for military service. About 1,200 others are in federal prisons for terms ranging up to five years at hard labor. More than 40,000 cases are still pending.

These are the first authorized figures on the war's crop of slackers.

Ominous as they appear, they are really heartening, for they represent only about three tenths of one per cent

DRAFT DODGERS

of the total draft registration. In the last war, four and one-half per cent of the eligibles were delinquent.

And that's not the only favorable comparison. In the last war, when evasion was a simple misdemeanor, the average sentence imposed on draft dodgers was less than 30 days in the local calaboose. This time, evasion is a felony, and the average sentence is more than one year in federal prison.

Last time, evaders were hauled to court in wholesale lots after spectacular "slacker raids," in which small armies of regular and special officers blocked off sections of cities and combed them for suspects who couldn't show registration cards. In one of these, in New York in September, 1918, officers questioned 50,187 men and arrested 26,462 of them, of whom 15,000 were found to be delinquent.

This time there will be no such tactics. Instead, the Federal Bureau of Investigation is relying upon its own expanding force of special agents, assisted by 150,000 local peace officers, to examine every case individually. In Washington recently, J. Edgar Hoover, director of the F B I, told me:

"Our first goal is to get men into the Army rather than into jail. Any man who has made a simple mistake and is conscientiously willing to rectify it will first get a chance to make himself available for military service."

A lot of cases, of course, turn out to be the result of ignorance rather than of deliberate evasion. But ignorance of the law is no excuse. A New York editor didn't know he had to carry his registration card until he was arrested for a minor traffic violation and tossed into the jug because his draft card was at home among his handkerchiefs. This experience has been duplicated literally thousands of times.

Traveling men who have no permanent home frequently neglect to keep their draft boards informed of their mailing address, and so run afoul of the law. One door-to-door salesman recently walked into the F B I office in Los Angeles and plaintively reported that he could not even remember where he had registered; by patiently working back along his wanderings the F B I located his home draft board in Alabama.

In Denver, a house-cleaning mother gathered up all of the "trash" from her son's bureau and burned it; his registration card was destroyed. In Cleveland, a careless wife threw out her husband's questionnaire before he had completed it, and he forgot it existed until G-men knocked on his door.

Added to these examples of carelessness or ignorance are all sorts of petty subterfuges employed usually by eligible registrants who hope to postpone induction. Commonest is the plea of ill-

DRAFT DODGERS

ness; draft boards usually give the registrant a reasonable time to get well before referring his case for investigation.

In the whole unlovely picture of draft evasion, as revealed in Department of Justice records in Washington, there are flashes of grim humor, and of elaborate ingenuity worthy of a better cause. Typical cases from the official files reveal a strange assortment of dodging schemes ranging all the way from mysterious vanishing acts and self-inflicted physical disabilities, to attempted bribery of draft officials and actual armed resistance.

A most elaborate "now you see him, now you don't" scheme was attempted by Everett Steward, a will o' the wisp of Valley Station, Ky. Everett impersonated every member of his family to prove beyond question that he was dead and buried.

Everett registered, all right, but when ordered to appear before his Louisville draft board, he simply didn't show up. Six weeks later a young man walked in on the board and said he was Everett's half-brother. He reported sadly that poor Everett was in Waverly Hill Hospital, in bad shape.

Draft officials expressed sympathy and wrote a letter to Everett at the hospital. It came back unclaimed; no such person had been there. While officials were thinking this over, the half-brother appeared again, to report that Everett had now been removed to his home, still ailing. Seemingly substantiating this, the board received a letter signed Mrs. E. Stewart stating that her husband was bedridden.

Two weeks later a telephone call ostensibly from another relative announced that poor Everett had passed away and been buried in a neighboring town. When the draft board found this report false, officials reported rather querulously to the F B I that they (*Continued on page 106*) feared Everett was "an inveterate liar giving us the run-around."

Investigation by special agents disclosed that Everett had impersonated his various relatives, including his wife. When finally run to earth, he admitted it, and a federal judge sent him to the penitentiary for three years.

The records show that a surprising number of dodgers have a way of shedding their teeth when the time comes to be called up for service; they know Uncle Sam doesn't want toothless soldiers. One such was a young man of Hooker, Texas, who got rid of eleven teeth shortly before the date he was to report for induction. When arrested, he explained a toothache hit him on the day his draft board ordered him to report. It got worse, until at last he was driven to a dentist. A federal court in Amarillo, Texas, sentenced him to prison for three years.

ANOTHER evader living in West Allis, Wis., teamed up with a partly toothless pal in a baffling little drama entitled, "How to beat the draft." This draftee passed his first physical examination, but twenty-six

DRAFT DODGERS

days later an Army doctor turned him down because there were too many holes where teeth ought to be. It was all very puzzling—until closer scrutiny revealed that the man with the missing molars who flunked the second exam was another fellow, a toothless friend who was willing to stage an act of impersonation to help out a pal. Both pleaded guilty to violating provisions of the Selective Service Act. Each was sentenced to four months in prison.

Happily there have been very few instances of evasion by corruption of draft board officials. One case, however, shocked Philadelphia. The chief clerk of a local Selective Service board, a respected native son, pleaded guilty to accepting \$50 from a draftee who wanted deferment from his 1-A classification. He placed the blame on an associate, also a respected Philadelphian. The latter denied it but was convicted. Each man was fined and sentenced to prison.

Chicago had an even more flagrant case. A registrant, reporting for his physical examination, mentioned to the examining doctor that he would like to get a temporary deferment to earn money for his mother's support. He was pleasantly surprised when the doctor suggested he make a cash proposition to the chairman of his local draft board, and even telephoned for an appointment. The chairman, a practicing attorney, accepted \$10 that day and \$25 the following day. The money was in his pocket when he was arrested. He was sentenced to two years. The doctor also went to jail.

Comparatively few, too, are the direct actionists who try to resist the draft by force. In Cleveland, Ohio, one young man leaped out of bed when two detectives came to question him, grabbed a razor from a shelf, and scampered out the back door brandishing his weapon. He went to prison for eighteen months. In the Southwest, a misguided youth was critically wounded in a furious gun battle when he resisted officers.

In the backwoods of Arkansas recently, fur flew, bullets whizzed, and a stubborn young man bit the dust before it was over.

It all started when a young IZARD County farmer refused to report for a physical examination. A G-man and a deputy sheriff went to call. They found the young farmer surrounded by his family, and utterly adamant.

The officers returned later in the day with a warrant, the county sheriff, and an additional deputy. This time, the draftee's relatives formed a circle around him and invited the officers to do their best. Since the relatives were predominantly female and were armed with a double-bladed ax, a coal shovel, an iron poker, and chunks of firewood, the battle was one-sided. The sheriff's face was lacerated and the G-man got a nasty bruise. Once more the officers withdrew, and the family retired jubilantly into the house.

The officers now surrounded the house and asked the members of the family to step out. They refused. A tear gas bomb was fired through the front window. The draftee, clutching his long rifle, scurried out the back door. The G-man ordered him to halt. The draftee fired, but the bullet went wild. The G-man shot him in the leg.

The young man was sentenced to three years in prison, with an additional two years on probation. His father and a brother were each sentenced to one year for assaulting a federal officer. Each of two sisters was sentenced to six months' imprisonment.

DRAFT DODGERS

OF ALL the men who try to escape service, the conscientious objectors present the most difficult problem to the FBI in determining whether their claims to exemption are legitimate or not. The Selective Service Act sets up two types: those who object on the ground of religious beliefs or affiliation, and those whose personal scruples prevent them from doing any act to cause the death of another human being. In the first category, faithful membership in a recognized religious denomination opposed to war is considered legitimate grounds for exemption; the census department lists about 400,000 members of 17 such denominations. To judge the second group requires a thorough search of each man's past life and conduct. For legitimate exemption he must be opposed to all wars, not a specific war, and his objections must be moral, not critical.

In any case, the draftee must register, fill out his questionnaire, and, if instructed, submit to a physical examination. After that, if his claims are allowed, he may be classified as 1-A-O, which exempts him from combat service but permits him to serve in a noncombatant branch of the Army; or as 4-E, which exempts him from all military branches but makes him subject to labor duty under civilian direction. Any conscientious objector who feels he has been misclassified may carry his case to his district appeal board for final decision.

Thousands of cases are on the fine hairline between deep sincerity and deliberate evasion. Hundreds of objectors who might otherwise be exempted get into difficulties simply because they refuse to register or fill out forms because of religious scruples.

Most spectacular was the case of the Rev. Lloyd B. Schear, pastor of the Methodist church at Hughesville, Pa., a native son of excellent reputation and deep-rooted convictions. The Rev. Mr. Schear, 34, registered for the draft but refused to fill out his questionnaire. One Sunday morning, he told his congregation about it. He had, he said, violated his conscience when he registered. Now he would go no farther.

FOR months his friends pleaded with him to go through with the preliminaries, since it was entirely unlikely he would be called to military service. His draft board granted extension after extension, since he was universally popular and his stand was unusual. Finally, when he was reluctantly arraigned, he stood mute before the court.

Federal Judge Albert L. Watson, sitting at Scranton, Pa., was obviously moved by the circumstances. Even after the Rev. Mr. Schear had been found guilty, he was given two delays of sentence while influential friends tried to reason with him. Mr. Schear had only one reply: "If the laws of my government, to which I am devoted, conflict with the law of God, I must make my choice."

Finally he was sentenced to two years in prison, not for his scruples, but because he had refused to comply with the law.

For sheer, gaunt drama, few cases can stack up with that of the Marquardt family of Pine City, Minn., thirteen members of which went to jail rather than violate their principles. Roots of the case go back to 1917, when the patriarch, Paul Marquardt, was prosecuted for evading registration on the ground that all wars are unholy.

Through the years he taught this creed to his family. When the present war draft came

DRAFT DODGERS

along, stout-hearted Papa Marquardt appeared at the registration place one day ahead of time, leading his brood. He explained that he would not register, and that he had advised his family to follow his example. And they did, to a man!

Papa Marquardt was not arrested. When G-men went to see him, he took his Bible off the shelf and read passages which, he said, proved that by complying with the draft law his offspring would "take on the number and the name of the Beast." In due time the United States Attorney sent him notice to be in court on a certain day, at Duluth, Minn. He appeared, was convicted of aiding and abetting violations of the law, and was given a suspended sentence of two years.

Many of his sons, sons-in-law, and brothers-in-law were less fortunate. They were given sentences ranging from fifteen months to two years.

Most disputed claims for exemption are based upon the alleged necessity of supporting dependent relatives. If these claims are false, the draftee is guilty of evasion.

At Orangeville, Pa., a young man and his girl-friend claimed they were married and had a baby. When the draft board asked to see the baby, they borrowed one from a relative. It was months before the deception came to light, but now the man is in prison for three years and his girl-friend has to report to a probation officer.

On the other hand, draft officials in New York straightened out one set of tangled lives when a haggard man walked in months after registration date and confessed he hadn't signed up. "My wife was going to have another baby," he said miserably. "We already had one. I was out of a job. We were broke." Because he was "disgusted, mad, and confused," he had abandoned his family and lived "like a bum." He said he thought he had been a little crazy.

Slowly he had worked back to sanity. He had a job. He wanted to do the right thing. They didn't arrest him. Instead, they permitted him to register, then helped him find his wife. She was destitute. The two babies were in an institution. Yet she still loved him. G-men and draft officials worked out the legal kinks. Today the family is reunited.

SITTING with J. Edgar Hoover the other evening, I asked him what moral could be drawn from the thousands of cases his bureau had handled. I give it to you as he gave it to me, straight from the shoulder:

"Be honest," he said. "Honest with yourself and honest with your country. Don't think you can get away with evasions or subterfuges. We're building a democratic army, and we're building it upon democratic principles. Democracy means fairness and justice to all. It also means that the individual owes an obligation to the State. The State will be fair and just to him if he is fair and just to the State. That's all there is to it.

"If a man has made a mistake in judgment, or a mistake in principle, let him go immediately to his draft board or his local FBI office and talk it over. That is the honest way, the American way. Otherwise, he can never again be rid of the shadow of fear."

THE AMERICAN MAGAZINE