

## GUIDE TO DRAFT COUNSELING

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The purpose of this paper is to outline the things that draft counselors do. It is not, in any way, meant to be a program for an anti-draft organization.

The difference between a good draft counselor and a poor one is not how easily he can get someone out. The process of finding a way to beat the draft which will meet the needs of the individual SS registrant is largely mechanical. A good draft counselor will inject political questions into the conversation. He does not expect to instantly politicize or even visibly concern the inductee with larger questions than his induction, but he should be able to place the draft in a clearer political perspective. The guy being counseled will probably be doing a lot of thinking about the draft. The problem is to get him to think about who runs the draft, for whose interests, how certain deferments are used to channel young men to serve these interests outside the military, why Uncle Sam really needs him, and how people can get together to fight the draft.

But I'm not writing a paper on how to politicize people. Most of us think we know how politicize people. Very few, however, know how to get people out of the draft. This guide summarizes most of the things a draft counselor should know. I don't claim to have all the answers. And regulations change. And procedures change despite regulations. This guide is based on experiences in the bay area. Other SS districts operate in a slightly different manner--especially if they are not so used to troublemakers.

The first thing to do when counseling someone is to find out about him. How old is he? Why did he come for counseling? What is his political stand or moral position? Has he had physical or mental problems? Has he ever been arrested? Where does he work or go to school? How much education has he had? These questions help both in helping him dodge the draft and making political questions relevant.

Of course, you will be counseling some guys who have come in for specific reasons, or with specific questions. You should probably try to answer those questions before going into broader questions. Most of these guys will not need too much counseling.

Usually, the next step is to let the potential inductee read some of your literature, if he has not already done so. This should include some basic summary of draft dodging, a leaflet describing what can be done at induction or pre-induction, a general information sheet on Canada, and a propaganda sheet. The counselee may find something which particularly appeals to him, and when you start going into more details he will have something to refer to.

There are several areas which you should be able to cover. Hopefully, after completing the above steps, you will only need to discuss one or two with each individual.

1) Conscientious Objection. For many students, this is an appealing way to beat the draft. Although few will be able to get 1-O classifications, everyone gains time by applying. The appeals procedures tie up most claims for at least a year. The Central Committee for Conscientious Objectors has all the information necessary to

help one obtain a C.O. While C.O. applicants should be counseled by fully trained C.O. counselors (such as CCCO), some C.O. counselors may be hesitant to counsel registrants that do not appear to be sincere. It is therefore advisable that a draft counselor be trained to be a C.O. counselor. He should at least be able to outline the procedures (and how long they delay induction, etc.) to a prospective applicant. Remember, a deluge of C.O. forms overworks the SS.

2) Many young men are leaving to Canada to avoid the draft. It is important that they know that it is very improbable that they will be able to return without facing arrest, if, indeed, they fled to avoid induction. What can happen in the distant future is speculative. I understand, however, that everyone will be allowed to return after the revolution. Each prospective immigrant should know that it is possible to leave for Canada at the last moment, and to apply for landed immigrant status from the inside, but there are dangers and uncertainties. He should know whether he is included in the prohibited classes. If he is interested, he should go over the information in the Manual for Draft-Age Immigrants to Canada. You can advise him that even though he has a lot of time the best thing to do is to start to find out about jobs, housing, etc. The Vancouver Committee to Aid War Objectors and the Toronto Anti-Draft Program both have information which can help him.

The counselor should discuss the political implications of emigration or exile with the inductee, but he should not attack the inductee as a cop-out. You probably won't convince many men at this stage that their fight is here unless they have already questioned the values of emigration. Perhaps some will become active in Canada.

For a young man who has not registered yet, emigration is a means of avoiding the draft and allowing return. If, at age eighteen, a young man registers at a consulate, etc., he will be registered with local board #100 in Washington, D.C. Board 100 does not (but it legally can) draft guys until they establish residence within the states (that is, let the board know they are in the U.S.). He can return when deferred or over 26 if never deferred. This dodge, however, may be eliminated.

Active reservists and members of the military should be warned that Canada is no sanctuary for them. Consult a lawyer about inactive reservists. I have conflicting information.

3) Individuals who have criminal proceedings pending, who are in jail, on parole, on probation, or on conditional suspended sentence cannot be drafted. However, unconditional probation or suspended sentence will not prevent induction. Furthermore, there are procedures which can allow the removal of probation, or even release, in order to permit induction. It is my understanding, however, that an unwilling convict can prevent this.

Registrants with non-traffic criminal records involving a felony, one or more non-minor misdemeanors, or two or more minor misdemeanors, cannot be drafted unless a waiver is granted by the appropriate office or agency. (It varies with the seriousness of the record.) In processing the waiver, the SS uses subjective standards. Anti-social behavior (by their standards, of course) is the chief criterion, but because man-power needs have risen many unexpected waivers are "given." In investigating for the waiver, criminal records, employment records, and school records are usually checked. Only in a few cases will you be able to give an inductee with a record more than an idea of probabilities and possibilities.

4) Physical <sup>disqualifications</sup> are a touchy thing. There are several gimmicks reported as successful but all have their difficulties and failures. ~~The counselor should~~ stress that it is difficult to get a physical deferment (except in obvious cases) unless one has previously informed his board of your disease or defect and brings a letter from a doctor verifying his problem.

The Army medical regulations, AR 40-501, are very useful, especially in answering the questions of guys who think they might be entitled to a physical I-Y or IV-F. To use the medical standards, one should first collate the pages into one copy (you will have to xerox from a depository library or have us xerox some pages which are not currently in print). There is an index which makes it very easy to explore individual cases. You should familiarize yourself with the purposes of the different chapters. The appendices and chapters two and six are the most relevant. Chapter 2 gives requirements for I-Y's (qualified for induction only in case of declared war or national emergency). I-Y's are often granted for limited time periods, the most common being one year. Chapter six gives the additional requirements for IV-F, complete disqualification. The appendix giving the height-weight ratios should be useful. Guys should be warned that borderline height-weight cases get called back for another physical in six months.

The medical language in the regulations is difficult to understand. You should line up doctors or med students who can interpret.

Many young men don't want to wait till their physical to find out where they stand. College national service advisers recommend that men start to enlist, and be given the physical during enlistment procedures. We recommend that a guy write his board for an interview with the local board medical adviser, a local doctor who works with his board. The medical adviser can find a registrant unfit, but a guy can't be found officially fit until his physical.

It is important that you understand the procedures of the pre-induction physical and the induction. That is, the inductee must know to check whatever he can, without perjuring himself or being instantly identified as a draft-dodger. The inductee should be warned that the reception of his claims often depends on the individual doctors. Often a registrant is required to come back the next day if the army thinks he is on drugs.

Each registrant must be given a pre-induction physical ~~not~~ more than one year before induction. At induction, he must be given a brief physical inspection or a complete examination (if he is delinquent or the year has passed). So if one passes his physical he still can be exempted at induction. But the army doesn't necessarily follow its own rules, and sometimes one is examined at induction only if he insists upon it.

5) Psychological ~~exemptions~~ are similar to physical deferments. Although these exemptions are getting harder to get (rising manpower needs), the army is rejecting a number of men who are not psychotic in the proper way. A record of treatment--or anti-social behavior is important in getting a psychological deferment, but it is possible to gain exemption that date of one's physical, or even at induction. It is important to emphasize that psych deferments are subjective, and different shrinks have different standards. Disruption or hassling the shrink has worked in cases. Declaring homo usually gets one out. Many guys (especially hippy-types) have gotten out by doing physically vulgar things at their physicals. Sometimes people get out by explaining to the shrink that they can't follow orders. It is important to note that it is sometimes difficult to get to see the shrink. To make sure he sees the shrink, a guy should check pertinent categories on the medical history form, ask to see the shrink, and/or indulge in petty disruption. Sometime the shrink will not want to listen. A guy might have to make the shrink listen. The use of drugs like LSD and marijuana are getting very few people out of the draft these days, for the army figures that guys will start using as soon as they are sent to Vietnam. Other drugs might disqualify you, but if an addict a guy won't want the authorities to know.



Since I typed the last page I have learned that it is very difficult to "queer out" at certain experienced induction centers, such as Oakland. One must have a record of homosexuality, evidenced by an arrest record, letters from doctors, or letters from psychiatrists.

The registrant should be reminded that the best way to get out is to have a record of problems. If he does not, then it is best to start seeing a shrink before he is examined by the army.

Guys who work to see the shrink should be warned that often, to gain an interview, they will have to come back a second day.

6) If a guy does not have much education or does not speak English well (excluding Spanish-speaking residents of Puerto Rico) he can be disqualified. Deliberately doing poorly on the mental tests is usually ineffective, for the army is suspicious if the test results do not match one's educational record. They have a battery of lower level tests for those who fail the first test, and a personnel psychologist interviews guys with questionable scores. The only guys who can get out by deliberately failing the tests are self-educated drop-outs.

7) Fathers are given exemptions if they are living in a bonafide parental situation, supporting a child, regardless of legal relationships. One cannot be exempted as a father if he has applied for, and received, a II-S deferment since July 1, 1967.

8) Occupational deferments are given in many fields. The new SS rules merely leave the granting of all occupational deferments to the discretion of the local boards. Teachers are expected to be given deferments at many levels. When discussing these deferments you have an excellent opportunity to politicize your counseling by explaining the SS concept of manpower channeling.

9) Student deferments. The thing which should be stressed about student deferments is that they can count against the registrant when he drops out or graduates. If one has held a II-S he has "extended liability," which means he can be drafted until age 35; but this isn't happening now. The priorities in order of call make it rough on someone who has held a II-S. And the fatherhood-dependency exemption is not given to those who have applied for, and received, a II-S since July 1, 1967. Therefore, if a guy plans to take time off from school, he should be counseled to try to get away without having to resort to a II-S.

The I-SC (to be distinguished from the Independent Socialist Club) is a deferment which allows undergraduate college students to complete the school year after receiving an induction notice. But a registrant can receive a I-SC only once. Holding a I-SC does not carry all the liabilities that one gets from having held a II-S.

10) Currently guys past their 26th birthday are not being drafted (excluding doctors). But legally, if one has ever held a deferment he can be drafted until age 35. The process of creating delays until age 26 is a useful means of dodging the draft.

Most of us are careless in using the term "deferment." This term applies to a specific groups of classifications, including student deferments (I-SC, II-S; I-S) and occupational and agricultural deferments. Technically, I-Y's and IV-F's (and other classifications) are not deferments. They are disqualifications and exemptions. I-Y's, therefore, do not extend one's liability.

11) Legal technicalities. You should write down questions and have lawyers and regulation readers to contact. The Yale Law School Brief may prove handy.

12) Delays. The procedures of applying for conscientious objection and the subsequent appeal usually take at least a year. Guys can wait out most of their thirty-day appeals period before appealing or applying for a personal appearance.

Transferring the local of one's physical from one's home board to the area where he lives can buy a month or so. This opens the possibility of moving in order to do this. The chief value of such a delay is to give a guy more time to prepare for his physical. This can also be done (but is more risky) by calling in sick the day of one's physical.

Another important delay is an arrest on a minor charge.

Refusal to sign the security form is also a good delay.

13) Security form DD98 must be accomplished by all registrants prior to induction. If not, a military intelligence check is given. In theory, the form is given at the pre-induction physical, and then a statement confirming the same is presented at induction. However, it does not always happen this way (we've hassled 'em too much). Often the form is not given at physicals.

The purpose of the security form is to keep "subversives" from entering the Army and subverting it. Enough guys have organized within the military to keep the army somewhat vigilant.

The form consists of a long list of organizations, mostly CP fronts, and questions relating to them, covering all forms of associations. If a person refuses to sign (fifth amendment) or answers "yes" to one of the questions, he must be investigated. Guys who want this delay should be warned that they will not be given a security clearance in the Army if drafted, that they will have an FBI file resulting from the investigation, and they can be prosecuted if they perjure themselves on the form.

The form should not be presented to an inductee until he is found otherwise qualified for induction. A guy can refuse to sign on those grounds until he has completed his other examinations.

The investigation guarantees a delay which may last several months, depending upon the stability and traceability of the inductee. It includes "recommendations" from employers and from schools. Most guys who are investigated will not get out for refusing to sign (although they can develop a means of dodging during the months of investigation). Only if one is politically active, has a political record, and/or has indicated in his relationships with the SS that he is potentially disruptive can he get exempted.

The guy should be warned that he will be interviewed by the military intelligence officer immediately following his refusal to sign. The safest thing is to refuse to sign all pertinent subsequent statement. Someone who refuses to sign the security form should also refuse to complete the section of DD398 (personal history form) relating to political background.

14) Political deferment. If a guy has been active in the Movement, there are many sections of the country where the possibility of being disqualified for political reasons is real. The bay area is one of these areas. For others, the threat of political difficulty can enhance the chance for other disqualifications. Refusal to complete DD98 is usually an important part of obtaining political exemption.

In working for a political deferment it is important to let the SS know that one has "subversive" politics. One can write his local board telling it that he will go if inducted, and will organize GI's against the war, the system, etc. One can say that he will go into the military to learn how to fight, so he can fight the Man when he comes back. (Detroit, remember, was torn up by young blacks, many of whom were Viet Vets.) One can also use a C.O. application to indicate his views. Men who choose such a route should be warned that if they ever go to court (over a draft cases) that such statements could be used against them (especially on C.O. forms.)

The inductee can also write leaflets for distribution at his pre-induction physical, with the purpose of letting the SS know that he has "dangerous" politics and is willing to organize. Most guys sign the leaflets to make sure that they will get into their files. Such leafleting is valuable in approaching other inductees. You should make it clear to a potential leafletter that your are, in a way, using him to push your political goals (which you can discuss with him.) The guy can also pass out standard leaflets on the draft or the war. We usually try to get standard leaflets passed out on busses, at the bus station, or at the door of the induction center, and special, personal leaflets passed out inside. On the busses other inductees have time to read the lengthy informative leaflets. Also, on the bus the "troublemaker" will have the opportunity to meet friendly brothers, who can back him up later, possibly as witnesses. In many places, speeches are made on the busses in the attempt to reach fellow inductees.

The mechanics of leafletting are complicated. (This section is based on experiences at Oakland.) If a guy passes out his leaflets surreptitiously (but makes sure the Army can find a copy or two with his name on it) then he will not be thrown out. This, however, does not make the SS think he is much of a troublemaker.

If he leaflets openly, and is stopped, they will take his leaflets or make him promise not to pass them out. Some guys have had hidden caches of leaflets (in coats, etc.) that they passed out whenever beyond the view of SS or army. If one gives up his leaflets, he should get a receipt. Often, when guys are permitted to keep their leaflets but not pass them out, they just let the other guys know that they can pick them up, from their hands, laps, etc.

The pre-inductee might insist on his rights as a civilian (he is not subject to military discipline. Usually, the officer in charge will try to throw him out. (The same will happen if one leaflets after promising to stop.) If our man is thrown out, he should ask for a receipt from the IC staff, verifying that he reported as ordered. He probably won't get this, so he should have witnesses, whether fellow inductees or friends outside (who have come to leaflet or demonstrate). The army will tell him that he will be declared I-A delinquent, and ordered up for immediate induction. This sometimes happen, but some guys have merely been called back for physicals, thrown out again, and forgotten about. If called for induction the guy can still refuse to sign the security form, and thus delay induction. It is our feeling that the procedure of declaring an inductee delinquent for leafleting could be tested in court. It has not been done yet, for most of those guys (perhaps all) who have been declared delinquent have been found politically unfit.

If a guy refuses to leave because he was ordered to report, then he will probably be arrested. Try to line up support, bail, and lawyers for a guy who might be arrested. To our knowledge, all of these cases have been won in court.

Other forms of political disruption include speechmaking inside the induction center, visibly trying to help or "organize" fellow inductees, or bothering the staff.

If a guy wants to disrupt at his physical, try to set up a support demonstration (twenty to forty pickets) if he wants it. This is the standard way of building an anti-draft UNION out of a draft information group.

Explain to a guy who faces induction that it can't hurt him to be thrown out of his induction. They'll merely call him back. Usually, when a draft resister goes to court, he has an opportunity to submit to induction anyhow. It is important, however, to have witnesses that he did appear as ordered.

When counseling, it is your duty to warn the man you counsel of the possible ramification of his action. He may face problems later in life as a result of his present day activities. You may want to discuss "priorities" with him. Each guy has his own hang-ups. You will never get anywhere unless you respect them.

This is a simple summary of many of the things that draft counselors should know. The counselor should attempt to build up files of leaflets, and he should note successes he has had or heard about. He can keep a file or personal statements of inductees, and he should get copies of selective service regulations, laws, and memoranda. He should try to obtain copies of Army Regulations, many of which are available for reading and perhaps copying. Below is a bibliography of available stuff.

#### Leaflets

"Escape from Freedom--Immigration to Canada and its Relationship to the Draft"  
1c @. Toronto Anti-Draft Program, 2279 Yonge St., Toronto 12,

"Immigration to Canada and its Relationship to the Draft" Vancouver Committee to Aid War Objectors, P.O. Box 4231, Vancouver 9, British Columbia.

the Toronto leaflet is simpler, and the Vancouver leaflet is written as an original with a supplement explaining the new (Oct. 67) immigration law.

"Uptight with the Draft" War Resisters League 514 Mission, S.F., in west.  
Emphasizes C.O. and non-cooperation.

CCCCO has a number of leaflets (Central Committee for Conscientious Objectors, 2006 Walnut St., Philadelphia) I don't know their new San Francisco Address.

The Stanford Anti-Draft Union has

"You Don't Have to Go"--a basic summary of draft-dodging (\$12.00/thousand)

"Your Pre-Induction Physical"--describes the PIP and what can be done. The humorous tone makes it readable.

"Channeling." SADU reprinted, with a cartoon on front, the SS memorandum.  
\$3.00/100.

"It's Not too Late to Know Your Right"--Berkeley ADU, 1703 Grove, Berkeley.  
(Possibly not available.)

#### Packets

CCCCO has a packet for C.O. counselors.

The Toronto Anti-Draft Programme will soon be producing a counselors packet.

National Lawyer's Guild (5 Beekman St., Room 610) NYC, NY 10038) produces materials which are very helpful

The Vancouver Committee to Aid American War Objectors offers materials which describe jobs, schooling, etc. in British Columbia.

#### Books

Handbook for C.O.'s (CCCCO) \$1.00 (subscribe to News Notes to stay up to date)

Manual for Draft-Age Immigrants to Canada \$1.00. A complete description.

from the Toronto Anti-Draft Programme. The Stanford Anti-Draft Union should have copies soon.

How to Stay out of the Draft, by Conrad Lynn. \$1.25?? Available from Monthly Review or Grove Press.

Yale Law Brief (from some group at Yale Law School) This is not a book.



### Movement Sources

The National Guardian ran a series on draft counseling recently. SDS's New Left Notes occasionally has things on draft counseling. Most of the stuff on the draft, however, is bullshit by non-organizers, or new organizers (around the draft).

### Government Publications

The Selective Service Act of 1967, including the old law which it updates.

Presidential Proclamations

SS Regulations and Transmittal Memoranda

Army Regulations

AR 40-501 Standards of Medical Fitness. Very useful. Available from the government printing office. You can order over twenty-five at a reduced rate and sell them for \$1.60. (A new edition may be coming out soon, lowering the prices.) They are also available at depository libraries and from the Stanford Anti-Draft Union.

AR 601-270 Armed Forces Examining and Entrance Stations. (Induction centers) Not only describes how to run one, but it gives information regarding moral and political disqualification. Available from SADU at high cost or from depository libraries.

AR 635-20 Conscientious Objection

AR 635-200 General Provision for Discharge and Release

There are many more of marginal interest. If you have researchers who don't know what to do, let us know.

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