

The original documents are located in Box 20, folder “JL 1-1: Pardon - Tokyo Rose (Iva Toguri) (4)” of the Kenneth Lazarus Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE
WASHINGTON
December 3, 1976

TO: KEN LAZARUS
FROM: PHIL BUCHEN

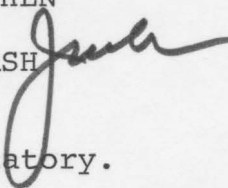


THE WHITE HOUSE

WASHINGTON

December 2, 1976

MEMORANDUM FOR: PHIL BUCHEN

FROM: JACK MARSH 

The attached is self-explanatory.

Could you prepare a status report for the President on the matter involving Tokyo Rose.

I am of the view that you, rather than the President, should get to Senator-elect Hayakawa.

cc: Dick Cheney



THE WHITE HOUSE
WASHINGTON

December 2, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

JACK MARSH

FROM:

JIM CONNOR *JEC*

The following notation was directed to you in the President's outbox:

"Senator Hayakawa called. Interested in pardon for Tokyo Rose.....I said I would ask for status report and then make decision on course of action.... Talk with me."

Please follow-up with appropriate action.

cc: Dick Cheney



THE WHITE HOUSE
WASHINGTON

To: Ken
From: Eva

Mr. B has
the original



[12/6/76]

December 5, 1976

Dear Spark:

This is to acknowledge receipt and thank you for your November 13 letter to the President recommending consideration of a Presidential pardon for Mrs. Iva Toyuzi D'Agulino (Tokyo Rose).

As you know, initial responsibility for requests for Executive Clemency rests with the Pardon Attorney at the Department of Justice. His recommendations are submitted to the Attorney General, who in turn submits them to the President. I will be pleased to ask that your letter be placed with Mrs. Toyuzi's records.

With kindest regards,

Sincerely,

Charles Lippert, Jr.
Deputy Assistant
to the President



The Honorable Spark M. Matsunaga
House of Representatives
Washington, D.C. 20515

bcc with incoming to Philip Buchen for appropriate handling

WTK:CL:JEB:kt

SPARK M. MATSUNAGA
1ST DISTRICT, HAWAII

WASHINGTON OFFICE:
442 CANNON BUILDING
20515

HONOLULU OFFICE:
218 FEDERAL BUILDING
96813

*Pro Pardon
Law Toguri*

Congress of the United States
House of Representatives
Washington, D.C. 20515

12-1
DEPUTY MAJORITY WHIP

MEMBER:
COMMITTEE ON RULES
STEERING
AND POLICY COMMITTEE
CHAIRMAN, SUBCOMMITTEE
OF SELECT
COMMITTEE ON AGING

November 23, 1976

The President
The White House
Washington, D.C. 20500

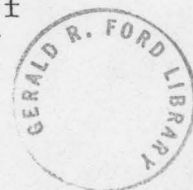
Dear Mr. President:

MF

On November 17, 1976, at the former site of the Federal District Court in San Francisco, now used as a post office, a petition for the pardon of Iva Toguri, convicted of treason in such court 27 years ago, was mailed to the Pardon Attorney in Washington, D.C. Ms. Toguri, a victim of the World War II "Tokyo Rose" legend, is deserving of a Presidential pardon as this Nation's Bicentennial gift to her. As a member of Congress, I fully support the granting of a Presidential pardon in order that Ms. Toguri may once again possess that which she once cherished above all else -- her U. S. citizenship.

Ms. Toguri's story does not begin in 1949, when she was tried, convicted, and sentenced for treason, indisputably the most serious offense against this country that any American could commit. Nor does her story begin during the lonely World War II years that she spent in Japan, where she was stranded while visiting a sick aunt, and where she allegedly engaged in the acts for which she was later to be indicted and brought to trial. Ms. Toguri's story actually begins with her birthright; she was born an American citizen, her most cherished possession, on July 4, 1916.

Unlike many others who chose a course of personal convenience, some of whom were later to testify against her -- falsely, according to recent disclosures -- Ms. Toguri came home to America after World War II had ended. Her return to the United States apparently was motivated by two basic reasons: First, she loved her country, and that love was not in any way diminished while she was forced to lead a hand-to-mouth existence in the land of her country's enemy; and second, she



The President
November 23, 1976
Page Two

sincerely believed in her "Orphan Ann" broadcasts which were beamed to American troops in the Pacific from Tokyo, that she was aiding, not hindering, America's war effort.

Today, Ms. Toguri, age 60, lives quietly and modestly in Chicago. She was released from prison after serving 6 years and 2 months, with reduced time for good behavior, of a 10-year sentence. She has paid her fine of \$10,000 in full. But she has not regained her cherished U. S. citizenship, which she lost when she was sentenced. She remains remarkably composed despite recent disclosures by the press, for example, Far East correspondent Ronald Yates' story on the front page of the Chicago Tribune of March 22, 1976, stating that prosecution witnesses living in Japan informed him that "they were forced to tell half-truths and withhold vital information at her 1949 trial for treason."

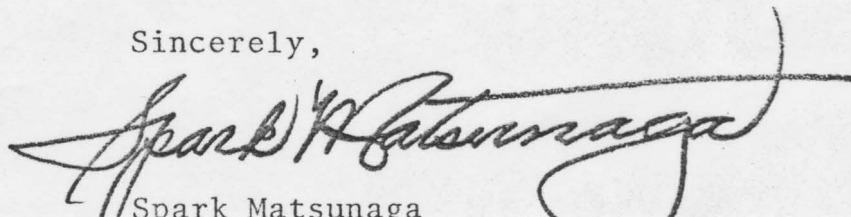
Ms. Toguri's one abiding wish is to have her American citizenship restored to her. She seeks no retrial of her case, even though it now appears that she was made a scapegoat. She only wants a Presidential pardon, and in no way claims that she was denied due process. She does not condemn the American judicial system. A Presidential pardon, if granted to Ms. Toguri, would therefore demonstrate the strength of our system -- that its checks and balances insure justice in every possible case.

The granting of a Presidential pardon and the restoration of U. S. citizenship to Ms. Toguri would further serve as a symbolic act on the part of our Government that our system's greatness lies in part in its flexibility to show kindness and tolerance toward those whom it once prosecuted.

Mr. President, the petition merits your favorable consideration. I strongly recommend that Iva Toguri be granted the pardon that is prayed for in her petition.

Aloha and best wishes.

Sincerely,



Spark Matsunaga



Mr. President
November 23, 1976
Page Three

cc: Honorable Lawrence M. Traylor
Pardon Attorney
Department of Justice
320 First Street
Washington, D.C. 29537



December 6, 1976

Dear Senator:

This is to acknowledge receipt and thank you for your November 29 letter to the President recommending consideration of a Presidential pardon for Mrs. Iva Toguri B'Aguino (Tokyo Rose).

As you know, initial responsibility for requests for Executive Clemency rests with the Pardon Attorney at the Department of Justice. His recommendations are submitted to the Attorney General, who in turn submits them to the President. I will be pleased to ask that your letter be placed with Mrs. Toguri's records.

With kindest regards,

Sincerely,

William T. Emsfall
Deputy Assistant
to the President

The Honorable Charles H. Percy
United States Senate
Washington, D.C. 20510

bcc with incoming to Philip Buchen for appropriate handling

WTK:CL:JEB:kt



4
CHARLES H. PERCY
ILLINOIS

12-2

Re
Pardon

United States Senate

WASHINGTON, D.C. 20510

November 29, 1976

MP

Dear Mr. President:

This letter is written out of concern for my constituent, Mrs. Iva
Toguri D'Aguino, a long-time Chicago resident who was convicted of
treason as "Tokyo Rose" following World War II.

The press has recently revealed a well-documented case illustrating
what seems to have been a tragic miscarriage of justice against this
woman caused by the anti-Japanese hysteria following World War II.

In view of the recent disclosures in this case, and her petition for
a Presidential pardon, I would hope that this matter could be
thoroughly reviewed and -- if the press accounts are accurate --
that a pardon be granted.

Sincerely,

Charles H. Percy

The President
The White House
Washington, D.C. 20500



THE WHITE HOUSE
WASHINGTON

December 7, 1976

MEMO FOR: LARRY TRAYLOR
FROM: Ken Lazarus
SUBJECT: "Tokyo Rose"

Please provide a direct reply to the two letters attached. I would appreciate receiving a copy of your replies for our files.

This case should be processed before we leave.

Thanks!

Attachments:

- (1) ltr from Gov. Dan Evans, 11/24/76
- (2) ltr from George Holt, 11/30/76





STATE OF WASHINGTON
OFFICE OF THE GOVERNOR
OLYMPIA

DANIEL J. EVANS
GOVERNOR

November 24, 1976

Steve
McConahay

The Honorable Gerald R. Ford
President of the United States
The White House
Washington, D.C. 20500

Dear President Ford:

The Japanese American Citizens League has been engaged in an extensive campaign to bring to the public's attention the circumstances leading to Iva Toguri's trial and conviction in 1949 on charges of treason.

I respectfully request you consider action to reopen and investigate Mrs. Toguri's case. The many Asian American citizens of Washington State are supportive of this action and also urge your expeditious consideration.

Sincerely,

Daniel J. Evans
Governor

DJE:lg





Office of the District Attorney

CLARK COUNTY COURTHOUSE
LAS VEGAS, NEVADA 89101
(702) 386-4011

GEORGE HOLT
DISTRICT ATTORNEY

November 30, 1976

PB-1

The President
The White House
Washington, D.C. 20500



Mr. President:

Recently I read an Associated Press release out of San Francisco to the effect that Tokyo Rose will be seeking another petition for a Presidential pardon.

I was personally appalled at the thought that Tokyo Rose may, in fact, receive such a pardon. I am one of those strong Americans who feel that criminals such as Tokyo Rose should continue to pay for the terrible acts which were perpetrated during the second World War, in spite of age, health, and anything else that may occur to those individuals.

In fact, it occurs to me that it is odd that this Country would allow her to be living within the United States. Therefore, I request at this time that deportation proceedings be instituted.

Respectfully yours,

George E. Holt
District Attorney
Clark County, Nevada

GEH/ch

THE WHITE HOUSE
WASHINGTON

From: Robert T. Hartmann

To: Philip Buchen

Date: December 8, 1976 **Time:** a.m.
p.m.

Here is some additional material
relating to the correspondence
forwarded to you on December 2nd
from Mr. Clifford I. Uyeda, Chairman,
Japanese American Citizens League.



COMMITTEE FOR IVA TOGURI OF THE JAPANESE AMERICAN CITIZENS LEAGUE

JACL Headquarters Bldg.
1765 Sutter Street
San Francisco, California 94115

Attorney Wayne M. Collins,
Consultant

Clifford I. Uyeda, M.D.
Chairman

Partial Listing -

REPORT, December 2, 1976

Individual Endorsements:

Gov. George A. Ariyoshi, Hawaii
Mayor Tom Bradley, Los Angeles
Rep. Yvonne B. Burke, California
Lt Gov. Melvyn Dymally, California
Secretary of State March Fong Eu, Calif.
Rep. Donald M. Fraser, Minnesota
Prof. S.I. Hayakawa, S.F. State Univ.
Rep. Spark M. Matsunaga, Hawaii
Rep. Abner J. Mikva, Illinois
Assemblyman S. Floyd Mori, California
Mayor George R. Moscone, San Francisco
Rep. B.F. Sisk, California
Atty Gen. Evelle J. Younger, California

From: Clifford I. Uyeda.

To: Committee members.
JACL National Board & Staff.
JACL Chapter Presidents.

Organizational Endorsements:

American Civil Liberties Union,
No. Calif. Chapter
Americans for Democratic Action,
No. Calif. Chapter
California State Legislature
National Council of the
Churches of Christ
San Francisco Board of Supervisors
San Francisco Commission on
the Status of Women
Willard Anderson Post #2471,
VFW, Dalles, Oregon

Reaction to Media Coverage of the Petition Filing:
(11/17/76)

One cannot blame Iva for being uncomfortable about media interviews. By quoting her out of context, some media representatives fortified their pre-conceived prejudices and made her statements completely out of line with what was really said at the press conference.

The most outrageous reporting was the one which "quoted" Iva as saying, "I am not asking for exoneration, only a pardon." She never made that statement.

Attorney Wayne M. Collins and I were right next to her throughout the November 17th press conferences. One press gentleman asked how many times she had applied for a pardon. Attorney Collins answered that question.

He said there were two previous petitions filed, the first one was for exoneration not pardon because at that time (June 1954) Iva was still in prison. The second petition was for a pardon, as is this third one.

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11/18/76 - SAN FRANCISCO CHRONICLE

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"27 Years After Dubious Conviction of Iva Toguri d'Aquino
Petition Filed Here for Presidential Pardon"

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"Tokyo Rose again seeks pardon: 'America is my home.'"

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"Seeking Pardon"

11/18/76 - WASHINGTON POST (D.C.)

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"'Tokyo Rose' Files Clemency Petition"

11/19/76 - CHICAGO SUN TIMES (Editorial)

"Pardon 'Tokyo Rose'"

11/20/76 - COLORADO SPRINGS SUN

"Tokyo Rose--soldiers' legend"

11/22/76 - NEW YORK TIMES

Letter to Editor, by Michi Weglyn: "A Pardon for 'Tokyo Rose'"

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"Heed Plea of Tokyo Rose"

"There is much merit to her plea."

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"Her requests presents President Ford the opportunity to make a humane and symbolic gesture during his final days in office."

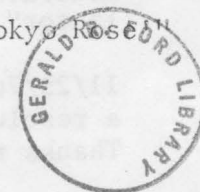
"For the President of the United States, a pardon would be a small act that says much about our fairness and compassion as a nation."

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"Pardon Tokyo Rose"

"President Ford should undertake a compassionate act before he leaves office in January--grant a full pardon to Tokyo Rose."

"Now that her official request for pardon has been filed...it is time for the President to act."



11/26/76 - HOKUBEI MAINICHI (Delphine Hirasuna)

"Scapegoat"

11/26/76 - PACIFIC CITIZEN

"Iva files pardon plea"

11/29/76 - STANFORD DAILY (Editorial)

"Pardon Iva Toguri"

"We are hopeful...that President Gerald Ford, now free from political pressures...will grant the pardon expeditiously. If not, President-elect Jimmy Carter should begin his administration in a positive note by righting the government's 30-year-old wrong against Toguri."

11/29/76 - Clifford Uyeda on KDKA, Pittsburgh, Pa. (10:00 - 11:00 p.m. Pittsburgh time). Talk show concerning "Tokyo Rose." John Signa moderating. (Pittsburgh a cold 6° F, with the wind making the "chill factor" -15° F. San Francisco was shivering in the mid-50s.)

11/29/76 - San Jose VFW Nisei Memorial Post No. 9970 unanimously passed a resolution at its October meeting supporting pardon for Iva Toguri. Thanks to Post Commander, Robert E. Pursel, who notified us.

12/2/76 - Received a copy of Congressman (Senator-elect) Spark M. Matsunaga's letter urging President Ford to grant pardon to Iva. Congressman Matsunaga has been the most active and eloquent supporter from the U.S. Congress--going all the way back to March 22nd. We are truly grateful.

Please continue the letter writing campaign to the President.

Just received copies of reports in Japan:

11/24/76 - YOMIURI NEWSPAPER (Fuyuko Kamisaka)

"Private interview with 'Tokyo Rose'"

12/03/76 - ASAHI WEEKLY (Fuyuko Kamisaka)

"'Tokyo Rose' relates first post-war story"

Stanford
Daily

11/30/76
Opinions

Stanford University, Stanford, Calif. Monday, November 29, 1976

Editorials

Pardon Iva Toguri



**COMMITTEE FOR IVA TOGURI
OF THE
JAPANESE AMERICAN CITIZENS LEAGUE**

JACL Headquarters Bldg.
1765 Sutter Street
San Francisco, California 94115

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Rep. Donald M. Fraser, Minnesota
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Rep. Spark M. Matsunaga, Hawaii
Rep. Abner J. Mikva, Illinois
Assemblyman S. Floyd Mori, California
Mayor George R. Moscone, San Francisco
Rep. B.F. Sisk, California
Atty Gen. Evelle J. Younger, California

December 8, 1976

Mr. Philip Buchen,
Counsel to the President
The White House
Washington, DC 20500

Dear Mr. Buchen:

Organizational Endorsements:

American Civil Liberties Union,
No. Calif. Chapter
Americans for Democratic Action,
No. Calif. Chapter
California State Legislature
National Council of the
Churches of Christ
San Francisco Board of Supervisors
San Francisco Commission on
the Status of Women
Willard Anderson Post #2471,
VFW, Dalles, Oregon

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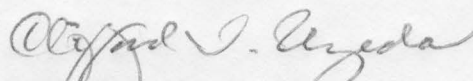
Enclosed are additional recent materials which
relates to the same subject.

The recent editorials all expresses our hope.
We are grateful for your taking time from your busy
schedule to review the case.

Media Editorial Endorsements:

Dayton Daily News (Ohio)
Denver Post
Honolulu Advertiser
Los Angeles Times
Minneapolis Tribune
San Francisco Chronicle
San Francisco Examiner
San Francisco KFRC-Radio
Seattle Post Intelligencer
Washington Star (D.C.)

Sincerely yours,


Clifford I. Uyeda, M.D.

Supporting Articles:

Chicago Daily News
Chicago Tribune
Christian Science Monitor
Honolulu Star-Bulletin
National Observer
Wall Street Journal
Washington Post

cc: Mr. Robert T. Hartmann.



Los Angeles Times

HARRISON GRAY OTIS, 1882-1917
HARRY CHANDLER, 1917-1944
NORMAN CHANDLER, 1944-1960



OTIS CHANDLER, Publisher

ROBERT D. NELSON
Executive Vice President and General Manager

WILLIAM F. THOMAS
Executive Vice President and Editor

CHARLES C. CHASE, Vice President—Production
ROBERT L. FLANNES, Vice President and Assistant to the Publisher
ROBERT C. LOBDELL, Vice President and General Counsel
VANCE L. STICKELL, Vice President—Sales

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ANTHONY DAY, Editor of the Editorial Pages
ROBERT J. DONOVAN, Associate Editor
FRANK P. HAVEN, Managing Editor
JEAN SHARLEY TAYLOR, Associate Editor

6

—Part II

FRIDAY MORNING, NOVEMBER 19, 1976

A Human Being, Not a Legend



COMMITTEE FOR IVA TOGURI

OF THE

JAPANESE AMERICAN CITIZENS LEAGUE

JACL Headquarters Bldg.
1765 Sutter Street
San Francisco, California 94115

Attorney Wayne M. Collins,
Consultant

Clifford I. Uyeda, M.D.
Chairman

Partial Listing -

REPORT, December 2, 1976

Individual Endorsements:

Gov. George A. Ariyoshi, Hawaii
Mayor Tom Bradley, Los Angeles
Rep. Yvonne B. Burke, California
Lt Gov. Melvyn Dymally, California
Secretary of State March Fong Eu, Calif.
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From: Clifford I. Uyeda.

To: Committee members.
JACL National Board & Staff.
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"Pardon Iva Toguri"

"We are hopeful...that President Gerald Ford, now free from political pressures...will grant the pardon expeditiously. If not, President-elect Jimmy Carter should begin his administration in a positive note by righting the government's 30-year-old wrong against Toguri."

11/29/76 - Clifford Uyeda on KDKA, Pittsburgh, Pa. (10:00 - 11:00 p.m. Pittsburgh time). Talk show concerning "Tokyo Rose." John Signa moderating. (Pittsburgh a cold 6° F, with the wind making the "chill factor" -15° F. San Francisco was shivering in the mid-50s.)

11/29/76 - San Jose VFW Nisei Memorial Post No. 9970 unanimously passed a resolution at its October meeting supporting pardon for Iva Toguri. Thanks to Post Commander, Robert E. Pursel, who notified us.

12/2/76 - Received a copy of Congressman (Senator-elect) Spark M. Matsunaga's letter urging President Ford to grant pardon to Iva. Congressman Matsunaga has been the most active and eloquent supporter from the U.S. Congress--going all the way back to March 22nd. We are truly grateful.

Please continue the letter writing campaign to the President.

Just received copies of reports in Japan:

11/24/76 - YOMIURI NEWSPAPER (Fuyuko Kamisaka)

"Private interview with 'Tokyo Rose'"

12/03/76 - ASAHI WEEKLY (Fuyuko Kamisaka)

"'Tokyo Rose' relates first post-war story"

Stanford
Daily

11/30/76
Opinions

Stanford University, Stanford, Calif. Monday, November 29, 1976

Editorials

Pardon Iva Toguri



Pardon 'Tokyo Rose'



A-10

The Honolulu Advertiser

Established July 2, 1856

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GEORGE CHAPLIN *Editor-in-Chief*
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MIKE MIDDLESWORTH *Managing Editor*

Monday, November 22, 1976

Pardon 'Tokyo Rose'



TRIBUNE EDITORIAL

Pardon Tokyo Rose



VIEWPOINTS
VIEWPOINTS
VIEWPOINTS

22

Mon., Nov. 22, 1976

Oakland Tribune

JOSEPH W. KNOWLAND
Editor and Publisher

FRANK FINNEY
Executive Editor

GAYLE MONTGOMERY
Associate Editor



13 THE DENVER POST Mon., Nov. 22, 1976

THE POST'S OPINION

Heed Plea of Tokyo Rose



THE DENVER POST

Founded on October 28, 1895 by F. G. Bonfils and H. H. Tamm
Helen G. Bonfils, Officer and Director, 1933-72

*"Dedicated in perpetuity to the service of the people,
that no good cause shall lack a champion and that
evil shall not thrive unopposed"*

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Telegram

SFA111(1028)(2-012252E322)PD 11/17/76 1028¹⁹⁷⁶ NOV 17 AM 7:34

ICS IPMTZZ CSP

3012295671 TDMT BETHESDA MD 212 11-17 1028A EST

PMS DON HAYASHI ACTING NATIONAL DIRECTOR, JAPANESE AMERICAN CITIZENS LEAGUE, FONE 9AM PST, 921-5225 AND DLR IMMY AFTER , DLR

1765 (POST) ST *SUTTER*

SAN FRANCISCO CA 94115

THE AMERICAN VETERANS COMMITTEE (AVC) WHICH WAS FOUNDED DURING WORLD WAR II BY AMERICAN SERVICEMEN AND SERVICEWOMEN, AT IT'S FALL NATIONAL BOARD MEETING HELD IN WASHINGTON DC ON NOVEMBER 13 1976, PASSED A RESOLUTION "REQUESTING THE PRESIDENT OF THE UNITED STATES TO GRANT A PARDON TO IVA TOGURI SO THAT HER AMERICAN CITIZENSHIP MAY BE RESTORED".

SF-1201 (R5-69)

THE AMERICAN VETERANS COMMITTEE WHOSE VETERAN-MEMBERS LOCATED ALL OVER THE COUNTRY AND WHO SERVED IN FOUR WARS, WORLD WAR II, WORLD

WAR I, KOREA AND VIET-NAM, IS A HIGHLY RESPECTED ESTABLISHED VETERANS ORGANIZATION WITH A UNIQUE MOTTO "CITIZENS FIRST, VETERANS SECOND". THE AVC DEDICATED ITSELF "TO ACHIEVE A MORE DEMOCRATIC AND PROSPEROUS AMERICA AND MORE STABLE WORLD".

THE FIRST TRULY INTEGRATED VETERANS ORGANIZATION, AVC, SINCE IT'S FOUNDING HAS BEEN IN THE FOREFRONT IN THE STRUGGLE FOR RACIAL JUSTICE CIVIL RIGHTS AND CIVIL LIBERTIES, EQUAL RIGHTS AND EQUAL OPPORTUNITY FOR ALL AMERICANS. AVC WAS ONE OF THE FOUNDERS OF THE WORLD VETERANS FEDERATION DURING THE EARLY '50'S. THE AVC NATIONAL HEADQUARTERS ARE IN WASHINGTON DC. AMONG AVC HONORARY MEMBERS HAVE BEEN: HARRY S TRUMAN, MRS ELEANOR ROOSEVELT, RALPH BUNCH AND SENATOR PAUL DOUGLAS.

SF-1201 (R5-69)

SAUL ROSEN, NATIONAL CHAIRMAN, AMERICAN VETERANS COMMITTEE

1333 CONNECTICUT AVE NORTHWEST WASHINGTON DC 20036

NNNN



United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

December 9, 1976

Mr. George E. Holt
District Attorney
Clark County Courthouse
Las Vegas, Nevada 89101

Dear Mr. Holt:

I have been asked to reply to your recent letter to the President concerning Iva Toguri D'Aquino.

Mrs. D'Aquino filed her pardon application on November 19, 1976 and it is being considered. I am unable to advise when a decision will be reached.

Mrs. D'Aquino is a native born Japanese American and deportation is not possible even though she was convicted of treason. It is my understanding that this legal question was considered at the time of conviction.

Your interest is appreciated and your letter will be made a part of the file.

Sincerely,

Lawrence M. Traylor
Pardon Attorney

bcc: Kenneth A. Lazarus
Associate Counsel
to the President
The White House



United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

December 9, 1976

Honorable Daniel J. Evans
Governor of Washington
Olympia, Washington 98504

Dear Governor Evans:

I have been asked to reply to your recent letter to the President concerning Iva Toguri D'Aquino.

There is no action to reopen and investigate her treason case but her pardon application is under active consideration. She filed her petition on November 19, 1976 and a decision will be made as soon as possible.

Your interest is appreciated and your letter will be made a part of the file.

Sincerely,

Lawrence M. Traylor
Pardon Attorney

bcc: Kenneth A. Lazarus
Associate Counsel to the President
The White House



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

file

December 9, 1976

FOR: Ken Lazarus
FROM: Myron Kuropas *AK*
THRU: William J. Baroody *WJ*
SUBJECT: Pardon of Iva Toguri



Now that you have had an opportunity to review the evidence concerning Iva Toguri and the strong support she enjoys from a variety of communities, Congressmen and media, we would like to recommend that you push for a full Presidential pardon. This proposed action enjoys the support of our Ambassador to Japan as well as the National Security Council.

Our understanding of the case is that:

- 1) When the case was originally considered, the Department of Justice decided not to prosecute because of insufficient evidence.
- 2) It was only after Ms. Toguri decided to return to the United States that a decision was reached -- after press exhortations -- to prosecute.
- 3) Her conviction was based largely on the testimony of coerced witnesses and ones who had renounced their U.S. citizenship, a step Iva Toguri refused to take despite severe pressures to do so.
- 4) The jury had great difficulty in reaching a decision and reached one only after the judge suggested that they perform their "patriotic duty."
- 5) Her immediate superiors, an American POW and an Australian POW, were both subsequently cleared of all treason charges and even promoted!

A pardon timed for the Christmas season would be well received by the American public.