

# Pardon Me

**Pardon Me**, two very interesting words. Depending on the emphasis, situation, or inflection it can mean sincere apology for perceived affront or biting sarcasm. Pardon me or **P-A-R-D-ON M-E**. The French Pardon Moi, much more sophisticated, can occasionally get you longing glances from young women at a cocktail party or bar, but let's put it in another context. Several years ago our esteemed member Albert Pyle and his committee invited the famous author, Annie Proulx (pronounced Prew), to be the Mercantile Library's principle speaker of the year. Immediately following her presentation, a lynch mob was formed to at least hang Albert, and, if they could find enough rope, the committee as well. Cooler heads suggested that he be considered for a pardon, but any of you who were there would no doubt yell – hell no, hang him from the highest yardarm. The discussion then turned to what kind of pardon to give him – a full pardon, letting him off Scott free, or a conditional pardon, perhaps just a little stretching on the rack. Fortunately for Albert, nothing ever came of it, and he wasn't forced to appeal to George W. Bush, the then president, for consideration. And, that's good, because it was extremely unlikely that he would have even been considered. And that's the fate of almost all of the 6000 people who stand in front of the White House each year holding their applications high and shouting Pardon Me.

When did all this ruckus start? It began with the May 25, 1787 Constitutional Convention in Philadelphia and hasn't stopped since. Our constitution has 4,440 words and is the oldest and shortest written constitution of any nation in the world. It was signed on September 17, 1787 and became effective for the ratifying states on June 22, 1788

when it was ratified by New Hampshire, the ninth state to do so <sup>1</sup>. We are concerned with one small part of it, actually only 22 words, of Article II, Section 2, Clause 1:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several states, when called into the actual service of the United States; he may require the Opinion in writing, of the principal Officer in each of the executive departments, upon any subject relating to the Duties of their respective offices, **and he shall have the power to grant Reprieves and Pardons for Offences against the United States, except in cases of Impeachment.**

The framers of our Constitution had to be brilliant men, because they foresaw many of the issues and problems that could arise in government, but one they could not possibly foresee was one that has recently arisen in the execution of these 22 words. The clemency power of government has been with us since the Code of Hammurabi in the 18<sup>th</sup> Century BC and over the centuries has gone through many changes and permutations. Our American Founders were most familiar with English law, and the King had given broad pardon power to English Colonial governors. Clemency was considered to be an “Act of Grace” or given for “the Public Good or Welfare”. In our constitution, this Federal power is invested in one man, the President, although state governors have a similar power for clemency. As the framers defined it, this power is an important aspect of the system of “checks and balances”. Incorporating this power into one man was not a casual decision for these men. They were very suspicious of a “King” or strong executive, but they also recognized that execution of clemency frequently required quick decision and action, and tying it to the Legislative Branch would preclude effective and efficient process. Their prime example, from their own experience no doubt, was quelling a rebellion with the offer of amnesty or pardon. Needless to say, the singular power of the President has been tested in court many, many times and has always been

confirmed by the Judicial Branch, including numerous Supreme Court decisions. Perhaps the most famous defense of pardon power was made by Alexander Hamilton in Federalist No. 69. Attempting to quell anti-Federalist concerns, he argued that the Constitution provided adequate protection against abuse because it allowed the president to pardon in virtually any circumstances except in cases of impeachment<sup>2,3</sup>.

So what are the forms of Federal Executive Clemency? Most of us believe that a Pardon is a Pardon or Clemency is the same as a Pardon, but it is not that easy. A point of confusion is that Clemency and Pardon are sometime used interchangeably<sup>4</sup>. There are essentially five levels of Clemency<sup>2,5</sup>: The first is a full Absolute Pardon or a Conditional Pardon. The full pardon, the broadest in scope, restores the individual's state and federal civil rights – the right to vote, the right to testify in court, the right to hold office, etc. It removes fines and forfeitures. It does not blot out the existence of guilt as if the crime had never happened, nor does it exonerate Civil Liability. In short, the stigma continues. With a Conditional Pardon, the President pardons the individual with certain conditions. The most famous example is Nixon's pardon of Jimmy Hoffa on December 23, 1971. His pardon commuted Hoffa's sentence to time served, four and a half years, on the condition that Hoffa not be involved in Union management until 1980, the completion of his original 13 year sentence. Hoffa's union, the International Brotherhood of Teamsters, then endorsed Nixon in 1972, after having endorsed every Democratic candidate in previous Presidential elections. As a **Side bar**, Hoffa contested the condition in Federal Court, but he disappeared on or about 2:45 PM July 30, 1975, and is probably spending eternity in a cement block. Needless to say he was not around to find that the Court upheld the condition<sup>6</sup>.

Next comes Commutation, think Scooter Libby. Generally this means either a lessening of the previous sentence or a complete reversal of it. However, as in Libby's case it does not remove fines, forfeitures, or probation unless specified. Libby was indicted, convicted, and sentenced. More on that later. The third level is removal of fines and forfeitures. This is pretty straight forward. Next we have a Reprieve, the most limited form of clemency. This is simply a delay in the sentence, a postponement of punishment usually on procedural matters. Last, but not least is Amnesty, from the Greek Amnestia or forgiveness. Usually granted to a group, pre or post conviction, when the President feels the public good is better served than by punishment – think Confederates or Viet Nam Draft Resisters. Amnesty and Pardon are treated the same legally, but again it does not excuse the crime.

**Side Bar:** The top 500 Confederate officers had to apply individually and in person to the President for pardon or restitution of citizenship. General James Longstreet, the best Corps commander in either army, applied in person to Andrew Johnson in 1868, who refused telling him “there are three persons of the South who can never receive amnesty Mr. Davis, General Lee, and yourself”<sup>7</sup>. Congress later restored his citizenship in June of 1868. Lee had his returned by Gerald Ford in 1975, and Davis by Jimmie Carter in 1978, too late for either one of them to vote for President<sup>8</sup>.

But how does one go about getting a pardon or some form of it – by applying to the Department of Justice's Office of the Pardon Attorney. You can go on line and see just how complex and complicated that process is. There are strict procedures and conditions that must be fulfilled before your case can be recommended or not recommended to the President. For example, arrest, indictment, conviction, and

sentencing followed by at least a five year wait for non violent crimes or seven years for violent or drug related felonies<sup>5</sup>. They pretty much advise you to bring your application dressed in sack cloth and ashes and flogging yourself penitent style. Luckily for any of you seeking clemency, many of our Presidents have seen fit to totally disregard those Federal rules or even to ignore the Pardon Attorney, the Justice Department, the Bureau of Prisons, and Mother Theresa's objections to clemency.

And that brings us to the one thing that the Founding Fathers could not imagine as being a serious problem regarding Article II, Section 2, Clause 1; and that is that modern Presidents would abuse Clemency Power to protect themselves, their subordinates, or to reward supporters. Of course they recognized it as a potential problem, but they felt they had to trust the President to behave with honor, and the threat of impeachment would hold such thoughts at bay. At 11:05 AM on Sunday September 8, 1974, President Gerald R. Ford faced a single video camera and thirteen members of the White House Press Corps and read the following:

“Now, therefore I, Gerald R. Ford, President of the United States, pursuant to the pardon power conferred upon me by Article II, Section 2 of the Constitution, have granted and by these presents do grant a full, free, and absolute pardon unto Richard Nixon for all offenses against The United States which he, Richard Nixon, has committed or may have committed or taken part in during the period from January 20, 1969 through August 9, 1974”.

He then answered no questions, left the room, and went to play golf at the Burning Tree Country Club, unbelievably not realizing that he had just lit the fuse on a bomb shell that would affect the country in one way or another for almost 40 years.

Jeffery Couch, in his book **The Presidential Pardon Power**, suggests that Presidential

Pardons should be studied as Pre-Watergate and Post-Watergate <sup>2</sup>. That is certainly reasonable, but let's step back a minute.

Looking at all of our Presidents from Washington to Obama, the top five forgivers were Wilson (2<sup>nd</sup> term), Franklin Roosevelt (2<sup>nd</sup> term), Harding and Coolidge's shared term, Hoover, and then Coolidge again in his second term. The overall hands down winner is Franklin Roosevelt with 3,687 pardons. The bottom five are Washington (both terms), George W. Bush (1<sup>st</sup> term), Adams, Jefferson (1<sup>st</sup> term), and unbelievably Clinton (1<sup>st</sup> term). He made up for it in spades in his second term. Why would the pardon numbers be higher in the pre-Watergate period? There are two reasons: (1) because the criminal justice system in the United States has changed dramatically in the last 160 years and (2) there is zero gain in the political bank to pardon someone, and a serious chance of losing the farm if the wrong decision is made.

A few of the major changes in the Federal and State criminal courts that have lowered the actual pardon numbers, but not the number of applications, are the immunity statutes, the probation and parole statutes, and before 1907 persons convicted of Federal felonies had no right to appeal. Executive clemency was the primary way to right a wrong in a Federal court<sup>2</sup>. Now, to get a favorable witness, the prosecutor doesn't have to call the President to pardon them, he offers them immunity. Conditional pardons have been replaced by probation or parole. Clemency Power's potency as a "safety valve" has decreased due to the significant improvement in Federal law<sup>2</sup>. In the movie **Jerry McGuire**, with Tom Cruise and Cuba Gooding, the line "**Show Me the Money**" became a watch word and that is what any sensible current President will ask his staff that may be recommending St. Peter for a pardon. Not necessarily cash money, although trust me we

will see where that happened, but money they can put in the Political Bank. Society as a whole is less tolerant of crime than they were in the 20's and 30's. In reality, a President has little to gain and a lot to lose if he pardons someone without a full vetting or without the approval of the Pardon Attorney. The press can destroy a career with the magnification of a seemingly minor incident – remember Howard “I have a Secret” Dean or George “Mecaca” Allen of Virginia. You-tube, Twitter, Face Book, Instant Messaging, My Space or the Internet will create a fire storm where the words **Feeding Frenzy** hardly describes the mauling that can take place. Just ask any Navy Aircraft Carrier Captain. Why would any self respecting President subject himself or herself to that? Well if history is to be believed, they will if they have termed out or lost the election and are heading back to Texas, Arkansas, or Hawaii.

Let's head back to the good old days before Watergate. The first nationally recognized clemency occurred on July 10, 1795 when George Washington granted amnesty to the Whiskey Rebellion participants, saving two of them from the gallows. This act clearly followed the Framers desire for amnesty in quelling a rebellion. Adams granted amnesty to the members of Fries's Rebellion, and Jefferson pardoned everyone convicted by Adams's Alien and Sedition Acts. As you may recall, the two of them didn't like each other much. They did however kiss and make up, and when they both died on July 4, 1826, the 50<sup>th</sup> Anniversary of the signing of the Declaration of Independence, they were the best of friends. Adams last words were “Jefferson lives” not knowing that Jefferson died a few hours before<sup>9,10</sup>. Andrew Jackson pardoned George Wilson, who was convicted of robbing the United States mail. For some cockamamie reason, Wilson refused to accept the pardon. This resulted in United States vs. Wilson

which has been cited thousands of times, and decided that no one has to accept a pardon, so Wilson served his entire sentence. Go Figure. William Henry Harrison and James Garfield are the only two presidents who never issued a pardon. For the obvious reason, they ran out of time. In January of 1848, Polk pardoned Lt. John C. Fremont, who was convicted by court martial of mutiny, in reality for stealing California<sup>11</sup>. James Buchanan pardoned Brigham Young, we're not sure why. Lincoln, of course, had a number of significant pardons most famously his selective Amnesty Acts. His last official act as president was to pardon George S.E. Vaughn, a Confederate spy, after signing the papers, he left for Ford's Theater and for the ages<sup>12</sup>.

William McKinley pardoned Charles C. Moore, the Father of American Atheism and publisher of the Bluegrass Blade of Lexington, Kentucky for blasphemy<sup>13</sup>, but the public expects the President to take reasonable risks in granting Clemency. Occasionally that doesn't pan out. Our former member, William Howard Taft is one of the few Presidents to admit he'd be had. He recalled the precedent of pardoning men who were about to die, and allow them to go home to spend their last days with their families. He related the difficulty of telling when death was eminent. With the assurance of Army and Navy surgeons (a motley crew at best), he pardoned two men. "One man died and kept his contract. The other one recovered at once, and seems to be as healthy and active as any one I know"<sup>2</sup>. We shouldn't give you the impression that all Presidential Pardons of that time were for the Public Good. Some were self serving, the most notable being Grant's pardon of participants in the Whiskey Scandal, but for the most part they were reasonable and followed the Framers guidelines. Bear in mind that except for a few

famous examples most citizens were totally ignorant of what went on, and the Press did not call their attention to them, never mind the literacy rate.

Moving into the modern era, Harry Truman made a very risky but courageous decision, when he pardoned Oscar Collazo, a Puerto Rican Nationalist. You may recall from my previous paper, *The Gunfight*, Oscar and his accomplice Griselio Torresola attempted to assassinate Truman on November 1, 1950. Collazo survived a wound by playing dead, but Torresola and a White House police officer, Leslie Coffelt, were killed. Collazo was sentenced to death, but Truman, despite many objections, commuted his sentence to life<sup>14</sup>. Jimmie Carter pardoned him in 1979, returning him to Puerto Rico where he died in 1994.

And now the dividing line of Presidential Pardons. No doubt the most infamous pardon in United States history was Gerald Ford's pardon of Richard Nixon on September 8, 1974, one month after his resignation. It has certainly had the most lasting effect and for reasons most of you would not expect. To say Ford bumbled through this process is an understatement. His closest advisors, the only ones that really knew, should have been shot because they did not serve him well. His timing and the initial reasons given for the pardon were ill defined and confusing due to his multiple previous statements on the question, and Nixon's non-apology did not help. It appears that Ford did not expect the outrage of the American public, Press, and Congressional leaders, but in fact on closer inspection by Constitutional experts and later historians, this pardon did answer the question of "for the public good". Ford wanted the stain of Watergate washed away so America could move forward. Few remember that the Federal Prosecutor Leon Jaworski felt the pardon was on solid constitutional ground and declined to challenge it.

Ford was the only President to go before a Congressional Investigation Committee to explain his reasoning for his pardon.

And, time heals all wounds. On May 21, 2001, Ford received the “Profile in Courage” award from the John F. Kennedy Library for issuing the Nixon pardon. At that event he was hailed by Senator Edward Kennedy, who castigated him in 1974 “His courage and dedication to our country made it possible for us to begin the process of healing and put the tragedy of Watergate behind us”<sup>2</sup>.

Be that as it may, there were several immediate and long term effects. The Republicans got their clock cleaned in the mid-term elections of 1974, and it no doubt contributed to Ford’s loss to Carter in 1976. It’s surprising that it wasn’t a landslide. Ford only lost by 2% of the popular vote. In 1978, Carter signed into law, as a direct effect of Watergate, the Ethics in Government Act, more famously known as the Independent Counsel Statute, which had to be renewed every 5 years. Not very effective, only 8 of 20 indictments ever went to trial, it was allowed to lapse in 1999. An unforeseen loop hole in that statute, provoked future presidents to justify pardoning associates who they felt were being hounded by an opposition party Congress, for political gain. Clemency power now became a shield against judicial investigation. But, a totally unseen major effect on the United States, that lasted from 1975 to 2010, was a Supreme Court appointment that Ford made in an effort to avoid an ideologue and unite the country. That straight arrow, middle of the road, superb lawyer, nice guy that he wanted was Justice John Paul Stevens. Stevens, age 55, was nominated on November 28, 1975 and confirmed only 19 days later by a senate vote of 98 to 0<sup>15</sup>.

Besides Oscar Collazo and Jefferson Davis, other recognizable names from Jimmie Carter's Clemency list are G. Gordon Liddy (commutation), Patty Hearst (commutation), and singer/song writer Peter Yarrow of Peter, Paul, and Mary fame (Pardon). His crime was "taking sexual liberties" with a 14 year old. His explanation "in that time, it was common practice, unfortunately...the groupie thing"<sup>16</sup>.

Ronald Reagan pardoned, commuted, or rescinded convictions of 406 people the most famous of which was W. Mark Felt. Don't recognize the name. No reason you should, but Woodward and Bernstein knew him as "Deep Throat". Laughable, lovable George Steinbrenner, the Yankee's owner, was convicted in 1974 of making illegal campaign contributions to Nixon and obstruction of Justice for destroying documents. Steinbrenner originally applied to Carter who turned him down probably because he was pissed that Steinbrenner went both ways donating to Democrats and Republicans. Reagan pardoned him in 1989<sup>17</sup>. Unfortunately for President George H.W. Bush, Reagan neglected pardoning the Iran-Contra gang, leaving Bush to unroll the laundry.

Let me bring back some names from the not so distant past: Abrams, Clarridge (who was featured on the front page of yesterday's New York Times), Fiers, George, McFarlane, North, Poindexter, Secord, and Weinberger. These were the most famous of the Iran-Contra scandal. Lawrence Walsh, a brilliant lawyer with a lousy sense of timing and apparently no political savvy whatsoever, and against the advice of his aides, who warned him it was a political bombshell, indicted an ailing Casper Weinberger for the third time in less than a year on October 30, 1992, 4 days before the Presidential election. No surprise, Bush lost and with nothing to lose and concern about an alleged notebook in Weinberger's possession and his illness, pardoned all but North, Poindexter, and Secord

on Christmas Eve 1992. The Framers were doing flip flops in their graves that night. It appeared to be the first direct effort to stop an investigation into Executive Branch malfeasance by a President who only pardoned 77 people during his entire four years.

**Side Bar:** The convictions of North, Poindexter, and Secord were either vacated, dismissed, reversed, or expunged on appeal.

For real chutzpah, Bill Clinton wins hands down - Not only for making controversial clemency decisions but also for totally ignoring the advice of key aides and the Pardon Attorney's office. Let's look at his most famous **quid pro quo** clemency acts. The **FALN**, the Spanish abbreviation of the Armed Forces of National Liberation, a violent Puerto Rican nationalist group was considered a terrorist group, but Clinton offered conditional pardon to 16 imprisoned members. His wife was about to announce her candidacy for Senator of New York, and Al Gore was running for President. 75% of the Puerto Ricans in New York were Democratic and their representatives were pushing hard for the deal. Despite objections from the FBI, the Bureau of Prisons, the US Attorneys in two states, prominent Democrats (Senator Daniel Moynihan among them) and Republicans, and a vote of the House of Representatives of 311 to 41 in favor of a resolution that he should not issue it, Ole Bill charged ahead and did it anyway. A few days later the Senate voted 95 to 2 to rebuke Clinton for the offer.

Debra Rosenberg, a reporter for Newsweek, reported on MSNBC, that in early January 2001 aboard Air Force One, Clinton joked with members of the Press Corps "you got anyone you want pardoned?"<sup>18</sup>. At 10 AM, two hours before George W. Bush took over the Presidency, Clinton frantically awarded clemency to 176 people (140

pardons and 36 commutations) in what has famously been called “the last minute pardons”<sup>2</sup>.

Let’s start with these two. Marc Rich and Pincus Green are two charmers indicted in 1983 in one of the largest tax evasion cases in history - \$48 million for Rich alone. If that wasn’t enough to entitle them to a permanent home in Leavenworth, they also were involved in a large oil deal with Iran while the hostages were down the street. It’s called trading with the enemy. With the indictment, they both fled the country to Switzerland, where there is no extradition, obviously because of their innocence. In Clinton’s case, a key factor in getting a pardon was a personal connection to either him or his aides. Denise Rich had that access and called Clinton tearfully requesting a pardon for her ex-husband and writing many lovely letters to him for the same effect. Coincidentally Denise had donated a million dollars to the Democrats since 1993, and since 1998 \$400,000 to the Clinton Presidential Library. Another friend of Denise’s had also pledged 1 million to the Library. Of course, this had no influence on his decision. You might like to know that in the ensuing nuclear blast, Clinton cited then Assistant Deputy Attorney General Eric Holder’s position on Rich as “neutral, leaning for” as one of his reasons for doing so. Unbeknownst to the rest of the Feds, Holder had been deeply involved with Rich’s attorney, Jack Quinn, for the previous two years; and had even casually recommended Quinn as a good litigator to Rich’s PR guy Gershon Kekst three years before<sup>19</sup>. As a result, Holder had his feet held to the fire during the confirmation hearings for his current appointment as Attorney General. Clinton also claimed that the case for the pardon had been reviewed and approved by three prominent Republican attorneys Len Garment, William Bradford Williams, and Lewis Libby (affectionately know as

Scooter). This was an outright fabrication. The later Congressional hearings had no influence on the outcome and wasted a lot of trees.

Some of the names of the others involved in that signing frenzy were Susan McDougal of White Water fame, Roger Clinton (drug conviction), Henry Cisneros (lying to the FBI over hush money to his mistress), and Patti Hearst finally got her full pardon. Are you surprised to learn that many of the 176 never even applied for clemency, more than three quarters did not have time for an FBI vetting, and many were vigorously opposed by the Pardon Attorney?

George W. Bush only granted clemency to 200 people during his 8 years in office, one of the smallest numbers in history. He was also the slowest to award, taking 699 days for his first Clemency. The others in the top five are Obama (682), Washington (669), Clinton (672), and John Adams (536)<sup>20</sup>. Bush even awarded a clemency and rescinded it the following day, to Isaac Toussie, a Long Island Developer convicted for making false statements, when he learned that the family had made large contributions to Republican causes. I. Lewis (Scooter) Libby, Chief of Staff to Dick Cheney, will probably remain his most famous pardon. On June 5, 2007, Libby was sentenced to 30 months in prison, ordered to report to jail immediately (pending appeal), a \$250,000 dollar fine, and two years of probation by Judge Reggie Walton federal judge on the United States District Court for the District of Columbia. Walton, an African American, was a Bush appointee having been nominated in 2001. Walton had a reputation with defense attorneys as a “long ball hitter”. He was tough on crime, and favored long sentences to deter it<sup>21</sup>. Libby’s conviction was for two counts of perjury, one of obstruction of justice, and one of making false statements to the FBI. On July 2, 2007, Bush commuted his sentence to

time served, but left the fine and probation period in place. Bush felt the sentence was too harsh when compared to similar cases. Depending on which side of the aisle you sit, you may agree or disagree, but your decision should not be based on the press reports. Take time to read the record.

Up until December 3, 2010, the only beings that President Obama pardoned were four turkeys, on that date he made his first clemency awards. All nine had been indicted, tried, convicted, and served their sentences<sup>20,22,23</sup>. There was not a famous one in the bunch, but the blogs continually speculate on who might be next – Michael Vick, quarterback for the Philadelphia Eagles, for example, is a front runner. But what is clear is that modern presidents are pardoning less and less, and to greater or lesser degree violating the principles the Framers believed they had forged into the Constitution. Controversial or questionable clemency is saved until they have either not been reelected or have been termed out - when the political consequences to them of these actions is about zip.

What can we expect in the future? It appears highly unlikely that there will be any quick solution or any solution at all to that question. The political landscape is littered with the bodies of those who have tried it.

In closing, I would like to make a prediction on two pardons that will occur as Barack Obama leaves office. My wife loves it when I predict things, especially when there is money involved between us, since I'm usually wrong. However, I think I'm dead on with these two. The first is Jonathan Pollard, former Naval Intelligence analyst, convicted of spying for Israel (which they admitted in 1990) and sentenced to life in 1987. He did incredible harm to our security, and by his own admission transferred over

800 classified documents including satellite photos and over 1000 top secret cables, many of which later fell into the hands of the Soviet Union. Israeli Prime Minister Benjamin Netanyahu recently asked the President to pardon Pollard and in a highly unusual public statement read aloud a letter in the Israeli Parliament asking for clemency, apparently to appease the right wing of his government. Pollard has served 25 years, but previous attempts at parole or pardon have been met with furious objection from the usual suspects, but especially by all of the intelligence agencies<sup>25</sup>. We'll see what happens.

The other one is Edward "Ed" Mezvinsky, former Democratic congressman from Iowa's 1<sup>st</sup> District. In March of 2001, easy "Ed" was indicted and later plead guilty to 31 of the 69 charges of bank fraud, mail fraud, and wire fraud. Nearly 10 million dollars was involved. He claimed bipolar disorder, but the judge disallowed a mental illness defense. He served 5 years and is on probation until the end of this year, and he owes substantial restitution. His claim to fame? He is Chelsea Clinton's new father in law<sup>26</sup>. More news at eleven. Thank you.

**John J. Mcdonough, M.D.  
Presented to the Literary Club  
Of Cincinnati  
January 24, 2011**

**Suggestion: If you enjoy politics and history, especially the history of Pardon politics, you can enjoy a entertaining few hours on a cold Saturday afternoon before the fire with a glass of wine reading the fascinating Blog [www.PardonPower.com](http://www.PardonPower.com). It's worth it.**

## References

1. The U.S. Constitution and Fascinating Facts About It. Oakhill Publishing Company. 7<sup>th</sup> Ed, 9<sup>th</sup> Printing, 2005, p. 25-30.
2. Jeffery Couch. The Presidential Pardon Power. University of Kansas Press 2009
3. Alexander Hamilton, James Madison, and John Jay. The Federalist Papers, Clinton Rossiter, Ed. (New York: Mentor, 1999).
4. Kathy Brinkman. Retired Federal Prosecutor. Personal communication.
5. Clemency Regulations. <http://www.justice.gov/pardon>.
6. Jimmy Hoffa. [http://en.wikipedia.org/wiki/Jimmy\\_Hoffa](http://en.wikipedia.org/wiki/Jimmy_Hoffa).
7. General James Longstreet, CSA  
[http://www.wikepedia.org/wiki/james\\_longstreet](http://www.wikepedia.org/wiki/james_longstreet).
8. List of People Pardoned by a United States President.  
[http://www.wikipedia.org/wiki/List\\_of\\_people\\_pardoned\\_by\\_a\\_United\\_States\\_President](http://www.wikipedia.org/wiki/List_of_people_pardoned_by_a_United_States_President).
9. John Adams. <http://www.whitehouse.gov/aboutpresidents/johnadams>.
10. John Adams. <http://www.american-presidents.com/john-adams>.
11. Sally Denton. Fremont Steals California. American Heritage Vol 60 No. 4 Winter 2011, pp.30-39.
12. George S.E. Vaughn. [http://en.wikipedia.org/wiki/George\\_S.E.\\_Vaughn](http://en.wikipedia.org/wiki/George_S.E._Vaughn).
13. Charles Chilton Moore. [http://en.wikipedia.org/wiki/charles\\_chilton\\_moore](http://en.wikipedia.org/wiki/charles_chilton_moore).
14. John J. McDonough, M.D. The Gunfight. Presented to the Literary Club of Cincinnati September 9, 2008
15. Jeffery Toobin. After Stevens: Profiles. The New Yorker March 23, 2010, pp. 38-47.
16. Peter Yarrow. [http://en.wikipedia.org/wiki/peter\\_yarrow](http://en.wikipedia.org/wiki/peter_yarrow).
17. George Steinbrenner. [http://en.wikipedia.org/wiki/george\\_steinbrenner](http://en.wikipedia.org/wiki/george_steinbrenner).

18. Debra Rosenberg. "Letter From Air Force One: Clinton's Farewell Trip", Newsweek Web Exclusive on MSNBC.com January 18, 2001.
19. Eric Lighthblau and David Johnson. Pardon is Back in Focus for the Justice Nominee. New York Times. December 2, 2008.  
[http://www.nytimes.com/2008/12/02/us/politics/02holder.html?\\_r=1&pagewanted=print](http://www.nytimes.com/2008/12/02/us/politics/02holder.html?_r=1&pagewanted=print).
20. P.S. Ruckman, Jr. Associate Professor of Political Science, Rock Valley College, Rockford, Illinois. Blog. <http://www.pardonpower.com>.
21. Reggie Walton. [http://en.wikipedia.org/wiki/reggie\\_walton](http://en.wikipedia.org/wiki/reggie_walton).
22. Erica Werner. Obama Grants Pardon for Nine – First of His Presidency. Cincinnati Enquirer. December 4, 2010.
23. It's All Politics: Obama's White House Pardons: Turkeys, Yes; Humans, No. <http://www.NPR.org/blogs/itsallpolitics/2010/11/24/131571485/obama-s-white-house-pardon>.
24. Jashua Mitnick. Israeli Leader Asks US To Free Spy. Wall Street Journal, Wednesday January 5, 2011 Vol CCLVII, No.3, p A11.
25. Barack Obama. <http://PardonPower.com/search/label/Obama>.
26. Edward Mezvinsky. [http://en.wikipedia.org/wiki/edward\\_Mezvinsky](http://en.wikipedia.org/wiki/edward_Mezvinsky).

---