

Chicano Acquitted of Draft Evasion

A local Chicano leader who claims the Selective Service System has discriminated against Mexican-Americans was acquitted of draft-evasion charges in federal court here Wednesday.

Rosalio U. Munoz, 26, former chairman of the Chicano Moratorium Committee and a past student body president at UCLA, was acquitted in a nonjury trial before U.S. Dist. Judge Warren J. Ferguson.

In announcing his decision, Ferguson noted Munoz's claim that the Selective Service System had committed a "terrible injustice against Chicanos."

The judge ruled that the local draft board had violated Munoz's right to appeal the board's rejection of his claim of conscientious objector status.

Munoz refused induction twice, once in September and again in November, 1969.

The case went before Ferguson

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Monday, but Wednesday Munoz' lawyer, Michael Tigar, moved for acquittal on the grounds that Munoz had refused to submit for induction because the draft has become "an instrument of genocide" against Mexican-Americans.

Tigar, who specializes in draft law, said a disproportionate percentage of Mexican-Americans are being drafted and killed in Vietnam.

Tigar argued that Munoz notified his draft board by telegram that he was a conscientious objector but the board overruled him and refused to grant a proper hearing.

The judge ruled that the board had improperly interpreted Munoz's right to appeal. He said the law has held that a board cannot induct a registrant until the registrant has been granted the right of appeal.