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# Mandel commutation expected from Reagan

By Allegra Bennett

President Reagan is expected to accept the Justice Department's recommendations for early release from a federal prison of former Governor Marvin Mandel, sources said yesterday.

The department's recommendation calls for Mr. Mandel to be transferred next month from the federal prison at Eglin Air Force Base in Florida to a prerelease center in Baltimore.

There was no indication of when Mr. Reagan might act on the recommendation for executive clemency, which was sent to White House counsel Fred Fielding last week.

Larry Speakes, deputy White House spokesman, confirmed that the Justice Department's recommendations were under consideration, but declined to say when they might reach Mr. Reagan's desk.

Mr. Mandel, who has served nearly 19 months of a 3-year jail term for mail fraud and racketeering, is scheduled by the U.S. Parole Commission for an early release May 14, 1982.

Under Bureau of Prisons regulations and for budgetary considerations, Mr. Mandel—just as any other federal prisoner—would be released to a halfway house 30 to 60 days before his sentence expired, a Justice Department official explained.

Favorable action by the president could speed up release to the prerelease center by as much as two months. He still would have to stay at the halfway house until May 14.

Mr. Mandel is the only one still in pris-

on of six defendants convicted in 1977 of mail fraud and racketeering charges.

W. Dale Hess, whose 20-month sentence ends next month, was transferred Monday from a federal prison camp in Alabama to the Volunteers of America center in Baltimore on a work-release program.

Mr. Mandel's lawyers and political friends have made continuous efforts, including circulation of a petition signed by Maryland officials, to free the former governor sooner than the date recommended by the Parole Commission.

In August, Mr. Mandel filed the plea for commutation by the president, on which the Justice Department's pardon attorney made a recommendation.

Arnold M. Weiner, who represented Mr. Mandel in the political corruption case, said the Justice Department recommendation was the first response by the administration to the clemency plea, which was filed in August.

While the president has the final authority to deal with the case, the former governor could be freed even sooner than January.

A petition for habeas corpus Mr. Mandel filed in November is approaching its final stages of review by a U.S. magistrate in Pensacola, Fla.

Mr. Weiner argued in the petition that the Parole Commission used improper guidelines in determining the earliest date on which Mr. Mandel could be released from prison.

*Reporter Gilbert Lewthwaite contributed to this article.*