

Helms Is Fined \$2,000 and Given Two-Year Suspended Prison Term

U.S. Judge Rebukes Ex-C.I.A. Head for Misleading Panel

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Special to The New York Times

WASHINGTON, Nov. 4 — Richard Helms, the former Director of Central Intelligence, was fined \$2,000 today, given a two-year suspended prison sentence and sternly rebuked by a Federal judge for failure to testify "fully and accurately" to a Senate committee in 1973 about covert operations in Chile.

Federal District Judge Barrington D. Parker told Mr. Helms, "You dishonored your oath and you now stand before this court in disgrace and shame."

He continued his criticism saying, "If public officials embark deliberately on a course to disobey and ignore the laws of our land because of some misguided and ill-conceived notion and belief that there are earlier commitments and considerations which they must first observe, the future of this country is in jeopardy."

Mr. Helms, who had pleaded no contest to two misdemeanor charges on Monday, later told reporters that he considered the conviction a badge of honor.

"I don't feel disgraced at all," said Mr. Helms, who is 64 years old. "I think if I had done anything else, I would have been disgraced."

Danger to Security Alleged

Mr. Helms, who is the first former intelligence officer to be convicted of withholding information from a Congressional committee, said after the sentencing that at the time he was asked about the covert operations of the Central Intelligence Agency in Chile he felt bound by his oath as an intelligence official "to protect intelligence sources and methods."

His attorney, Edward Bennett Williams, said both in court and at a meeting with reporters outside the court building that Mr. Helms would have damaged the national interest if he had answered the questions fully and accurately. "He was sworn not to disclose the very things that he was being requested by the committee to disclose," Mr. Williams said. "Had he done so, he would have sacrificed American lives. he would have sacrificed

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friends of ours in Chile, and he would have violated his oath."

This argument was earlier rejected by Justice Department prosecutors and Attorney General Griffin B. Bell as insufficient excuse for not testifying truthfully and fully to the Senate.

Judge Parker also rejected the argument and his rebuke of Mr. Helms was delivered in stern, at times harsh, tones. But at the end, he followed the recommendation of the Justice Department, which had asked that Mr. Helms not be required to serve any time in jail and not be subjected to supervised probation.

Misdemeanor Violations

The charges to which Mr. Helms had pleaded "nolo contendere," or no contest, are misdemeanor violations of a Federal statute dealing with obstruction of Congressional inquiries. The maximum penalty for each of the two counts was a \$1,000 fine and one year in jail. The minimum penalty on each count was a \$100 fine and 30 days in jail.

Because the crimes are misdemeanors and do not involve acts of disloyalty to the United States, Mr. Helms will not lose any civil rights such as the right to vote, and his Federal pension will not be affected.

The \$2,000 fine was the only requirement placed on him by the court. He has also agreed to testify truthfully in any criminal actions the Government might bring against others still under investigation for possible perjury in connection with their testimony about C.I.A. operations in Chile.

Spokesmen for both Mr. Bell, who accepted the plea bargaining arrangement, and President Carter, who endorsed it, said that the sentencing brought the matter to a satisfactory close. Mr. Bell, in a statement released by his office, said that the disposition of the case "vindicates the law and upholds the rights of the Congress" to investigate the intelligence agencies.

In court today, Mr. Helms made no statement on his own behalf. However,

he said later in a written statement released to reporters, that one reason he chose not to contest the charges was that he felt a public trial would be harmful to the nation and to the agency that he headed.

Technically, a "no contest" plea is not an admission of guilt, but it means that the person making the plea does not contest the charges against him, and it can result in a conviction being entered against him.

The issue in this case was whether Mr. Helms misled the Senate committee in 1973 when he said under oath that the C.I.A. had not been helping to funnel money to political opponents of Salvador Allende Gossens, who at the time was the Marxist President of Chile. Later, another Senate committee learned that more than \$8 million had been funneled through the agency to anti-Allende groups.

Mr. Helms's lawyer, Mr. Williams, told the judge that at the time Mr. Helms was put under oath by the Senate committee a covert operation in Chile, which had been approved by President Nixon, was still under way.

"For Richard Helms to have made the requested disclosures then, it might have cost lives, compromised national security and complicated our relations in South America," he said.

Judge Parker appeared unimpressed with this argument, and interrupted Mr. Williams several times to suggest that Mr. Helms might have had "alternatives" to misleading the Senate committee.

In the courtroom, Mr. Williams had told Judge Parker that Mr. Helms would "bear the scar of a conviction for the rest of his life." Outside, however, he told reporters that contrary to what Judge Parker had said, Mr. Helms would "wear this conviction like a badge of honor."

"He'll wear it like a banner because he did what he was required to do by the oaths he took when he was Director of Central Intelligence," he said.

Asked by a reporter if he agreed that the conviction was a badge of honor, Mr. Helms replied, "I do indeed."