

Prosecution of Helms hinges on U.S. security

N.Y. Times News Service

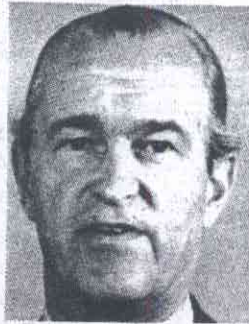
WASHINGTON — President Carter suggested Thursday that national security considerations would play a role in any decision of whether to prosecute Richard Helms, should the Justice Dept. seek to indict the former director of the Central Intelligence Agency (CIA).

Carter, in response to a question during a televised news conference, said Atty. Gen. Griffin Bell had not yet consulted with him on the matter, and that he didn't know either the "seriousness of the offense" or "seriousness of possible damage to our own national security" that could result from a trial.

But he said he expected a report from Bell soon, and that "when I get all this information, then I would certainly consult with the attorney general as to what action should be taken."

Helms, who returned to the United States last year after serving more than two years as ambassador to Iran, was notified last January by the Justice Dept. that he was a target of an investigation by a federal grand jury.

Justice Dept. sources said at the time that Helms faced possible charges of perjury and obstruction of justice, both of which are felony offenses. At the same time, they cautioned that even if a criminal violation were discovered, it might be difficult to prosecute the case because of the large volume of classified material that would have to be introduced into



Richard Helms

Related stories:
Page 8

the public record during a trial.

Carter indicated a similar concern Thursday, saying that before consulting with Bell he would need information on the "seriousness of possible damage to our own national security if massive revelations of intelligence techniques and documents are made, either to ourselves or to our friends and allies."

Carter's comments came one day after Adm. Stansfield Turner, current head of the CIA, told a group of some 4,300 midshipmen at the U.S. Naval Academy at Annapolis, Md., that any prosecution of Helms would require the release of material that could damage the national security.

Turner, during a question-and-answer session that followed his speech, said that Bell would have to decide "whether the overall national interest will be furthered by prosecuting this case...or whether it would be better to waive the trial in order to protect the secrets."

He did not say whether he, personally, felt that the Justice Dept. should abandon the case because of this. But he did tell the midshipmen that he already had conveyed his views on "what information would have to be released (to permit a prosecution) and how damaging it would be."

Although many present and former intelligence officers have said privately in recent weeks that Helms expects to be indicted, Justice Dept. officials have insisted that no decision has yet been made.

Benjamin R. Civiletti, the head of the Justice Dept.'s criminal division, said Thursday that the matter was still being studied in his division and that a decision most likely will be reached "in the next several weeks."

The public debate in recent weeks has centered on the national security issues, but a number of persons close to Helms have argued that this is unfair to him because it has not yet been demonstrated that he in fact perjured himself.

"Everyone seems to think that the only question is whether classified information can be released," one person in close contact with Helms said recently. "But it may be that the don't have a case in the first place."