

The Weather

Today—Partly cloudy, high near 60, low near 50. The chance of rain is near zero today, 10 per cent tonight. Wednesday— Cloudy, high in low 60s. Yesterday—3 p.m. air index: 19; temp. range: 61-46. Details, C2.

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TUESDAY, NOVEMBER 15, 1977

Helms Pleads 'No Contest'

By Timothy S. Robinson
Washington Post Staff Writer

Former Central Intelligence Agency Director Richard M. Helms pleaded "no contest" yesterday to two misdemeanor criminal charges of failing to testify fully and accurately to a Senate committee that was questioning him about CIA activities in Chile.

Helms' plea, which will be marked in court records as a judgment of guilty, exposes him to a possible prison term of up to two years and a possible maximum fine of \$2,000.

Assistant Attorney General Benjamin R. Civiletti said in court statements the government had agreed with Helms that he should receive no jail term or fine, but U.S. District Court Judge Barrington D. Parker re-

fused to accept that arrangement. Instead, he asked Helms' defense attorney, Edward Bennett Williams, to prepare a background statement on Helms and said a sentencing date would be scheduled later.

The negotiated plea arrangement, which a White House spokesman said was approved by President Carter, ended several months of investigation of the former CIA chief by a federal grand jury here.

Although Helms entered his plea in an open courtroom, there were no spectators or reporters present, as the Justice Department had kept the existence of the proceedings, a closely guarded secret. Helms and Williams were seen leaving the U.S. courthouse

together about 3:40 p.m. after the proceedings ended.

Persons present at the plea said Helms spoke clearly and with an even tone as he told Judge Parker, "I plead nolo contendere, your honor."

After hearing Civiletti outline the charges against him by reading a three-page prepared statement, Helms told the judge that he did not contest the government's version of the evidence.

"I found myself in a position of conflict," Helms told the court about his testimony before the Senate Foreign Relations Committee. "I had sworn my oath to protect certain secrets [under the 1947 National Security Act]. I didn't want to lie. I didn't want to mislead the Senate. I was simply

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in Testimony Case

trying to find my way through a very difficult situation in which I found myself."

The government charged Helms with failing to testify fully and accurately to the Senate committee on Feb. 17, 1973, and on March 6, 1973.

The first testimony came when Helms was being cleared by the Senate as ambassador to Iran. The second testimony came during a hearing by the committee into allegations that the CIA and the International Telephone and Telegraph Corp had attempted to influence the 1970 presidential elections in Chile.

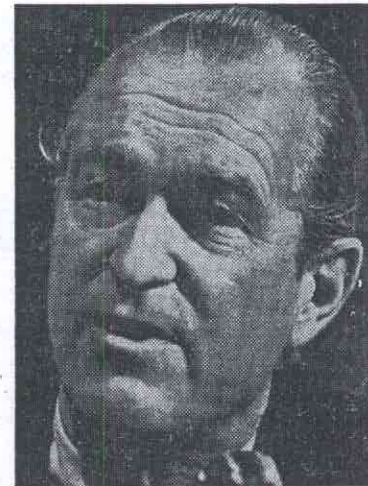
On both occasions, Helms was asked questions concerning the CIA's role in Chile and failed to answer those questions "fully, completely and accu-

rately as required by law," the government charged.

"Richard Helms knew at the time he testified that in 1970 the CIA carried out a covert operation approved by the Forty Committee to prevent (Salvador) Allende from winning the Sept. 4, 1970, Chilean presidential election," Civiletti said in court.

"Mr. Helms also knew at the time he testified that the Forty Committee had approved actions and money to prevent Allende's selection in the Oct. 24, 1970, runoff election and to encourage by economic pressure and other means action by the Chilean military to prevent Allende's acces-

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RICHARD M. HELMS
...sentencing to be scheduled

'No Contest' Plea Entered By Helms to Charges Over Senate Testimony

HELMS, From A1

sion to the presidency," Civiletti added.

Allende took office as President of Chile Nov. 3, 1970; he died Sept. 11, 1973, in a military coup that overthrew his government.)

Civiletti said the government felt a suspended jail term would be a "fair and just" disposition of the case because any trial of it would "involve tremendous costs to the United States and might jeopardize national secrets."

In addition, Civiletti praised Helms' "most distinguished career" and said Helms had "performed outstanding services to the United States government during the course of that career."

Parker's refusal to agree to the plea-bargain worked out between the government and Helms almost scuttled the plea for a few hours yesterday and resulted in a closed hearing in which the judge apparently emphasized his opposition to entering into such an arrangement.

Even when entering his plea, Helms said he understood "there is to be no jail sentence and I will be able to continue to get my pension from the U.S. government."

Parker quickly corrected him. "This court does not consider itself bound by that understanding," the judge said, adding that he may decide over the Justice Department's objection that Helms should receive a jail term.

The charges to which Helms entered his plea were to a section of the criminal code entitled "Refusal of Witness to Testify" and can include a witness' evasive or misleading answers as well as direct lies to a Senate committee.

It is the same charge to which former Attorney General Richard G. Kleindienst entered a guilty plea in one aspect of the Watergate scandal. Kleindienst received a suspended jail term in probably the most controversial sentence of any Watergate figure.

Helms was director of the CIA from 1966 until 1973, when he became ambassador to Iran. He is the first high-ranking CIA official to be convicted of a crime, and several sources have said that any trial of Helms would have revealed details of the agency's

operations that have never been made public.

Helms and his attorneys reportedly stressed this problem in their negotiations with government officials, and Attorney General Griffin B. Bell has said that the Helms matter was one of the three most troublesome criminal issues he faced in office. The other two were the Korean payoff investigation and the investigation into alleged FBI illegal break-ins and buggings.

After Helms' plea late yesterday, the White House released the following statement:

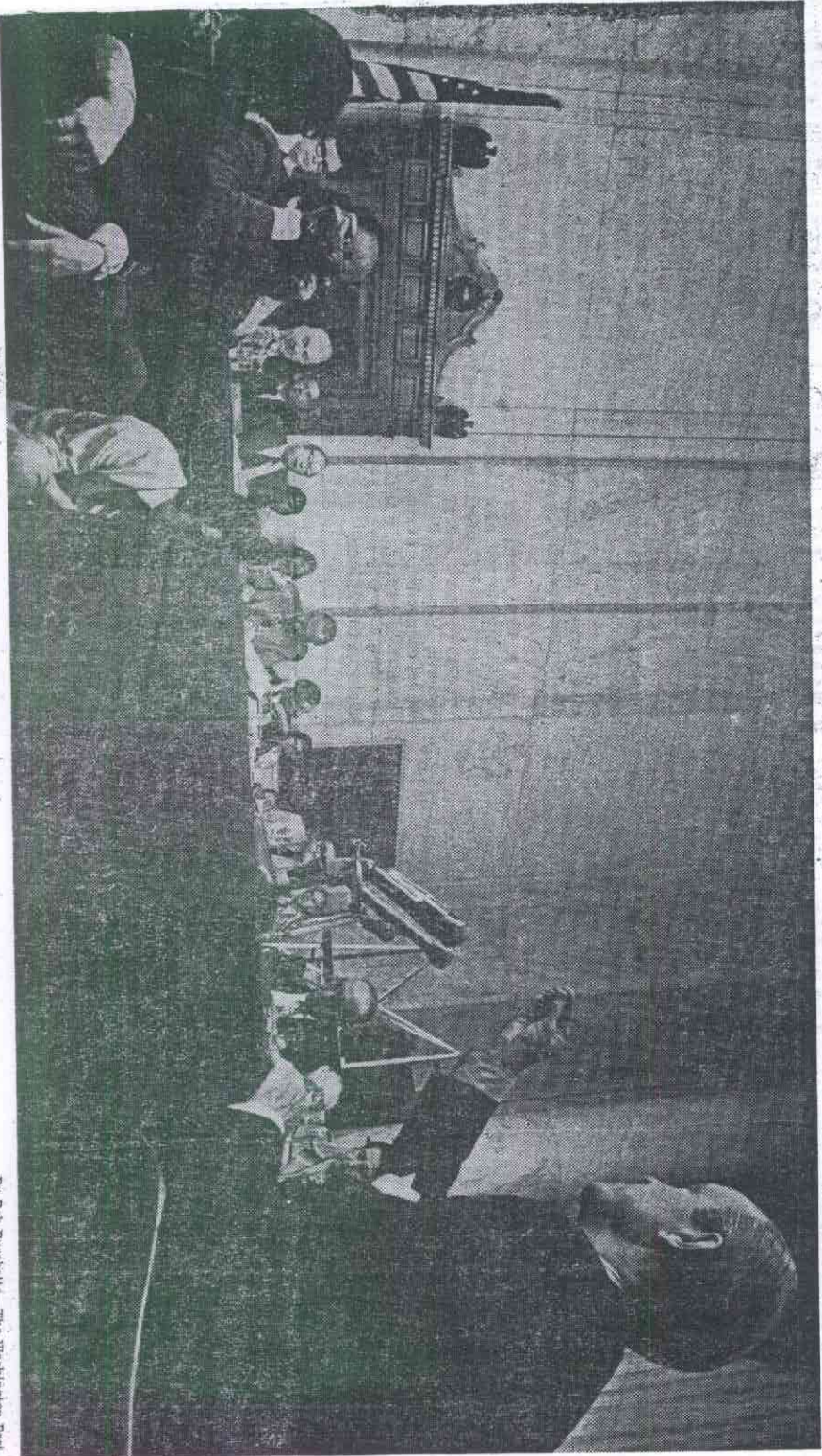
"The Attorney General did discuss his decision with the President today. The President approved his recommendation. We think it is a decision which upholds the authority of the law and the Congress while at the same time protecting the legitimate national security interests of this country."

A White House official said that Carter approved the final decision yesterday, and he had been aware of the general approach Bell was taking to the case for some time.

The government's disposition of the case received immediate criticism from some persons familiar with the Helms case.

Sen. Frank Church (D-Idaho), a member of the Foreign Relations Committee, said, "I thought there was to be an end to the double standard of justice for the big shots. Apparently, Helms was too hot to handle."

The director of the Council on Hemispheric Affairs, Laurence Birns, said he was "sorely disappointed" that the Carter administration had disposed of the Helms case with the misdemeanor plea-bargain. "Rather than using a court trial to press for full disclosure . . . the administration has decided to contain the story and manage it under the tired excuse of national security," he said.



Richard M. Helms, former Central Intelligence Agency director, testifying as he responds to question before the Senate Watergate committee in August, 1973.

By Bob Burchette—The Washington Post