

Ex-Spy Chief Convicted of Lying to Hill

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A federal jury yesterday found former CIA spy chief Clair E. George guilty of two counts of lying to Congress, making him the first high-ranking CIA official ever convicted of felony offenses while carrying out official duties.

The jury, which deliberated for 11 days, acquitted George of five other counts of obstruction and lying about his knowledge of the Iran-

contra scandal. It was his second trial on the charges. The first prosecution ended in a mistrial in August when that jury failed to reach a unanimous verdict on any count.

Independent counsel Lawrence E. Walsh, who has been under fire for continuing his Iran-contra investigation for six years, hailed the outcome as "a significant victory."

"It will be an important deterrent to protect the Congress and the public from coverups by high-level national security officials," Walsh said in a statement.

Chief prosecutor Craig E. Gillen said the trial sent a broad message "to senior officials of the intelligence agencies that they cannot use the secrets of our nation to hide if they commit crimes."

But he said the conviction was only of George, not of every CIA employee. The only higher-ranking CIA official convicted previously for his congressional testimony was former CIA director Richard M. Helms, who pleaded no contest in 1977 to a misdemeanor charge of

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BY LARRY MORRIS—THE WASHINGTON POST

Clair E. George, right, with defense attorney Richard Hibey after jury's verdict.

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withholding information about CIA activities in Chile.

U.S. District Judge Royce C. Lamberth said he would sentence George on Feb. 18. He faces a maximum penalty of five years in prison and \$250,000 in fines on each count.

George, 62, a former CIA deputy director for operations whose career was derailed by the Iran-contra scandal, took the verdicts stoically and, in a brief appearance on the

courthouse steps, directed all questions to his attorneys. But he laughed heartily when defense lawyer Richard Hibey said he thought a presidential pardon would be "very appropriate."

"You have all reported the sanitized rendition of this man's career," Hibey said of George's years at the CIA under seven presidents. "He is a genuine patriot."

George was convicted on one count of making a false statement to the House intelligence committee on Oct. 14, 1986. At the time,

the committee was trying to find out if there was any U.S. government involvement in the flight of a cargo plane shot down Oct. 5 over Nicaragua while carrying weapons for the contra rebels in that country.

Asked by the committee whether a former CIA official, Felix Rodriguez, was involved in the resupply operation, George said: "I do not know that per se. I do not. Or any record I have ever read."

A mystery witness at the second trial, testifying behind a high screen and identified only as "CIA Officer No. 7," said he told his superiors, including a top aide to George, about Rodriguez's active role in the resupply effort. CIA No. 7 said he spoke to George's aide on the morning of Oct. 14, hours before George appeared before the committee. CIA No. 7 did not testify at the first trial.

Jury foreman Benjamin Vaughan said jurors found George guilty of lying about Rodriguez only yesterday. He said they returned their other guilty verdict last Thursday when they concluded that George had perjured himself at a Dec. 3, 1986, hearing before the Senate intelligence committee.

At that hearing, senators were trying to pin down the role that White House aide Oliver L. North and his key associate, retired Air Force Maj. Gen. Richard V. Secord, played in the secret sale of arms to Iran and the covert weapons network supporting the contras.

Asked whether he could tell the committee what role Secord played, George replied, "I cannot."

Jurors said that when they reported a "partial verdict" shortly before noon last Thursday, they had

decided on just three counts and all these votes were for acquittal. The eight women and four men on the panel returned their first guilty verdict that afternoon after the judge told them to resume deliberations.

"It was quite stressful," foreman Vaughan said of the deliberations, "but everyone ended up with handshakes and hugging and real closeness. There was no bitterness."

Hibey said he felt there were grounds for appeal but did not know if George could afford it. He said the costs of George's defense stand at more than \$1 million.

Echoing what other critics have said of Walsh, Hibey called the case an instance of prosecutorial "overreaching" spurred by a need to vindicate the long Iran-contra investigation with "a costly prosecution which to date has yielded very little by way of results when measured against the expense it has incurred. . . ."

The six-year, \$33 million-plus inquiry has had its ups and downs. On Monday, the Supreme Court refused to hear a Walsh appeal in the case of former White House national security adviser John M. Poindexter. Its decision had the effect of reversing the 1990 convictions Walsh obtained against Poindexter, one of the main targets of the Iran-contra investigation. Walsh suffered a major setback last year when the high court refused to review an appellate court decision setting aside North's convictions.

Walsh has two prosecutions pending, the most important one being the case against former defense secretary Caspar W. Weinberger on charges of lying to Congress and to Walsh's investigators about notes he kept as the Iran-

contra affair unfolded. That trial is scheduled to begin Jan. 5.

The other case involves former CIA official Duane "Dewey" Claridge, who faces seven charges of lying about a secret shipment of Hawk missiles to Iran.

The chief prosecution witness at both of George's trials was Alan D. Fiers, former chief of the CIA's Central American Task Force who agreed to cooperate with Walsh's office after pleading guilty last year to two misdemeanor charges of withholding information from Congress.

Fiers admitted grudgingly at the

first trial that he had lied repeatedly about the Iran-contra affair before making a deal to avoid felony charges. At the second trial, he was much more candid at the outset about the lies he told. As a result, jurors stopped taking notes about anything he said after the first hour of a two-day stint on the witness stand.

Jurors said after yesterday's verdicts that they did not trust Fiers's testimony. They acquitted George on every count that relied on it, including two involving George's testimony to a federal grand jury in 1991. Walsh's office would never have been able to prosecute George without Fiers's cooperation.

The jury also threw out two counts accusing George of lying about his "contacts" with Secord. Juror Margarita Quitania Torres said the panel decided that "contact" had to involve a telephone communication or active conversation between the two men and not just an introduction at the outset of one meeting, as the testimony showed.

"It was a very difficult trial," Torres said. "People had to be convinced on every single count. In every case, it rested on interpretation of wording."

Foreman Vaughan said the jury's reasoning behind the two convictions was simple: "When you go up before Congress, you'd better have your facts straight."

Staff writer Benjamin Weiser contributed to this report.