

Putting together a criminal charge against Hunt for what he did in the Dita Beard-ITT case was child's play. It was not done only because the prosecution refused to do it. The false pretense of Assistant Attorney General Henry Petersen before the Watergate committee (9H3611ff) is that after initial conviction the defendants would be immunized and forced to talk before the grand jury. In his "explanation" the defendants were the only source of proof and until immunized could not be forced to talk and until conviction could not even be immunized.

Colson  
All of this is irrelevant because the confession of neither Hunt nor/any other participant was needed, except, perhaps, for what was not mentioned, prosecution of Colson. If competent and honest prosecutors and police depended upon confession of the guilty, the guilty would rarely be prosecuted, even charged.

In this case possible charges against Hunt are obstructing justice and interfering with the proper functioning of a Congressional committee. Proof of these charges was readily available from records in the possession of the FBI and the prosecution, from witnesses, including Dita Beard and her family, her doctor and hospital personnel, and phone-company records of Hunt's calls from the Denver hospital in which, reportedly ~~by~~ ~~Liddy~~ Liddy's help, Mrs. Beard had been hidden.

There is no doubt that the FBI did not miss the obvious. When White House false statements made it possible for me to use the so-called "Freedom of Information law" I made formal request of the White House under the law for Hunt's records. The decision that required this "public information" be given to me is American Mail Lines v. Gulick, as I reminded John Dean in my October 1972 response to his letter of the day before.

This was after the original indictments.

In refusing my request Dean wrote, "The information which you seek has been turned over to the Federal Bureau of Investigation and is part of its investigatory files. Since any of the materials provided to the FBI could be used as evidence in the criminal prosecution of charges against Mr. Hunt, the Department of Justice has requested that none of it be publicly disclosed prior to the completion of the prosecution."