WG:The Mix of the Fix HW 1/20/73

Previous memos have indicated my belief that there is and has been a fix in part because there is no real adversary in the proceedings, enough in itself to frustrate any criminal proceeding in the US; inpart because this judge generally and in this case specifically is part of the prosecution; in part because the prosecution, regardless of the personal beliefs of any individual prosecutor, is really prosecuting itself and hence has the need to protect all the higher-ups involved.

Today&s reporting by Lawrence Meyeyer of the Post, provides a good example. It is also the first case I remember of a reporter, by straight reporting, spells out without categorizing a key point.

The prosecutor's questioning of Baldwin was atypical. He leaned so far over backward to be a good guy that he became a bad guy. Assuming that Baldwin really didnd't remember to whom he delivered the log of intercepts, traditionally, a prosecutor, faced with the need to try and use hearsay, would try and use it. He would normally ask, "To whom were the transcripts delivered" and get an answer. In this case, he limited his question to personal knowledge. If he used hearsay, as is generally tried, then there is objection and if justified, the testimony is stricken from the record.

Now in this case, Prosecutor Glanzer and all defense counsel had an interest in not pursiing this. If there had been a real adversary, Baldwin would have been confronted with published statements attributed to him in which he made identification of two men tied directly to the White House and Nixon from memory and a third name he identified in being shown a list of named (Sedam). Meyer noted the earlier reports and left it at that. The average intelligent reader will understand some.

The Court of Appeals decision against use of the intercepts prompted Sirica to make his order directing them to be used to make his order part of the record.

Sirica reads the papers and has shown knowledge of what has appearedin the papers. He was apparently silent through this contradiction in Baldwin's testimony, and the alleged purpose of his ordering the production of the LATimes tapes was to confront Baldwin with them, to test his honesty and credibility. He did not do this. Inherently, his order discloses that disclosure of the tapes and of the contents of the intercepts was not necessary to the prosecution.

This us the question, what purpose was served? Only one that I can now see: the purposes of the law-violations, the political spying and the thefts, to defame and hurt the Democrats. The prosecutor himself has tried to make it seem that rather than what this whole operation transparently was, it was freewheeling attempts at blackmail for money. He has said so. So, in attempting to force the use of the details of the personal lives of the victims of the crimes, he is an adjunct of the crime, as is the judge.

With the production of the tapping and bugging equipment seized and testomony about where it was siezed and any testimony about use, the legal requirement is met and met amply. Going further is to further victimize the victims and nothing else. The administration that committed the crimes is the force attempting to further hurt those it has already hurt by clearly criminal acts and intents.

I do not recall the indictment clearly enough to say there was no charge of violation of communications law, but I am clear that there was no charge of illegal use of licensed equipment.

Today's story, yesterday's testimony, certifies the accuracy of my spot analysis, that all the different parties involved had walkie-talkies on the same frequency, with the probability of more parties than I had postulated and the probability I was wrong on Caddy having one, his knowledge explainable by Hunt calling him from Baldwin's room. What is not explained is Caddy's testimony to the grand jury, that he was awake and waiting-at after 12:30 a.m. Or, he was part of the conspiracy and has been left out of everything.