

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on June 5, 1972

The United States of America : Criminal No.
v. : Grand Jury Original
George Gordon Liddy, : Violation: 18 U.S. Code
also known as: Gordon Liddy and : 371, 2511
George F. Leonard : 22 D.C. Code
Everette Howard Hunt, Jr., : 1801(b),
also known as: Howard Hunt, : 23 D.C. Code
Edward L. Warren and : 543(a)
Edward J. Hamilton : (Conspiracy; Interception
James W. McCord, Jr., : of Oral and Wire Communi-
also known as: Edward J. Warren and : cations; Second Degree
Edward J. Martin : Burglary; Unlawful
Bernard L. Barker, : Possession Intercepting
also known as: Frank or Fran Carter : Devices)
Eugenio R. Martinez,
also known as: Gene or Jene Valdes
Frank A. Sturgis,
also known as: Frank Angelo Fiorini,
Edward J. Hamilton, and
Joseph DiAlbarto or
D'Albarto
Virgilio R. Gonzalez,
also known as: Raul or Raoul Godoy
or Goboy

The Grand Jury charges:

FIRST COUNT:

1. At all times material hereto the Democratic National Committee, an unincorporated association, was the organization responsible for conducting the affairs of the Democratic Party of the United States.

2. At all times material hereto the Democratic National Committee had its offices and headquarters at 2600 Virginia Avenue, N.W., Washington, D.C.

3. At all times material hereto George Gordon Liddy, also known as Gordon Liddy and George F. Leonard and hereinafter referred to as defendant Liddy, was employed as counsel for the Finance Committee to Re-Elect the President located at 1701 Pennsylvania Avenue, N.W., Washington, D.C.

4. At all times material hereto, Everette Howard Hunt, Jr., also known as Howard Hunt, Edward L. Warren, and Edward J. Hamilton, and hereinafter referred to as the defendant Hunt, was a friend and associate of defendant Liddy and Bernard L. Barker.

5. At all times material hereto, James W. McCord, Jr., also known as Edward J. Warren and Edward J. Martin, and hereinafter referred to as defendant McCord, was the President of McCord Associates, Inc. The defendant McCord at all times material hereto also served as security coordinator for the Committee for the Re-Election of the President located at 1701 Pennsylvania Avenue, N.W., Washington, D.C.

6. At all times material hereto, Bernard L. Barker, also known as Frank and Fran Carter, and hereinafter referred to as defendant Barker, was President of Barker Associates, Inc., a real estate corporation with offices at 2301 Northwest Seventh Street, Miami, Florida.

7. At all times material hereto, Eugenio R. Martinez, also known as Gene or Jene Valdes and hereinafter referred to as defendant Martinez, was employed by Barker Associates, Inc.

8. At all times material hereto, Frank A. Sturgis, also known as Frank Angelo Fiorini, Edward J. Hamilton, and Joseph D'Alberto and DiAlberto and hereinafter referred to as defendant Sturgis, was an associate of defendant Barker.

9. At all times material hereto, Virgilio R. Gonzalez, also known as Raul and Raoul Godoy or Goboy and hereinafter referred to as defendant Gonzalez, was an associate of defendant Barker employed as a locksmith in Miami, Florida.

10. From on or about May 1, 1972, and continuing thereafter through June 17, 1972, the exact dates being unknown, within the District of Columbia and elsewhere, the defendants Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez, hereinafter collectively referred to as the DEFENDANTS, unlawfully, willfully, and knowingly did agree, combine, and conspire with each other and among themselves to commit offenses against the United States, that is, by various illegal and unlawful methods and means, to obtain and use illegally information from the offices and headquarters of the Democratic National Committee and related political entities. The illegal and unlawful methods and means which are known to the Grand Jury that were used or attempted to be used by the defendants to obtain and use information illegally from the offices and headquarters of the Democratic National Committee were as follows:

To enter unlawfully the offices and headquarters of the Democratic National Committee:

(1) To intercept wire communications of officers and employees of the Democratic National Committee by placing in the offices and headquarters of the Democratic National Committee an electronic device or devices designed for the surreptitious interception and transmission of telephone conversations to a receiver located in a room at the Howard Johnson's Motor Lodge at 2601 Virginia Avenue, N.W., Washington, D.C. The terms "intercept", "wire communication" and "electronic device" are used by the Grand Jury as they are defined in Title 18 U.S. Code § 2510;

(2) To intercept oral communications within the offices and headquarters of the Democratic National Committee by placing within these premises an electronic device designed for the surreptitious interception and transmission of conversations of persons within these premises to a receiver located in a room at the Howard Johnson's Motor Lodge at 2601 Virginia Avenue, N.W., Washington, D.C. The terms "intercept", "oral communication" and "electronic device" are used by the Grand Jury as they are defined in Title 18, United States Code § 2510;

(3) To obtain documents, papers, and records of the Democratic National Committee by stealing them from the offices and headquarters of the Democratic National Committee;

(4) To obtain copies of documents, papers, and records of the Democratic National Committee by removing them from their location within the offices and headquarters of the Democratic National Committee, taking photographs of them and then returning them to the location from which they were illegally removed;

In furtherance of the aforesaid conspiracy and to effect the objects thereof, the DEFENDANTS did commit, among others, the following overt acts in the District of Columbia and elsewhere:

1. The DEFENDANTS did and caused to be done the acts set forth in the succeeding counts of this indictment on the dates, at the places, and in the manner set forth therein, all of which are incorporated by reference as though fully set forth and made a part hereof.

2. On or about May 5, 1972, and continuing through about May 28, 1972, Room 419 at the Howard Johnson's Motor Lodge, located at 2601 Virginia Avenue, N.W., Washington, D.C. was rented or leased by the defendant McCord in the name of McCord Associates.

3. On or about May 8, 1972, the defendant Liddy made a telephone call from the District of Columbia to the defendant Barker at Barker Associates, Inc.

4. On or about May 10, 1972, in Rockville, Maryland, the defendant McCord purchased a Receiving System for McCord Associates, Inc., for which he paid \$3,500 in cash, a device capable of receiving intercepted wire and oral communications.

5. On or about May 17, 1972, the defendant Barker made two telephone calls from Barker Associates, Inc. to the defendant Liddy at the Finance Committee to Re-Elect the President and two calls to the defendant Hunt within the District of Columbia.

6. On or about May 19, 1972, the defendant Hunt made one telephone call from the District of Columbia to the defendant Barker at Barker Associates, Inc. and one telephone call from the District of Columbia to the defendant Barker at his residence.

7. On or about May 22, 1972, the defendant Barker -- using the alias of Fran Carter, the defendant Martinez -- using the alias of G. Valdes, the defendant Sturgis -- using the alias of Joseph DiAlberti, and the defendant Gonzalez -- using the alias of Raul Goboy, traveled from Miami, Florida, to Washington, D.C.

8. On May 26, 1972, the defendant Liddy -- using the alias of George F. Leonard, the defendant Hunt -- using the alias of Edward L. Warren, the defendant Barker -- using the

alias of Frank Carter, the defendant Martinez -- using the alias of Gene Valdes, the defendant Sturgis -- using the alias Joseph D'Alberti, and the defendant Gonzalez -- using the alias Raul Godoy, registered at the Watergate Hotel at 2650 Virginia Avenue, N.W., Washington, D.C.

9. On or about May 26, 1972, within the District of Columbia, the defendants Liddy, Hunt and McCord met.

10. On or about May 27, 1972, within the District of Columbia, the defendants Liddy, Hunt, and McCord inspected, surveyed, and reconnoitered the headquarters of Senator George McGovern at 410 First Street, S.E.

11. On or about May 29, 1972, and continuing through June 17, 1972, Room 723 at the Howard Johnson's Motor Lodge, located at 2601 Virginia Avenue, N.W., Washington, D.C. was rented and leased by the defendant McCord in the name of McCord Associates.

12. On or about June 5, 1972, the defendant Hunt made a telephone call from within the District of Columbia to the defendant Barker at Barker Associates, Inc.

13. On or about June 11-15, 1972, within the District of Columbia, the defendants Liddy, Hunt and McCord met and the defendant Liddy gave the defendant McCord about \$1,600 in cash.

14. On or about June 12, 1972, in Miami, Florida, the defendants Martinez and Sturgis purchased surgical gloves.

15. On or about June 13, 1972, and June 15, 1972, in Miami, Florida, the defendant Martinez purchased film and other photographic equipment.

16. On or about June 15, 1972, the defendant Hunt made three telephone calls from the District of Columbia to the defendant Barker at Barker Associates, Inc.

17. On or about June 16, 1972, the defendant Hunt made a telephone call from within the District of Columbia to the defendant Barker at his residence.

18. On or about June 16, 1972, the defendant Barker made a telephone call to the defendant Hunt within the District of Columbia and to the defendant Liddy at the Finance Committee to Re-Elect the President.

19. On or about June 16, 1972, the defendant Barker -- using the alias F. Carter, the defendant Martinez -- using the alias G. Valdez, the defendant Sturgis -- using the alias J. DiAlberto, and the defendant Gonzalez -- using the alias R. Godoy, traveled from Miami, Florida, to the District of Columbia.

20. On or about June 17, 1972, within the District of Columbia the defendant McCord stole documents and papers belonging to the Democratic National Committee.

(In violation of 18 U.S.Code § 371)

SECOND COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez entered the rooms, that is, the offices and headquarters, of the Democratic National Committee, with the intent to steal property of another.

(In violation of 22 D.C. Code § 1801(b))

THIRD COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez entered the rooms, that is, the offices and headquarters of the Democratic National Committee, with the intent to intercept willfully, knowingly, and unlawfully oral communications made within these rooms and wire communications received and sent from telephones located in these rooms. The terms "oral communication" and "wire communication" are used by the Grand Jury as they are defined in Title 18 U.S. Code § 2510.

(In violation of 22 D.C. Code § 1801(b))

FOURTH COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez willfully, knowingly, and unlawfully did endeavor to intercept oral communications made within the offices and headquarters of the Democratic National Committee.

(In violation of 18 U.S. Code § 2511)

FIFTH COUNT:

On or about June 17, 1972, within the District of Columbia, the DEFENDANTS Liddy, Hunt, McCord, Barker, Martinez, Sturgis, and Gonzalez willfully, knowingly, and unlawfully did endeavor to intercept wire communications received by and sent from telephones located in the offices and headquarters of the Democratic National Committee.

(In violation of 18 U.S. Code 2511)

SIXTH COUNT:

On or about June 17, 1972, within the District of Columbia, the defendants, McCord, Barker, Martinez, Sturgis, and Gonzalez did willfully possess an intercepting device, to wit, a white plastic box, 8-1/4 inches by 2-3/8 inches, by 2-3/4 inches, with two labels on the front which read "ARI Smoke Detector" and "Fire Equip DO NOT MOVE", but which contained inside six batteries wired in series and a miniature radio transmitter with a microphone, the design of which said device rendered it primarily useful for the purpose of the surreptitious interception of an oral communication.

(In violation of 23 D.C. Code § 23-543(a))

SEVENTH COUNT:

On or about June 17, 1972, within the District of Columbia, the defendants McCord, Barker, Martinez, Sturgis, and Gonzalez did willfully possess an intercepting device, to wit, a miniature radio transmitter approximately 1-1/2 inches long, 1 inch wide, and 1/2 inch high, with two wires protruding from one end of the transmitter and which served to connect the transmitter in series with one wire of a telephone line and one wire protruding from the opposite end which served as a radiating antenna, the design of which said device rendered it primarily useful for the purpose of the surreptitious interception of a wire communication.

(In violation of 23 D.C. Code § 543(a))

EIGHTH COUNT:

From on or about May 25, 1972, and continuing up to on or about June 16, 1972, within the District of Columbia, the defendants Liddy, Hunt, and McCord willfully, knowingly, and unlawfully did intercept, endeavor to intercept and procure and cause the interception of wire communications received by and sent from telephones located in the offices and headquarters of the Democratic National Committee and used primarily during this period by Robert Spencer Oliver and Ida M. Wells.

(In violation of 18 U.S. Code § 2511)

United States Attorney
for the District of Columbia

A TRUE BILL:

Foreman of the Grand Jury.