

11

11/74

Leon Jaworski has issued a special "year-end" report which boasts of what he had nothing to do with and what his office could not avoid (under him or under Cox), the accepting of guilty pleas that kept major corporation executives out of jail while small fry were incarcerated, and promising many indictments in the coming months.

Whether or not proper, it is not necessary to issue such a report and it is deceptive. It is good public relations but it is bad government, so the public-relations benefit is that of Jaworski and his office, not popular. Why else did he issue such a report?

Jaworski personally and his office in general face a number of serious problems. Much has been leaked and reported. More can be. They can't appear to do nothing. But they do not appear to want to do a thorough job, despite the popularity attributable to Nixon's firing of Cox (who also did not do a real job and also did avoid it). So, they have to appear to be on the ball and so very diligent.

However, they show no single sign of having done any real investigating. The corporate confessions are tinselly and are as much to protect the special-prosecutor's office as to ~~achieve~~ achieve justice. (GAO exposures or leaks or both.) They amount to nothing serious.

They got guilty pleas from Krogh, probably the only new one, and from others who may have made them under Cox, did or had them in the works.

They have more grand juries but have no indictments. This does not mean they will have none, but it does mean they have not obtained some that certainly were available.

Prosecution begins with investigation. There is no sign of any investigation by or even for Jaworski's office. What is public domain is still ignored, and these include the more serious crime and the more direct Nixon involvement.

Confessed crimes for which there was no immunity and for which no new investigation is needed is uncharged. Example, Pat Gray's destruction of evidence; conspiracy in it involving Ehrlichman and Dean. And there are others.

There is a broad spectrum of CIA crime, not investigated and uncharged.

Ditto for the FBI, but not as broad and I think, although there is no chance of anyone charging it, for the prosecutor's office and DJ.

All of what has happened or is known to be in the works is a) unavoidable and b) separated from Nixon.

This and more is what the special report hides.

The electronic play is heavy, partly because there is little competing news and little could be anticipated for the New Year day. None is critical and the Fred Graham commentary of CBS TV last night was the heavy play at 4 a.m. today on radio. It was used by individual stations earlier. It is also apologetic, saying that while Jaworski had obtained no indictments many are expected soon and will include wire tapping.

To simplify this and give it point, the office of special prosecutor has done much less than it easily could but has gotten itself a good press, creating the illusion of good performance. While doing this it has kept the lid on, protecting the White House in particular. Its spectacular court battles are superficial and on the front Nixon selected. They do not hurt him and they keep the prosecution away from the guts of the crimes, his, too.

So the young lawyers make reputations and capture popular attention and media respect while adding nothing to what is known, charged or chargeable. Unless they charge, say, Rose Mary Woods. And if they do, it will be because Nixon sacrificed her, not because they did a good investigation and nailed her.

There is no prospect that any of those who committed serious electoral financial crime will suffer at all, unless they cause it, because there is an announced formula of leaving them off with small fines if they confess.

And those who have confessed active crime, like Magruder, Dean, etc., have been treated gently.

But what is new? Nothing. All confessed crimes have not been charged, not have all confessed criminals.

In essence, nothing has come from the special prosecutor's office that was not already public, except for some of the minor financial confession, which, inevitably, would have been publicized.

What had been initiated by Cox Jaworski could not easily stop. Continuing with any large part of it necessarily made him look like a diligent prosecutor. The record to date is that he isn't.