

Judge Orders Ehrlichman to Enter Prison

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U.S. District Judge Gerhard A. Gesell revoked the bond of former White House aide John D. Ehrlichman yesterday and ordered him to report to a federal prison Sept. 17 to begin serving a 20-month-to-five-year term.

The sentence was originally imposed by Gesell on July 31, 1974, after Ehrlichman's conviction on charges of violating the civil rights of Dr. Lewis Fielding, a psychiatrist who had been treating Pentagon Papers figure Daniel Ellsberg.

Ehrlichman had been free on personal bond pending various appeals in the Fielding break-in. The break-in was conducted by members of the White House "plumbers" unit under Ehrlichman's direction that had been set up in the Nixon administration to trace leaks of allegedly classified information to the press.

However, Gesell said yesterday that he was revoking the bond because Ehrlichman's conviction had been unanimously affirmed by the U.S. Court of Appeals four months ago.

Ehrlichman could ask the appeals court to overrule Gesell's order and allow him to remain free pending a decision by the U.S. Supreme Court on whether to hear his appeal on the issues in the plumbers case.

However, unless it is overruled, Ge-

sell's order forces Ehrlichman to begin serving his time at the federal prison camp in Saoffrd, Ariz.

Gesell's one-paragraph order revoking Ehrlichman's bond came without any request by the Watergate special prosecutor's office, which had conducted the Ehrlichman trial.

Ehrlichman also was convicted in the Watergate cover-up trial before U.S. District Judge John J. Sirica and was sentenced to a prison term of two to eight years. Yesterday's ruling by Gesell does not affect that case, which has been pending before the U.S. Court of Appeals for more than a year.

Ehrlichman, who now lives in Santa Fe, N.M., could not be reached for comment last night.

Lawrence H. Schwartz, one of Ehrlichman's attorneys, said Gesell's order would be appealed in an attempt to have Ehrlichman remain free pending the Supreme Court's decision on whether to hear the plumbers case.

He was one of former President Nixon's top aides, serving as the top White House lawyer and as domestic affairs adviser at various times in the Nixon administration.

According to evidence presented at the plumbers trial two years ago, Ehrlichman approved a break-in at Fielding's office in September 1971, after the psychiatrist refused to give Ellsberg's medical files to the FBI. At the time, Ellsberg was under investigation for leaking the Pentagon Papers to the press.

Since his convictions, Ehrlichman has written a novel and has begun appearing in various public forums to promote his book.