

Sirica Denies Watergate Venue Change

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U.S. District Court Judge John J. Sirica refused yesterday to shift the Watergate cover-up trial from the nation's capital, saying it might become an even bigger cause celebre in any city that suddenly got the case.

The judge, however, promised to reconsider his decision if it should prove impossible to pick an impartial jury here.

Sirica made his ruling in a 21-page order striking down virtually every pre-trial defense motion that President Nixon's former aides have raised in an effort to block or postpone their forthcoming cover-up trial this September.

The only key issue left up in the air was a bid by former White House aide Gordon Strachan to have the charges against him dismissed because of what his lawyers called "an honorable deal" that government prosecutors made with him last year.

Sirica said he would hold a secret hearing July 29 to thresh out Strachan's claims that Watergate prosecutors are trying to bring him to trial on evidence that Strachan first supplied—with the understanding that it would not be used against him.

The judge made his rulings as two of the defendants in the cover-up case—former Attorney General John N. Mitchell and Nixon reelection committee lawyer Kenneth W. Parkinson—asked the Su-

preme Court to take the case away from Sirica.

Most of the defendants had already asked the U.S. Court of Appeals here to disqualify the judge on the grounds that he was biased in favor of the prosecution, but they were rebuffed there by a 5-to-1 ruling last month.

Mitchell and Parkinson asked the Supreme Court for rush consideration of their petition, but there was no indication of when the high court might take it up.

The cover-up trial is scheduled to start Sept. 9. In addition to Strachan, Mitchell and Parkinson, the defendants are former White House aides H. R. (Bob) Haldeman and John D. Ehrlichman and former Assistant Attorney General Robert C. Mardian. Mr. Nixon and 18 others have been named as unindicted co-conspirators.

Anticipating a lengthy trial, Sirica cautioned all prospective jurors for the fall term in U.S. District Court here that they might have to be sequestered for "about three months" if they should be chosen for the cover-up trial. The judge sent out the advisory in a letter accompanying the

summonses for jury service routinely issued by the U.S. marshal's office.

The six defendants, facing trial on charges of conspiring to block the original Watergate investigation, had asked for a wide variety of remedies—including switching the trial to another city, postponement and dismissal of the indictment—because of what they called an avalanche of prejudicial pretrial publicity.

Haldeman's lawyers had also asked Sirica to permit him to put reporters and government officials on the witness stand—before the trial—in an effort to show that much of the publicity stemmed from government sources.

In denying all those motions, Sirica said it would be premature to conclude that a fair trial is impossible without making any attempt to pick a jury first. He also rejected the defense contention that the government, through the Senate Watergate committee, was "responsible for having gener-

ated highly inflammatory publicity" toward the defendants.

The judge pointed out that none of the defendants was under indictment at the time he testified at the Senate hearings.

Similarly, Sirica said that switching the trial to another city, or granting the defendants separate trials, would be ineffective.

"It is likely that the trial of any defendant associated with the so-called 'Watergate affair' would be a cause celebre in any city," the judge held. "It is also probable that transferring this case to another city would intensify, rather than alleviate, the problem of potential prejudice resulting from localized publicity."

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