

Defense Bids To Cast Doubt On Tapes

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Defense lawyers at the Watergate cover-up trial yesterday began trying to cast doubt on the secret White House tape recording system that chronicled the scandal.

It was an uphill effort at best, but the testimony of Secret Service agents who were called as prosecution witnesses indicated that the electronic eavesdropping on President Nixon's conversations was not without its flaws.

One Secret Service agent said that short portions of Mr. Nixon's meetings in the Oval Office were sometimes "deliberately" skipped when a reel of tape ran out in mid-conversation and a new one had to be installed.

Another testified that all of the hidden microphones in Mr. Nixon's Executive Office Building suite were installed in the President's desk, although he rarely used the desk and instead met with visitors around a table or couch in a corner of the room several feet away.

U.S. District Court Judge John J. Sirica hinted strongly, however, that he is prepared to approve the introduction of 26 Watergate tapes at the trial without requiring the prosecution to call any of the participants in the conversations to vouch for the recordings.

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Former White House chief of staff H. R. (Bob) Halde- man's chief defense attorney, John J. Wilson, maintained that this was required "as a matter of law."

Sirica said he disagreed, explaining that he had already researched the issue. "That's what makes a lawsuit," Wilson shot back.

The exchange came in the midst of testimony by former White House aide Alexander P. Butterfield, who said he had spent 35 hours listening to the subpoenaed tapes this month and was satisfied that the prosecution transcripts of

them are now accurate.

Butterfield, who arranged the installation of the secret taping system early in 1971, said he had made nearly 200 corrections in the transcripts that Watergate prosecutors have prepared, but emphasized that all of the changes were "double-checked" before they were adopted.

Watergate prosecutors had subpoenaed Mr. Nixon before the trial began in case he might be needed to establish the accuracy of the tapes, but they have since been trying to persuade Sirica that the former President's testimony is not really required on that score.

The judge is expected to get a report from the former President's lawyers today on the status of his health following surgery in California.

Mr. Nixon also has been subpoenaed by lawyers for former White House aide John D. Ehrlichman, who contends that the ex-President's testimony is indispensable to his defense later in the trial.

Ehrlichman has contended that Mr. Nixon lied to him throughout the course of the alleged cover-up conspiracy in an effort "to save his own neck."

Before leaving the witness stand yesterday morning, Butterfield acknowledged that neither Ehrlichman nor former Attorney General John N. Mitchell was ever told of the recording system that picked up Mr. Nixon's conversations.

Now head of the Federal Aviation Administration, Butterfield said that Halde- man's past deputy, Lawrence M. Higby, told him to keep the set-up a closely-guarded secret.

"I was told that no one should know about the system except, hopefully, those involved in a system's installation and operation," Butterfield testified.

He was followed on the witness stand by Secret Service agent Randolph Nelson, an electronics specialist who designed the secret taping system, and James G. Baker, a Secret Service expert who succeeded Nelson in maintaining the set-up.

Nelson explained that the recording system was hooked to a device called "the First Family locator" in such a way that conversa-

tions would be recorded only when Mr. Nixon was present. The "First Family locator," which was manually operated by the Executive Protective Service from a special command post, kept track of the President's whereabouts with a series of lights signifying, for example, "Oval Office" or "EOB Office."

Nelson said that the taping system was, in turn, connected to the locator by a relay switch that permitted the recorders to operate only when the locator showed that the President was in a room.

Ehrlichman's chief defense counsel, William S. Frates, suggested that the locator might well have been mistaken at times, leaving the recorders idle when Mr. Nixon was engaging in conversation

that should have been picked up.

Nelson, however, insisted that "we always knew where he was." He said he wouldn't call the locator system perfect, but it was pretty good.

Baker said it was his job to keep the recorders supplied with fresh reels of tape. He said he usually checked the machines three times a day.

Under cross-examination by Wilson, Baker said that he sometimes "deliberately" lost portions of conversations in the Oval Office even though its microphones were hooked up to two separate recording machines.

Whenever he would notice a reel running out, Baker testified, he would turn off the machine and replace it with a fresh reel, a chore that sometimes took as much as three minutes. At the same time, Baker said he never bothered to turn on the second recorder to pick up conversation that was being lost.

"That was the way I was told to do it," he said. He indicated that the second recording machine for the Oval Office was always connected to a timer that kicked it into operation at a fixed time of day. Rather than foul up that sequence, the Secret Service apparently chose to lose a few minutes of conversation when the first machine needed a new reel.

"This wasn't a very efficient system, was it?" Wilson asked Baker.

He conceded that it was not. He said he had no idea how many conversations he might cut off during his maintenance work. Reportedly, however, none of the 26 tapes Watergate prosecutors want to submit at the trial contains such lapses.

During yesterday's session, Nixon re-election committee lawyer Kenneth Wells Parkinson formally asked for a severance from the conspiracy trial because of the sudden disclosure earlier this week of an incriminating memo that had been composed by Watergate spy E. Howard Hunt.