



# Evidence Tampering By Sirica's Panel

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**S**UPPOSE there is an even chance that a given result has been produced by a quite normal accident, or by the criminal action of the President of the United States. In Washington a great many people would much prefer to believe in the President's criminality.

Otherwise, there would have been a lot more clamor about the disgraceful business of the findings of Judge John Sirica's expert panel on the Watergate tapes. The six-man panel found that the tape with the 18½ minute gap could only have this gap because of manual erasure. That meant someone in the White House had been doctoring the tape to obstruct justice.

Yet "Science" magazine has now said that Judge Sirica's experts tampered with the material evidence, no doubt innocently, but perhaps fatally.

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**T**HE evidence-tampering took place when the experts radically altered the Uher 5000 tape recorder used on the tape by the President's personal secretary, Rose Mary Woods. They made the alterations because the Uher 5000 was malfunctioning seriously.

Meanwhile, both the gap in the tape, plus all of that gap's supposedly incriminating characteristics, can quite easily have been caused by a malfunction of the Uher 5000.

An effort to belittle the errors of the Sirica experts currently appears to be on foot. But it is far more important to note the opinion of the man who actually helped to choose the six members of Judge Siri-

ca's expert panel, assistant professor Martin Blesser of the Massachusetts Institute of Technology.

Blesser holds that "on the face of the facts as published," it is "equally feasible" to explain the gap in the tape by erasure by malfunction or by manual and purposeful erasure. "On the face of the facts," in other words, Blesser says we have the 50-50 choice above-outlined, between believing in a quite normal accident, or in a criminal action by the President or a member of his staff.

Blesser added that he thought the members of the expert panel must have other, absolutely clinching evidence that was not included in the findings published by Judge Sirica. Perhaps he is right about this. If so, however, it was again grossly and flagrantly un-scientific to permit Judge Sirica to publish such grave findings on the basis of non-evidence, while holding back the real evidence.

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**I**F THE FAULT was Judge Sirica's, the members of the expert panel had a duty to dig their heels in. Serious men, after all, do not publicly incriminate presidents on evidence that has a 50 percent chance of being misleading.

Thus the only possible expedient for Judge Sirica is to order the existing experts to turn over everything they have to a brand new expert panel. It would also be preferable to have a new panel composed of people with practical knowledge of tape-recorders. Lack of such knowledge was the old panel's key weakness — if the weakness was not active prejudice.