

Watergate Prosecutor's Complaint

Washington

Special prosecutor Leon Jaworski said yesterday that many of the 144 potential jurors in the Watergate coverup case believed former President Nixon's pardon makes it unfair to prosecute the five defendants in the trial.

Jaworski asked U.S. District Judge John Sirica to revise current jury selection procedures, which the prosecutor said are weighted to the advantage of the defendants.

Sirica is now in the seventh day of winnowing down the pool to 12 jurors and six alternates.

The judge, in setting out procedure for the final selection phase still to come, is allowing the defense a total of 15 arbitrary challenges and six for the prosecutors. By these peremptory challenges, defense and prosecution lawyers can cause dismissal of potential jurors without citing any reason.

Jaworski said the unbalanced number given the defense lawyers could easily result in the defense having "complete control" of the selection process when the final panel of 12 is chosen.

The prosecutor also referred in his memo to a "pattern of responses to questions about the Nixon pardon," which he said could easily result in "unfairness to the government if the usual procedure for exercise of peremptory strikes (challenges) is followed."

In his second phase of jury selection, Sirica has finished with one group of 64 persons and is now questioning a second group of 80. The judge's law clerk said while Sirica hopes a jury will be impaneled by tomorrow, "there's no guarantee."

Associated Press