

WXPast  
**Judge Frees  
Colson After  
7 Months**

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Former White House special counsel Charles W. Colson was ordered released from prison yesterday after having served seven months of a one-to-three year prison term.

U.S. District Judge Gerhard A. Gesell signed the brief order late yesterday afternoon that reduced Colson's prison sentence to the amount of time he had already spent in jail.

"This action is taken by reason of defendant's serious family difficulties which have greatly aggravated the severity of the sentence imposed," Judge Gesell said in the order.

He did not amplify about the difficulties, although attorneys familiar with the Colson family situation confirmed generally that there were severe domestic problems in the Colson family.

Colson, for many years an intimate adviser of President Nixon, was sentenced June 21 after pleading guilty to ob-

See COLSON, A1, Col 4

Former Montana Gov.  
Babcock sentenced in '72  
campaign violation. A4.

# Colson Ordered Freed From Prison After Serving 7 Months of Sentence

COLSON, From A1

structing justice in the prosecution of Pentagon Papers co-defendant Daniel Ellsberg. Colson said at the time of his sentence that President Nixon had urged him on in the smear attempt on Ellsberg's attorney that was cited as the basis for his plea.

Colson had characterized the sentence, one of the stiffest given in a Watergate-related case, "the Lord's will; I can work for the Lord in prison or out of prison and that's how I want to spend my life."

He becomes the fourth Watergate-related defendant to be released from prison before serving out his sentence.

Colson, who underwent a widely publicized religious conversion last year, said at his home in McLean last night that he was "thankful to the Lord" and "grateful to Judge Gesell" for commuting his sentence.

He said his immediate plans were to spend some time with his family. He did not comment on the family problems cited by Gesell in his order.

"I want to work with the Christian fellowship in Washington," he said, and planned to spend "as much time as possible" in that work.

For the longer term, he said he planned "to write about my religious experience." He said he might also write about his days in the White House, but indicated that this would be a relatively minor part of what he would have to say.

He said he had no plans to

follow other Watergate figures onto the lecture circuit.

"I guess I'll never get off my mind the faces of the men I met in prison," he said. "They are sad and lonely men."

Colson said he planned to return to prison in the near future to visit his former fellow-inmates.

Colson and his wife, Patricia, arrived at their half-timbered Tudor-style home in McLean shortly after 10 p.m. in a station wagon that appeared to have his belongings from prison stuffed in the back.

Waiting for them were Douglas Coe, whom Colson introduced as a member of the Christian fellowship; Coe's daughter, and Bonnie Wiggin, another friend.

Three weeks ago, U.S. District Judge John J. Sirica released without explanation John W. Dean III, Herbert W. Kalmbach and Jeb Stuart Magruder. The three former Nixon aides who pleaded guilty to Watergate-related crimes had served three, six and seven months, respectively.

These defendants were serving terms ranging up to four years.

Colson, who has been confined recently at a detention facility at Ft. Holabird, Md., was in his attorney's office in Washington when he was informed of the release.

"He was elated, and very grateful to the judge," said one attorney.

An attorney familiar with the Colson defense termed the release "a compassionate light of the recent release from prison of the other three Watergate defendants."

Judge Gesell, as did Judge Sirica, acted on a motion that is filed as a matter of routine by defense attorneys in criminal cases. Such motions must

be filed within 120 days of sentencing or other final action on a case, and can be acted on at any time.

The Colson motion, filed by attorneys David I. Shapiro and Kenneth L. Adams, cited four main reasons for an early release of their client from prison:

- The death of his father while Colson was in prison, which left his 73-year-old mother "wholly dependent emotionally on the defendant, her only child."

- Evidence presented in the Ellsberg break-in case before Judge Gesell, which Colson's attorneys said supported their client's claim that he was not guilty of charges brought against him in connection with the break-in. Those charges were dropped by the government when Colson entered his plea to obstruction of justice, as were charges against Colson in the Watergate cover-up case.

- An analysis of fiscal year 1973 sentences in obstruction of justice cases, which they



CHARLES W. COLSON

... "family difficulties"

said showed errors in a similar analysis prepared for Judge Gesell's use in imposing sentence on Colson. They were attempting to prove that Gesell had relied on erroneous data in sentencing Colson.

- The pardon of former President Nixon, "extending to all actions by Mr. Nixon while in office including the offense to which Mr. Colson pled guilty." The attorneys said the pardon of Nixon raised the "problem of even-handed justice."