

Nixon's Top Aides Given Jail Terms for Watergate

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30-Month Minimum Sentences

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Former White House aides H. R. (Bob) Haldeman and John D. Ehrlichman and former Attorney General John N. Mitchell were all sentenced to at least 2½ years in federal prison yesterday for covering up the Watergate scandal.

U.S. District Judge John J. Sirica imposed identical prison terms of 2½ to 3 years on each of the three men in a terse, dispassionate pronouncement at the U.S. courthouse.

The fourth defendant convicted in the coverup conspiracy, former assistant attorney general Robert C. Mardian, was given a prison term of ten months to three years.

All four men were then released without bond for what is expected to be a drawn-out round of appeals that could take more than a year to resolve.

"It could have been better, it could have been worse . . . a hell of a lot worse," Mitchell told newsmen on his way out of the courthouse. "They could have told me to spend the rest of my life with Martha Mitchell." The Mitchells are separated.

Their faces grim, the other defendants hurried away without comment. Haldeman's lawyer, John J. Wilson, described the penalty as "far more than Richard Nixon will ever suffer."

"... Whatever Bob Haldeman did, so did Richard Nixon," Wilson told the judge just before sentencing.

Once the former President's closest aides and confidants, Haldeman, Ehrlichman and Mitchell were convicted January 1 of conspiracy, obstruction of justice and charges of lying under oath in various forums.

Each was sentenced to a term of 20 months to five years for conspiracy and obstruction of justice and then to an additional term of ten

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months to three years for the perjury counts.

"It is the intention of this court that the defendant serve not less than 30 months nor more than eight years," Judge Sirica intoned as each of the three key defendants was summoned before him.

Mardian, a campaign aide under Mitchell at the Committee for the Re-Election of the President when the Watergate bugging and break-in was discovered in 1972, was convicted of conspiracy alone.

Ehrlichman was also sentenced last year to a 20-month to five-year term on charges stemming from the White House-sponsored break-in at the offices of Daniel Ellsberg's psychiatrist, but Sirica ordered yesterday's sentences for Ehrlichman to run concurrently with the earlier one.

As a result, any time served for his conviction in the Ellsberg case, which Ehrlichman is also appealing, would count as time served for his role in the Watergate coverup as well.

The prison terms Sirica gave Haldeman, Ehrlichman and Mitchell were the stiffest in the Watergate case and related scandals since the original burglary trial when G. Gordon Liddy was sentenced to a minimum of 62/3 years and a maximum of 20 years in

prison. Watergate burglar E. Howard Hunt got 30 months to eight years, just as yesterday's defendants did.

Yesterday's hour-long session before Sirica began on a bizarre note. The judge invited the four defendants and their lawyers to make any final pleas for leniency, but then Sirica forgot himself for a moment and started reading out his decision.

"I'm sorry," the judge said, checking himself after a few words and leaning back in his high-topped chair to listen to the final statements.

Ehrlichman's lawyer, Ira N. Lowe, making his first courtroom appearance in the case, made the longest presentation, capping it with a surprise suggestion that the former White House aide

be "sentenced" not to prison, but to public service work among the Pueblo Indians in New Mexico.

Lowe said the 49-year-old Ehrlichman plans to spend the coming months of freedom on appeal among the Indians anyway "so that he may on his own perform his penance."

Mitchell's chief defense lawyer, William G. Hundley, shook his head and grimaced as Lowe kept processing the novel suggestion, declaring at one point that it wouldn't cost "the taxpayers a peso."

The courtroom was packed.

Approximately 80 spectators waited all night outside the courthouse in hopes of getting a seat.

Federal marshals reportedly told them they would all get into the courtroom on a rotating basis, but Sirica decided to permit no one to enter or leave once the hearing had started.

The four defendants and their lawyers lined up before the judge in a drawn-out semicircle as the session got

under way. Mitchell appeared even more pale than he did during the trial. Hundley said he and Mitchell would have no statement beyond what they had already submitted to the court through probation officials.

"I would just as soon not prolong the difficulties and move on," the Mitchell lawyer declared.

Haldeman's chief counsel, John Wilson, had more to say, although frankly emphasizing that he didn't think any of his words would change the court's mind. He

said Sirica, like all other sentencing judges, had doubtless considered all the points that might be made and already decided what sentences to impose.

"I have always felt that the opportunity of this moment was a meaningless one," Wilson said.

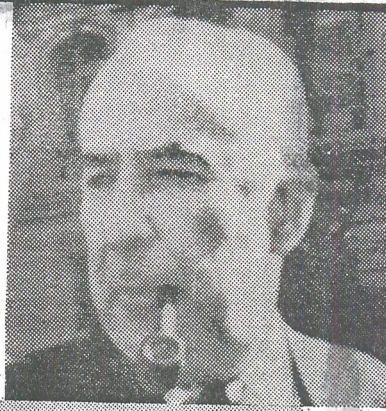
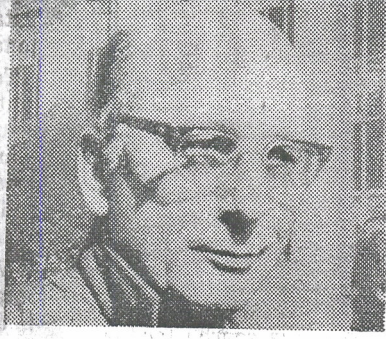
But even so, he declared, he hoped that the court had considered "that whatever Bob Haldeman did, he did not do for himself but for the President of the United States; that the virtue of loyalty is not to be forgotten when evaluating all the attending circumstances; and that he was caught up in a political maelstrom that engulfed a lot of other good people."

Still President when the coverup indictment was returned last March 1, Mr. Nixon was named an unindicted co-conspirator in the case. But the pardon he got from President Ford after his resignation precludes his prosecution for any federal crimes he may have committed in office.

Wilson reminded the judge that his power was "not dissimilar from that of a pardon." He said he hoped Sirica had been mindful "that whatever Bob Haldeman did, so did Richard Nixon; that Nixon had been freed of judicial punishment, yet Bob Haldeman has had to endure agony and punishment by the trial and conviction."

The 73-year-old defense lawyer said he recognized that Mr. Nixon, too, has suffered in being toppled from the highest office in the land.

Washington Post



Robert C. Mardian (above) was an assistant to John N. Mitchell (right), who was U.S. attorney general.



UPI Telephotos



John D. Ehrlichman (left) and H. R. Haldeman (above) were close aides to President Nixon.