

Notes on WxPost WG coverage 5/5/73

Incredible that Chotiner would sue <sup>to</sup> sue for libel even if he was libelled because if in no other area, in the assessing of damage all of Chotiner's career is fair game and properly subject of in-court exploitation. Or, this enable the reopening of the entire Nixon career, beginning with Pink Lady and including Checkers.

In my pre-dawn memo on the CIA involvement, I was wrong in believing that it would be low-level only. It now appears that at least a division chief was actively involved. Note what I have often referred to in the past, emphasis on if not dependence on shrinks and shrinkery.

The belated criticism of the prosecution is one of the major Post copouts. When their reporting of the indictment did not go into this, I did along memo and whether or not I sent him a copy, I had a long conversation with Bob Woodward on it. I analyzed the entire indictment for him and he showed him where it was cooking up, how, who, etc. And I said and expressed a strong opinion on why. This was month ago, right after the indictment. If the Post had then done what was possible, even the election could have had a different result. This is also another evidence of its dependence upon deliberate leaks by those who sought their own objectives in leaking.

I regard it as exceptional that today there is no editorial article or comment. Today's news virtually requires it, and enough had broken in time for editorials. This is consistent with the sheltering of Nixon in the pretense of concern for the institution.

Dean story, his taking and then offering his papers to Sirica: he has to be more than typically YAF blind to have waited until the Thursday before his firing to secure his papers and his defense, which includes attack. I can't believe these are all the papers he has in his control, either the originals or copies. The part dealing with executive privilege is seemingly contrived to an end that it serves by obfuscation if not intent, hiding the only possible real meaning of the invocation of this dubious privilege: the President is admitting guilt in it. This can't cover more than his official life and the only way he can claim applicability is to claim that anything WG was his official function as GL. If he had no connection with it, there is nothing about which to claim privilege. If he had connection with it, privilege can't cover criminal activity, his or anyone's for him or at his direction.

(When GL has not been there, there seems to have been heavy use of Beronbeagden in Catcoctins judging by the helicopter traffic. At a little after 8 a.m. there was one today, seemingly a WE chopper and going in the right direction.)

The Segretti indictment is a transparent protection, and apparent deal with him. It is a very minor charge compared with what his activities are known to have included. It at maximum gives a minimal sentence and gives him an airtight reason for and protection of silence. This like the Washington indictments and the activities and lapses of the DJ are a ripe fruit for the Senate, which has the right and obligation, aside from the special charge of the Ervin committee, to look into mal-, mis- and nonfeasances.

The Post story today as consistently in the past is inadequate in dealing with this because it ignored the deliberate delay in indicting. One was possible as soon as a grand jury could be assembled to hear the very simple evidence of a common crime, breaking and entering. The indictment could then have been added to. However, there was a deliberate plan to delay the trial until after the election and that required delay in indicting. Obviously, the delay in any real investigation provided ample time for destruction as well as covering.

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