

Colson Petition Diverted

WASHINGTON (AP) — President Ford's lawyer has told imprisoned Watergate figure Charles W. Colson to take his petition for a pardon first to the Justice Department, not to the White House.

Reversing a previous statement, the White House press office said Friday that presidential counsel Philip W. Buchen sent Colson's request back to his attorney, Charles H. Morin, with a suggestion that he communicate "directly with the department."

Deputy White House Press Secretary John W. Hushen had said Thursday that the request was referred by Buchen to the pardon attorney at the Justice Department.

"The earlier incorrect statement was caused by a misunderstanding in the press office," said the statement Hushen issued Friday. "We assumed that Mr. Buchen was referring the matter to the Justice Department. What he actually did was to refer the request back to Mr. Morin, not to the pardon attorney."

The White House released Buchen's Sept. 19 letter to Morin acknowledging receipt of Morin's letter three days earlier seeking a pardon or commutation for Colson, the one-time adviser to former President Richard M. Nixon.

The action leaves it up to Colson and his lawyer to decide whether to pursue the request.

Justice's pardon attorney, Lawrence M. Traylor, said earlier Friday that Colson probably would be a good candidate for a presidential pardon but that his request could not be considered for years unless Atty. Gen. William B. Saxbe waives

certain pardon regulations.

Even with such a waiver, Traylor added, it could take up to a year to process the pardon. Colson, serving a one-to-three year sentence for obstructing justice, will be eligible for parole next summer. He was convicted in June for spreading defamatory information about Pentagon Papers figure Daniel Ellsberg.

The pardon attorney investigates each case and submits recommendations to the attorney general, who presents his own recommendation to the President.

Department regulations allow a pardon request to be considered only after the individual has served his sentence and remained free for three years.

Traylor said Saxbe or the President has the authority to

waive the three-year rule in specific cases. But he said he can't recall any waiver in recent history.

If the rule is waived and Colson meets other eligibility requirements, "I think he would fit into the pattern that would be looked upon favorably," Traylor said.