

Garment Denies Role in Prosecution

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Leonard Garment, the White House counsel, submitted an affidavit yesterday to the D.C. Superior Court denying that he or his staff has pushed the prosecution of persons arrested at the White House where they prayed for an end to the Cambodian bombing.

"My office had nothing to do with the arrests or the prosecution," Garment told a reporter, in denying a report of a court proceeding that appeared in The Washington Post yesterday.

The newspaper story said that D.C. Superior Court Judge Robert H. Campbell heard arguments Wednes-

day in which an attorney for four nuns arrested in the protests said he had been told by an employee of the U.S. attorney's office that Garment had applied pressure for the prosecution.

Garment contended that he had been informed by the U.S. attorney's office that he had not been specifically identified by name in connection with the allegation but that the references in court had been made only to the White House counsel.

Garment contended that there is a distinction between himself as the White House counsel and the office of the White House counsel as an institution. He charged that the Post had improperly failed to make this distinction.

No official transcript of the proceeding was available yesterday. A check of the newspaper reporter's notes showed that Garment was identified by name at least once in connection with quashing a subpoena ordering him to appear.

The notes showed that Carl A. Durkee, the nuns' attorney, told the court that Michael Harter, a clerk in the U.S. attorney's office, told him prosecutors were

not free to dismiss the charges against the demonstrators, as they might wish, because "we've been getting regular calls from the White House counsel insisting we prosecute them to the fullest."

"I wish to state to the Court that except in regard to such subpoena, neither I nor any member of my staff has ever communicated with anyone in the United States attorney's office regarding any aspect of this case, and any testimony or inference to the contrary is completely without basis in fact," the affidavit said.