

12:30 p.m. news headlines

Before U.S. District Judge John Sirica sentenced the seven Watergate defendants today, he read the court a letter he received earlier this week from James McCord Jr., the former security chief for the Committee to Re-Elect the President.

The letter said there was political pressure applied to the defendants to plead guilty and remain silent in the case, perjury occurred during the trial in matters highly material to the structure, orientation and impact of the government's case, and to the motivation and intent of the defendants. Others involved in the Watergate operation were not identified during the trial, when they could have been by those testifying; that the Watergate operation was not a CIA operation, and that some statements were unfortunately made by a witness which left the court with the impression he was stating untruths or withholding facts when, according to McCord, only honest errors of memory were involved in that specific case.

The letter came in response to questions posed to McCord by Judge Sirica through McCord's probation officer, but McCord expressed concern that if he answered certain questions asked by Judge Sirica to the probation officer, it was possible that those answers could become a matter of record in the Senate, investigating the Watergate incident, and therefore available for use in possible further civil proceedings against him; also the possibility it could be used if he is re-tried. He also thought that it would violate the privileged communication between a defendant and a judge, but he said, "My answer is that it would seem to violate my Fifth Amendment rights and possibly my Sixth Amendment rights to counsel, and possibly other rights." On the other hand, he said, to fail to answer the judge's questions may appear to be a non-cooperative response, and he was afraid he would get a more severe sentence for that. So, he asked Sirica to be able to talk to him privately, in chambers. He said, "Since I cannot feel confident in talking with an FBI agent, in testifying before a grand jury, whose U.S. attorneys work for the Department of Justice, or in talking with other government representatives, such a discussion with you would be of assistance to me."

Sirica said he would take testimony from McCord in closed court, but he would feel free to disclose what he had been told to a Senate Committee or grand jury, and McCord accepted those conditions. That session between them in court is expected some time next week.

Sirica also told the other five defendants, "should you decide to speak freely to the Senate or grand jury, I would have to weigh that factor in appraising what sentence will be finally imposed in each case."

According to McCord, there were further considerations which should not be lightly taken in his decision to speak to the judge. He said "Several members of my family have expressed fear for my life if I disclose knowledge of the facts in this matter, either publicly or to any government representative. Whereas I do /not share their concern to the same degree," he said, "I do believe that retaliatory measures will be taken against me, my family and my friends, should I disclose such facts. ~~xxx~~ Such retaliation could destroy careers, income and reputations of persons who are innocent of any guilt whatsoever."

The letter came as a surprise to McCord's own lawyers, and the judge had to recess court for 20 minutes before going on. After reading the letter, he sentenced G. Gordon Liddy, former White House aide and legal counsel, to the Committee to Re-Elect the President to a \$40,000 fine in addition to a sentence ranging from six years, eight months, to 20 years in prison. Liddy was described during the course of the trial as the money man, the supervisor, the organizer. McCord's own sentencing was delayed for a week while Judge Sirica went over the letter and whatever testimony will come out of that. The judge left open the final sentence of E. Howard Hunt, Bernard Barker, Eugenio Martinez and Frank Sturgis and Vergilio Gonzales. That included five of the men who plead guilty to the counts against them. The maximum sentence for them would be 50 years and \$40,000 -- that's actually just for Hunt -- 55 years and \$50,000 for the others.

The White House had a comment today on that, through the spokespeople in Key Biscayne, Fla. Deputy White House press secretary Gerald Warren, asked to comment on the McCord letter, said, "It has been our consistent policy not to comment on matters in this trial or any pending trial. I feel I will continue to follow that practice."

There was also White House comment today following yesterday's testimony in the Senate that acting FBI director Gray said John Dean, counsel to the President, probably lied to the FBI during the course of the Watergate investigation. That came out during questioning by Democratic Sen. Robert Byrd of West Virginia.

Well, Deputy press secretary Gerald Warren, asked if yesterday's White House statement in defense of Dean, saying that any claim he lied to the FBI men was reprehensible, unfortunate, unfair and incorrect, could be applied to acting FBI director Gray as well as Sen. Byrd. Well, Warren acknowledged that any reference to alleged lying by the White House counsel would merit the [?] approbation expressed in the statement. He was hesitant to connect the statement directly to Gray. It actually came out through Byrd. Asked if President Nixon would withdraw Gray's nomination to be permanent director for the FBI, Warren said, "There's no intention of doing that. The President submitted Mr. Gray's nomination; the President supports ~~that~~ that nomination."

Asked if there was any contact between Gray and members of the White House staff this week, Warren said Dean and White House assistant John Ehrlichman had talked to Gray this week, but he gave no details.