

'MAXIMUM JOHN' BREAKS THE CASE

The Watergate case has become mostly a mopping-up chore for him, with most of the real action now taking place elsewhere. But if any one man could be said to have broken the case open it was Chief U.S. District Judge John J. Sirica—the trim, 69-year-old traditionalist who presided at the trial of the original seven defendants. “He wanted to get to the bottom of it,” says one well-connected capital lawyer, “and he found the most effective way to do it. As soon as he threw that first sentence, the whole thing started to crumble.”

Sirica's coup was built around the not terribly profound judicial tactic of imposing stiff sentences—but with his own embellishments added. Transparently annoyed throughout the trial at the blandness of the prosecution and the deviousness of most witnesses, Sirica repeatedly tried—and failed—to elicit the names of Administration higher-ups who he felt must have approved the break-in.

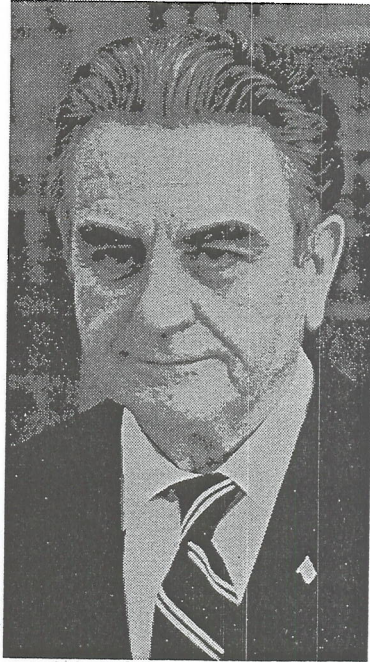
When sentencing time came, the angry judge took his shot. After pondering his decision until 2 a.m., Sirica unloaded a 6- to 20-year sentence and a \$40,000 fine on G. Gordon Liddy, the resolutely close-mouthed ringleader of the wiretapping gang. Then the judge handed out provisional maximum sentences to five other defendants—but added a hint that these might be reduced for any participant who came clean to a grand jury or Sen. Sam Ervin's special Watergate committee. The Liddy sentence was an unnerving jolt to all the defendants (“They were thinking maybe they were going to get a year or two,” says a prominent attorney), but especially to James McCord Jr., a home-loving man who just happened to have worked with bugs for a living. McCord began singing immediately to the Ervin committee, and everything else flowed from that.

“There were a lot of heroes in this thing,” says Washington lawyer Edward Bennett Williams, “but certainly Judge Sirica played a big role in bringing the house down.”

Rock-honest: There is a kind of irony in the judge's sudden reputation for tough sagacity—if only because “Maximum John” Sirica has been handing out super-stiff sentences for as long as he has been on the bench. The son of an immigrant Italian, he worked his way through Georgetown Law School, then scratched his way through some lean days as a private practitioner and assistant U.S. attorney before joining the prestigious Washington firm of Hogan and Hartson in 1949. His one touch of flamboyance is his friendship with former heavyweight champion Jack Dempsey, who was best man at Sirica's wedding in 1952 (the judge has three children, the oldest in college). President Dwight Eisenhower named him to the U.S. Dis-

trict Court for the District of Columbia in 1957. Maximum John became chief judge in 1971, in the meantime carving himself a reputation as a conservative, hard-working, rock-honest jurist and “one of the tougher judges in the world of criminal law,” in the words of one anti-trust lawyer.

In addition to toughness, Sirica brought another special judicial quality to the Watergate trial—a willingness to prod and probe witnesses on his own. Sirica frequently took over the questioning, once snapping at defendant Bernard Barker: “I'm sorry, but I don't believe you.” (To defense attorneys who protest



Wally McNamee—Newsweek

Sirica: Search for the truth

that he “usurps the function of the prosecutor,” Sirica answers mildly: “I don't think we should sit up here like nincompoops . . . the function of a trial court is to search for the truth.”) But the judge's motives clearly ran deep. “He was obviously infuriated at what he thought was rampant perjury in his courtroom,” said another lawyer. “He just couldn't take it.”

For the future, Sirica will have the choice, as chief district judge, of presiding or not presiding over any further Watergate trials. His work on the case so far has brought the upright old judge several radio and TV offers (all turned down flat) and a flood of dinner and party invitations. “I enjoy going to parties every once in a while,” Sirica told NEWSWEEK's Diane Camper last week. “But everyone inevitably comes up to me and wants to start talking about the case, and I have to say, ‘I'll talk to you about anything but Watergate.’”