



An Almost-Bargain

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Washington

U.S. DISTRICT Judge Barrington Parker has great difficulty walking. He uses two canes, and had to be assisted to the bench by the marshal, but he has none whatever talking, and his biting words did something to redeem the government's squalid deal with Richard Helms, the former director of the CIA.

It was something of a contest between Helms's attorney and the government's as to which was more anxious to spare Helms the consequences of having lied to a Senate committee.

Edward Bennett Williams, Helms's official defender, proclaimed himself "proud" to be standing beside such a patriot at a time in our national life when ethical standards have fallen so low.

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THOUGH MORE florid, Williams was hardly more urgent than the Justice Department prosecutor, Benjamin Civiletti, who "fervently" requested the judge to suspend the minimum sentence of 30 days in common jail.

Helms appeared in court in a covert operation worthy of his old agency. No reporters were alerted to the unveiling of the arrangement between Helms and the government, which permitted him to plead no contest to charges of testifying "incompletely" about the CIA's involvement in the overthrow of President Salvador Allende Gossens of Chile.

Judge Parker balked at the script handed him. He was put off by Helms's arrogant statement that he understood he would not go to jail and would keep his government pension. The judge was obviously seething over his part in the play.

Perhaps he had in mind the Kleindienst

travesty, the low point of Watergate justice, when former Attorney General Richard Kleindienst having pleaded guilty to a similar transgression, was decked with laurels by the presiding judge.

Judge Parker avoided the Kleindienst parallel.

"You now stand before this court in disgrace and shame," he said looking hard at the defendant, and introducing finally the suggestion that Richard Helms was neither a saint nor a martyr.

This is, of course, counter to Washington establishment wisdom, which holds that Helms is a figure of stature and pathos.

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IT WAS PERHAPS unthinkable to prosecute Helms. "The national security" was evoked. What may really have been at stake was the embarrassment of the mighty. Helms, in one of his less suave moments, dropped a broad hint that if he went, he'd take some big names with him.

And Jimmy Carter's Justice Department has shown no stomach for prosecuting government lawbreakers, particularly if, like FBI agents, they know a lot.

The judge knew there was nothing he could do but play his hand. He did, however, convey his indignation at having privileged plea-bargainers in his court.

"From this day forward, let there be no doubt: No one, whatever his position, in or out of government, is above the law or is relieved from complying with it...You are guilty as charged.

The Helms plea-bargain was no bargain for Jimmy Carter, whose campaign pledge to crack down on big-shot offenders looks hollow. Apparently, he thought Richard Helms was no place to start.