

# Krogh Refuses to Testify

By Robert Meyers

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LOS ANGELES, July 5— Former White House aide Egil Krogh today cited his Fifth Amendment rights against possible self-incrimination in refusing to tell the Los Angeles county grand jury what he knows about the break-in at the office of Daniel Ellsberg's psychiatrist.

Krogh resigned from the Department of Transportation last May 9, taking "full responsibility" for planning the Sept. 3, 1971, break-in at the Beverly Hills office of Dr. Lewis Fielding.

However, former presidential counsel John Dean testified last week before the Senate Watergate committee that Krogh had told him that he, Krogh, got his orders "right out of the Oval Office."

Krogh joined the Transportation Department in early 1973. From 1969 until then, he had been at the White House and directed the so-called "plumbers squad," which was supposed to investigate White House leaks to newsmen.

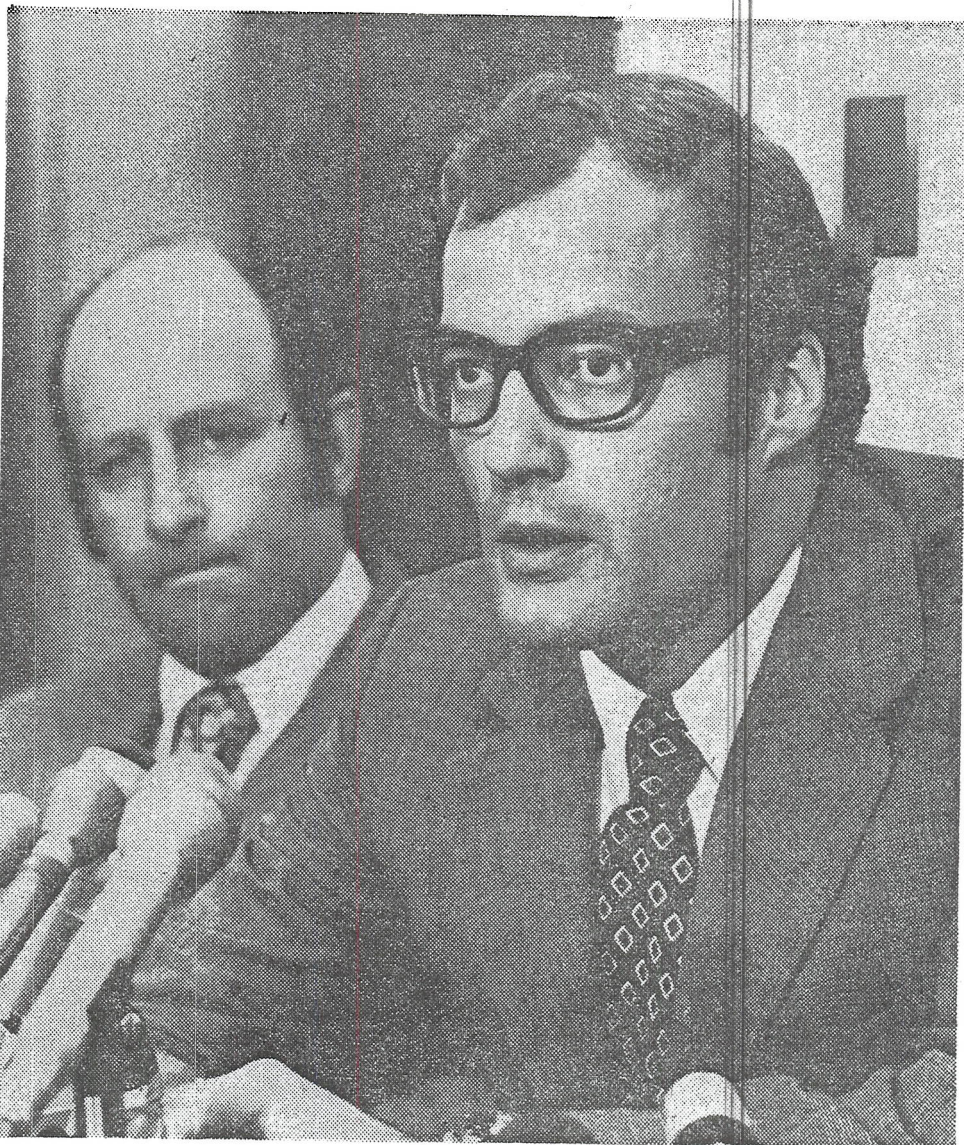
Krogh, who spent about five minutes in the jury room, and his attorney, Stephen Shulman, refused to comment afterward on substantive issues.

Convicted Watergate burglar E. Howard Hunt and three Cubans have testified here about the break-in. They were given immunity for their testimony.

However, an immunity bid by Krogh, through his attorney, has been turned down "at this time," a source in the Los Angeles district attorney's office said.

California does not recognize the so-called "limited" or "use" immunity. When immunity is granted here, it is for the full scope of a witness's testimony.

Los Angeles District Attorney Joseph Busch said his office expects to receive "in a week or two" two documents now in the possession of U.S. District Court Judge



United Press International

Egil Krogh, onetime aide at the White House to presidential assistant John Ehrlichman, addresses newsmen after refusing to testify before Los Angeles grand jury investigating burglary of the office of Daniel Ellsberg's psychiatrist.

John Sirica in Washington, D.C.

One of these documents is said to be a memo from former White House staffer David Young to John Ehrlichman. The memo reportedly discusses the then-forthcoming break-in into the office of Ellsberg's psychiatrist. Since the document is said to be dated before the break-in, it

would show prior knowledge on the part of Ehrlichman.

It is not known what information the second document contains.

Krogh appeared here under a subpoena. His attorney said that Krogh had not been asked to testify before either the Washington grand jury or the Senate select committee.

If Krogh were asked, Shulman said, he would advise his client "not to do so voluntarily."

District Attorney Busch, who is personally presenting the case to the grand jury, indicated that if indictments are handed down by this grand jury, they will be handed down on or after Sept. 4.