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Possible Indictment of Dean Eyed by U.S. Attorney in Va.

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The U.S. attorney in Alexandria, Brian Gettings, says he is prepared to seek the indictment of former presidential counsel John W. Dean III if, for some reason, special Watergate prosecutor Archibald Cox does not.

Gettings told The Washington Post in response to a question yesterday that he has investigated Dean's alleged involvement in the reported meetings between convicted Watergate conspirator James McCord and Jack Caulfield, former aide to both Dean and to former White House official John D. Ehrlichman.

Caulfield told the Senate Watergate Subcommittee that Dean told him to offer McCord "rehabilitation" in return for his silence and that the meetings took place

in January on the second overlook of the George Washington Memorial Parkway in suburban Virginia, which is part of Gettings' federal district.

A spokesman for Cox said that Cox has not yet decided whether to indict Dean, and he refused to speculate on possible difficulties involved. A Justice Department spokesman said Cox has the power to decide whether Gettings' office or anyone else may seek to indict Dean. "The entire Watergate matter is in the hands of Mr. Cox," he said.

Gettings said he could seek an indictment charging Dean with obstruction of justice, but he stressed he had not yet prepared a case and has no plans to seek charges unless Cox decides not to try to indict Dean. Gettings used to work with Dean on Capitol Hill.

Gettings suggested that Cox might decide not to prosecute because of two possible problems, one in trying to produce evidence held by President Nixon and the other in showing that no evidence offered was drawn from or even suggested by Dean's public testimony. Dean's testimony before the Senate subcommittee investigating the Watergate events was given with "use immunity," meaning that nothing he told the committee can be used in court against him.

Cox, prior to Dean's testimony, filed a sealed envelope with a federal district judge in Washington containing the prosecution's evidence against Dean. The action is intended to show that the government had built a case against Dean without his Senate testimony.