



By James K. W. Atherton—The Washington Post

Krogh: the break-in was "in violation of . . . the paramount rights of the individual."

WXPost

DEC 1 1973

Egil Krogh Pleads Guilty In '71 Ellsberg Burglary

By George Lardner Jr.
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Declaring that his conscience would not permit him to hold out any longer, former presidential aide Egil Krogh Jr. pleaded guilty yesterday to a charge of criminal conspiracy in the Ellsberg burglary.

He said he could not honestly continue to claim national security as a defense.

Krogh, 34, promised Watergate special prosecutors a "full and truthful disclosure" of all he knows about the plot—which was hatched in the White House.

But he insisted on being sentenced first to "avoid any possible suggestion that I am seeking leniency through testifying."

The onetime head of the White House "plumbers" unit that carried out the break-in at the offices of Daniel Ellsberg's California psychiatrist, Krogh faces a maximum sentence of 10 years in prison and a \$10,000 fine.

He pleaded guilty to a federal charge of conspiring to violate the civil rights of Ellsberg's psychiatrist, Dr. Lewis Fielding of Beverly

Hills, by approving the break-in.

"I simply feel that what was done in the Ellsberg operation was in violation of what I perceive to be a fundamental idea in the character of this country—the paramount rights of the individual," Krogh told U.S. District Court Judge Gerhard A. Gesell.

"I don't want to be associated with that violation any longer by attempting to defend it."

Krogh declined to tell reporters whether higher-ups at the White House had au-

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thorized him to order the break-in. He said he thought "it would only be proper for me to defer until a later time."

According to former White House counsel John W. Dean III, Krogh told him last March that "he had received his orders right out of the Oval Office."

Krogh told newsmen that he initially felt the break-in was justified. But when asked whether it was undertaken for national security or for the sale of getting derogatory information on Ellsberg and planting it in the press, he said:

"A little bit of both."

The break-in was carried out over the 1971 Labor Day weekend by a team headed by convicted Watergate conspirators E. Howard Hunt Jr. and G. Gordon Liddy, who were then both members of the "plumbers" squad.

Krogh had organized the secret unit at Mr. Nixon's direction to plug up news leaks of sensitive information. At the time of the burglary, Ellsberg had been indicted for leaking the "Pentagon Papers" to the press.

Perjury charges that had been filed against Krogh by

a federal grand jury here were dropped as a result of his guilty plea to the stiffer conspiracy count.

Los Angeles County District Attorney Joseph Busch announced later in the day that he would also move to drop state charges of burglary and conspiracy to commit burglary against Krogh there.

Unlike most states, lawyers here said, California has a double-jeopardy law that bars prosecution of anyone who has been convicted of the same offense under federal statutes.

Krogh was named as a co-defendant with former White House aides John D. Ehrlichman, David Young and Liddy in the California indictments stemming from the raid on Fielding's office.

"Justice has been served, and his (Krogh's) conviction should stand as a warning to those in government who in the future might contemplate action such as occurred in this case," Busch said. He said he expects that Krogh will testify for the state against Ehrlichman, Young and Liddy.

Evidently impressed by Krogh's courtroom statement here, Judge Gesell said he would probably pass sentence in six or seven

weeks. Krogh was released on his own recognizance while probation officials work on a pre-sentencing report.

The judge also told Watergate prosecutors that he hoped they would secure Krogh's personal files from the White House.

"In ordinary, everyday, common decency, you ought to be given access to your personal papers for the court to study," Gesell said to Krogh.

Krogh has been unable to obtain the files from the White House himself. His lawyers have contended that whatever he did was authorized by his superiors. The judge said that evidence showing that he was acting under orders might be relevant to his sentencing.

A federal grand jury here is still investigating the plumbers' clandestine operations. Both Ehrlichman and former White House special counsel Charles W. Colson have been warned that they are "targets" in connection with the federal inquiry into the Ellsberg break-in.

Asked what guarantee they have that Krogh will make good on his promise to testify, Watergate special prosecution force spokesman James S. Doyle said:

"All we've got is his word. That's enough for me. I think what you've got here is a long dead night of the soul and a conversion. I think he's a very impressive man."