

# Ehrlichman Rejects Offer on Guilty Plea

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Former presidential aide John D. Ehrlichman has refused to plead guilty in the Ellsberg break-in in return for immunity from a broad array of other federal charges hanging over him.

One of Ehrlichman's Washington lawyers, Frank H. Strickler, said the proposal was made by Watergate Special Prosecutor Leon Jaworski within the last two weeks in a bid for Ehrlichman's "cooperation" as a government witness.

Ehrlichman finally rejected the offer last Friday after conferring with his attorneys here.

As a result, federal indictments in the Ellsberg psychiatrist's office break-in as well as in the main Watergate scandal are expected shortly.

In turn, it was understood that California authorities are prepared to drop their prosecution of Ehrlichman and others on state charges in the Ellsberg case.

Strickler said he expects Ehrlichman to be named in several indictments within the next few days.

"I imagine that as much as they can put into the indictments, they will," Strickler said of Watergate special prosecutors. "I think they're ready to move. They won't dribble them out."

Major indictments in the  
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Watergate scandal are expected today or Friday. They are being held up until a jury is chosen and sequestered in the New York trial of former Cabinet officers John N. Mitchell and Maurice Stans, but that process, which began last week, is expected to be completed sometime this afternoon.

"Hopefully, by mid-day we'll have 12 jurors and six alternates selected and sworn in," U.S. District Court Judge Lee P. Gagliardi said at yesterday's session in the Mitchell-Stans trial. He told the panel of 52 prospective jurors to be prepared for federal marshals to take them home immediately so they can pick up their luggage and be sequestered later in the day at a "convenient hotel."

Gagliardi also told prospective jurors to shun any news stories or broadcasts about "anything remotely resembling this case." At least three prospective jurors were excluded from consideration yesterday because they had apparently noticed newspaper articles during the week stating that Watergate indictments were being held up because of their potentially prejudicial effect on the Mitchell-Stans jury.

In his offer to Ehrlichman, Jaworski had proposed that the former White House domestic affairs aide avoid other charges by pleading guilty to a single count of conspiring to violate the civil rights of Dr. Lewis M. Fielding, the California psychiatrist for Pentagon Papers defendant Daniel Ellsberg.

Ehrlichman would have been expected in return cooperate fully with Watergate prosecutors. According to some reports, he would have had to admit that he took part in the cover-up of the June, 1972, Watergate break-in partly to keep the 1971 Ellsberg burglary a secret.

Two of the convicted Watergate conspirators, E. Howard Hunt and G. Gordon Liddy, had also been members of the White House "plumbers" unit that carried out the break-in at Fielding's offices in an effort to obtain Ellsberg's medical records.

"It was certainly Mr. Ehrlichman's feeling that he was not guilty of anything," Strickler said of his client's rejection of the Jaworski offer. "He wasn't going to plead guilty just to satisfy another cause."

Strickler denied that Ehrlichman had been asked to admit that the Watergate cover-up was designed in part to prevent the Ellsberg break-in from becoming known.

"No such understanding was sought," the Washington lawyer said. During the plea-bargaining, Strickler said, "we offered nothing in terms of cooperation—other than that

Mr. Ehrlichman would testify fully and freely."

Asked whether that would include President Nixon's possible involvement, Strickler said Ehrlichman knew "nothing that would have satisfied a prosecutor along these lines."

Strickler and his law partner, John J. Wilson, represent both Ehrlichman and former White House chief of staff H.R. (Bob) Haldeman.

Jaworski's offer was made in a letter to Ehrlichman's West Coast lawyer, Joseph A. Ball, who refused to make any comment yesterday. Ehrlichman was said to have decided against the proposal after consulting with Wilson and Strickler last Friday. Ball was then notified in Los Angeles and he presumably passed the word to Jaworski.

Ehrlichman was indicted in Los Angeles last September on state charges of burglary, conspiracy and perjury in connection with the 1971 break-in at Fielding's offices.

Had he pled guilty to the federal civil rights charge, this would have precluded burglary prosecution in Los Angeles because of California's double-jeopardy law.

Sources said, however, that the California prosecution will probably be dropped anyway—if Jaworski requests it—because of the difficulties inherent in pursuing essentially the same case on both state and federal levels at the same time. The perjury charge against Ehrlichman—stemming from his denial to a Los Angeles grand jury of advance knowledge of the Ellsberg break-in—could be left pending, but sources said that, too, may be abandoned.