

# Dean's Immunity --

By Carl Bernstein  
and Bob Woodward  
Washington Post

Washington

For the specific purpose of preventing the indictment of H.R. Haldeman and John D. Ehrlichman, President Nixon last year directed that Watergate prosecutors not grant immunity to White House counsel John W. Dean III, according to edited transcripts of Mr. Nixon's conversations.

During a conversation with lawyers for Haldeman and Ehrlichman on April 19, 1973, the President observed that Dean was a "loose cannon" who might be granted immunity from prosecution himself in exchange for testifying against Mr. Nixon's two principal aides.

"See, that's why I put out a statement that no major figure should be given immunity," the President told the lawyers for the two men.

Two days earlier, on April 17, the President had informed reporters that he had "expressed to the appropriate authorities my view that no individual holding a position of major importance in the administration should be given immunity from prosecution," and added: "I condemn any attempts to cover up in this case, no matter who is involved."

Later that same afternoon, according to the transcripts, April 17, Mr. Nixon told Haldeman and Ehrlichman that "I told the assistant attorney general (Henry E. Petersen), specifically, that nobody should be granted immunity in any case," and explained:

"Dean is the only one who can sink Haldeman or Ehrlichman."

Mr. Nixon's order to deny immunity to his aides was issued almost immediately after he was warned that the Watergate prosecutors were receiving information from Dean that might result in the indictment of Haldeman and Ehrlichman.

At the time of the President's April 17 announcement to the press, high Justice Department officials privately expressed outrage and surprise to reporters that Mr. Nixon would order anyone denied immunity — a key prosecutorial tool in cracking conspiracy cases.

It was at that point that the original Watergate prosecutors began building a theory of the Watergate coverup that held that Mr. Nixon was at least circumstantially involved, according to Justice Department sources.

Earlier in the transcripts, beginning in mid-March, the President is shown holding discussions with Dean, Haldeman and Ehrlichman about plans to get crucial information from Petersen, a career Justice Department official who was in over-all charge of the government's initial Watergate investigation.

The President's acknowledgement that he sought to deny immunity for Dean to protect Haldeman and Ehrlichman occurred during a period when the edited transcripts show him encouraging his two most trusted aides.

At one point during an April 17 meeting, Mr. Nixon told Ehrlichman: "I want you to go forward at all costs to beat the damned rap. They'll have one hell of a time proving it."

He then turned to Haldeman's legal problem, which he described as "a little tougher."

The tape transcripts indicate that, as the Watergate coverup broke open last spring, Mr. Nixon moved to help Haldeman and Ehrlichman against Dean.

During an hour-long meeting on April 19, 1973, with John J. Wilson and Frank Strickler, the attorneys for Haldeman and Ehrlichman, the President referred to the prosecution as "they" and Nixon-Haldeman-Ehrlichman as "we" and "our standpoint."

"Well, we'll survive this," the President told them. "You know—people say this destroys the administration

and the rest—but what was this? What was Watergate?"

"A little bugging! I mean a terrible thing—it shouldn't have been done—shouldn't have been covered up. And people shouldn't have and the rest, but we've got to beat it. Right."

Just hours before issuing his April 17 statement denying immunity to Dean, the President told Haldeman, "Dean is trying to tell enough to get immunity and that is frankly what it is, Bob."

"That is the real problem we've got," Haldeman responded.

In a second meeting that day, Ehrlichman reported to the President that former presidential special counsel Charles W. Colson said that Dean should not get immunity.

"That the message he . . . wanted to explain in length is why Dean had to be dealt with summarily. His partner has a tie-in with the U.S. Attorney's office and they seem to know what is going on there," Ehrlichman told

Mr. Nixon.

At the time, Dean was negotiating for immunity with the U.S. Attorney's office.

Ehrlichman also told the President in the continued early-afternoon Oval Office meeting:

"That knowledge imputed to us (Haldeman and Ehrlichman) is knowledge imputed to you and if Dean is (unintelligible) and testified that he imputed great quantities of knowledge to us, and is allowed to get away with that, that, that will seriously impair the presidency ultimately."

"Cause it will be very easy to argue—that all you have to do is read Dean's testimony—look at the previous relationships—and there she goes! So, he (Colson) says the key to this is that Dean should not get immunity. That is what he wants to tell you."

Mr. Nixon: "Well, he told me that, and I couldn't agree more."

Ten days later, on April 27, 1973, the President re-

ceived word that the Washington Post and the New York Times had learned that Dean was implicating the President in the Watergate coverup.

In a meeting with Assistant Attorney General Petersen, the President said that "we have got to head them (the press) off at the pass. Because it's so damned—so damn dangerous to the presidency."

Responding, Petersen told the President that he had given the following instructions to the U.S. Attorney: "We have to draw the line. We have no mandate to investigate the President. We investigate Watergate."

At the President's behalf, Petersen then telephoned the U.S. Attorney to see whether Dean had in fact implicated Mr. Nixon.

Twenty minutes later, Petersen reported to the President that Dean's lawyer had threatened: "We will bring the President in—not this case but in other things." Concerning the "other things," Petersen said the prosecutors and he "don't know what in the hell they are talking about."

"Don't worry," the President responded.

At that point, the President began shifting his position on immunity for Dean.

Contrary to his instructions of April 17, the President then told Petersen that he "only expressed an opinion" and was not making a hard decision on the immunity question.

The President continued: "I don't know what you prosecutors think, but if your prosecutors believe that they have got to give Dean immunity, in whole or in part, in order to get the damned case, do it."

"I'm not—I'm not telling you what to do, but—You understand? Your decision."

# Nixon's Worry



FRANK STRICKLER      JOHN J. WILSON  
The lawyers representing Haldeman and Ehrlichman

Now have you talked to the prosecutors about this situation?"

Peterson responded that the situation was unclear.

Dean was never given full

immunity from prosecution by the Justice Department. Instead, he pleaded guilty to one count of obstructing justice in return for his cooperation with the prosecution.

Haldeman, Ehrlichman and Colson were indicted with four other former presidential or Nixon campaign aides in the major Watergate cover-up indictment of March 1.