

Colson Pleads Guilty
-- He's Willing to Talk

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Surprise Move in Court

Washington

Charles W. Colson, formerly one of President Nixon's closest aides, pleaded guilty yesterday to a charge that he attempted to obstruct justice and to influence the 1971 trial of Daniel A. Ellsberg.

The surprise one-count plea was worked out in the last week with the special Watergate prosecutor's office.

Specifically, Colson volunteered a plea of guilty to a felony count of obstruction of justice, for which he could receive five years' imprisonment and a \$5000 fine.

In return for the plea, the Watergate prosecutors agreed to seek dismissal of criminal conspiracy indictments against Colson for his alleged role in the Watergate coverup and his alleged participation in the 1971 burglary of the office of Ellsberg's former psychiatrist.

In a statement to newsmen, Colson maintained that he was innocent of the previous charges filed against him but said he could "in complete conscience" plead guilty to charges that he sought to obtain and disseminate derogatory information about Ellsberg and his attorneys after Ellsberg was indicted for the unauthorized possession of the so-called Pentagon Papers in June, 1971.

"As a result of this action today," Colson's statement added, "there may be speculation about my future statements. I regret that. I can only say that I hope my testimony will be of value to the country and will contribute in some way to bringing to an end one of the most painful periods in our history."

Colson said: "I have watched with a heavy heart the country I love being torn apart these past months by one of the most divisive and bitter controversies in our

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history. The prompt and just resolution of other proceedings, far more important than my trial, is vital to our democratic process. I want to be free to contribute to that resolution no matter who it may help or hurt — me or others."

Last March a federal grand jury indicted six men, including Colson and Ehrlichman, for their alleged conspiracy to burglarize the Beverly Hills, Calif., office of Dr. Lewis J. Fielding, who was formerly Ellsberg's psychiatrist.

The men were part of a White House special investigations unit, known formally as the "Plumbers," authorized by Mr. Nixon in July, 1971, and ordered to stop leaks. Its first target was Ellsberg, who has said he provided the New York Times with the Pentagon Papers.

The one-count obstruction of justice charge, presented to the court by William H. Merrill, head of the special Watergate prosecutor's task force on the Plumbers, was built around Colson's efforts to defame Ellsberg for political purposes.

The Watergate prosecutors specifically accused Colson of releasing derogatory allegations about Leonard B. Boudin, one of Ellsberg's lawyers who has had a long association with controversial cases. The Boudin material was supplied in August, 1971, to a Washington reporter by E. Howard Hunt Jr., a member of the Plumbers unit who was to have testified as a government witness in the case.

The Colson plea came at an open hearing in the Ellsberg case called by Federal Judge Gerhard A. Gessell in

the U.S. District Court to discuss a number of "national security" subpoenas that had been sought by Colson and John D. Ehrlichman, another former White House aide, and resisted by the White House. Gesell set June 21 for Colson's sentencing.

The threat of possible dismissal in the trial over the subpoenas — raised by Gesell during a hearing ten days ago — evaporated yesterday when the judge expressed his satisfaction with a White House compromise that would permit Ehrlichman and his attorneys to have full access to Ehrlichman's personal notes.

Only if the White House refused to supply those portions of the notes deemed relevant to the trial by Ehrlichman and the court would some sanctions be needed, Gesell said. The judge also declared, in a reversal of a previous position, that he would permit some "national security" material to be submitted to him in camera — in privacy in his chambers — for a determination of relevancy.

The judge's comments on the subpoena issue virtually eliminated any hope on the part of Ehrlichman and his attorney, William C. Frates of Miami, for a quick dismissal in the "Plumbers" case.

Colson's decision to plead guilty came as a surprise to Frates.

In addition to Ehrlichman, the other remaining defendants are G. Gordon Liddy, a member of the original Watergate break-in team who has pleaded not guilty to the Fielding conspiracy, and two Cuban-Americans who participated in the break-in, Bernard L. Barker and Eugenio Martinez. A third Cuban-American member of the break-in team, Felipe De

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Diego, was freed by Judge Gesell last week.

Under the plea arrangement as outlined in a letter made public by Leon Jaworski, the special Watergate prosecutor, Colson would be required to testify if needed, as a witness for the government in any Watergate trials and — most significantly — "in any and all cases with respect to which he may have relevant information."

Reliable sources also said Colson can no longer claim "executive privilege" or national security to prevent the disclosure of presidential conversations. In addition, the Jaworski letter noted that Colson's pleading "will not bar prosecution for any false or misleading testimony given hereafter" — making Colson liable to perjury charges.

The Watergate prosecutors are now before the Supreme Court in a far-reaching attempt to subpoena 64 presidential tapes — nine of which involved conversations between Colson and the President. According to the subpoena, the two men talked at least three times on June 20, 1972, the first working day after the Watergate break-in.

Colson refused to publicly discuss his future plans after his court appearance yesterday, but a number of highly reliable sources said later that the former White House special counsel would "tell the truth" to any and all questions in subsequent meetings with the Watergate prosecutors.

Senator Harold E. Hughes (Dem-Iowa), who has become Colson's confidant and religious associate, said in a

telephone interview that Colson "wants to be free so he can go and tell the whole story in public to the Rodino committee."

An official close to the House Judiciary Committee, headed by Representative Peter W. Rodino Jr., said that it is "likely" Colson's testimony would be sought

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in the committee's impeachment inquiry.

Colson, who is 42 years old, joined the White House staff after Mr. Nixon's election in 1968 to work with special-interest groups and quickly became known, among other things, as a tough-talking "hatchet man." He was known to have been closely involved with the White House's handling of the so-called milk fund case in 1971 and 1972 and the controversial merger plans of the International Telephone and Telegraph Company — two areas of current inquiry by the Watergate prosecutors and the Judiciary Committee.

In the edited White House transcripts released April 30, both Mr. Nixon and his former chief of staff, H. R. Haldeman, repeatedly expressed concern about Colson's knowledge of events.

For example, the transcript for Feb. 28, 1973, shows that Mr. Nixon, after noting that the Democrats suspected the White House of being responsible for the Watergate break-in, declared that "they think I have people capable of it. And they are correct, in that Colson would do anything."

In a later meeting, Haldeman said he didn't think the Senate Watergate committee had more damaging White House material "unless they got Colson stuff — that would be the only area." The President's reply was marked "unintelligible" in the White House transcript.

The White House officially declined comment on Colson's pleading. After the hearing, James D. St. Clair, the President's Watergate lawyer, told newsmen that he was "very surprised." He added that he had been told of the action "less than a minute" before Gesell convened the court.

Colson, who was accompanied in court by his wife, Patricia Ann, spoke quietly with Liddy shortly before the pleading, apparently to give him advance word. Liddy, who has consistently refused to cooperate with the prosecutors, ended the conversation with a crisp salute.

New York Times



AP Wirephoto

CHARLES COLSON AND HIS WIFE LEFT U.S. DISTRICT COURT
He admitted obstruction in the Ellsberg trial