

Jail Term For Ellsberg Obstruction

Washington

Charles W. Colson was given a one- to three-year prison sentence yesterday after telling a federal judge that President Nixon had personally urged him "on numerous occasions" to commit the acts for which he is going to be jailed.

Colson's allegation against the President came as the former high-level presidential aide expressed regret and contrition to U.S. District Judge Gerhard A. Gesell for his role in disseminating damaging and derogatory material against Daniel Ellsberg and his attorneys in 1971.

In a surprise move, Colson pleaded guilty June 3, to a felony count of obstruction of justice.

"As to the specific offense charged," he told the judge, "The President on numerous occasions urged me to disseminate damaging information about Daniel Ellsberg, including information about Ellsberg's attorneys and others with whom Ellsberg had been in close contact."

"The President, I am convinced," Colson added, "believed he was acting in the national interest. I know I did." Nonetheless, he declared, he failed the President because "I never really questioned whether what he wanted done was right or proper."

Ken W. Clawson, the White House director of communications, charged that Colson had been sentenced to jail "for committing the same felony that has been the standard practice of members and staff of the Senate Watergate committee for more than a year and the same felony being committed daily by some partisan members of the House Judiciary Committee."

"I just wish the special Watergate prosecutor would pursue these felons with the

Back Page Col. 1

From Page 1

same ardor with which he investigated Mr. Colson," he said.

Sources close to Colson said after his sentencing yesterday morning that the former White House deputy counsel had provided the Watergate prosecutors with specific documents that backed up his courtroom assertions.

The former Nixon aide was "well aware," one source said, of the significance of his statement.

Colson is scheduled to testify fully in the next few weeks about his White House activity both to the House impeachment committee and to the special Watergate prosecutor's office.

The one-to-three-year prison term, which was accompanied by a \$5000 fine, was the stiffest handed out yet to a high level White House official in the Watergate scandal.

The severity of the sentence seemed to surprise the 42-year-old Colson, who quickly embraced his wife, Patricia.

Later, Colson, a recent convert to evangelical Christianity, told newsmen:

"I have committed my life to Jesus Christ. I can work for the Lord in prison or out of prison and that's how I want to spend my life. What happened today is the Lord's will and the court's will and, of course, I accept that fully."

Yesterday's sentencing took place in a courtroom that was filled long before the proceedings began.

Among the spectators were four members of Colson's prayer group, including Senator Harold E. Hughes, the Iowa Democrat who has become the former White House aide's public defender.

Without fanfare, Colson told Gesell in a 12-minute statement that he had entered his plea "because I believed it right as a matter of law and right as a matter of

conscience." He emphasized that in pleading guilty to the attempted obstruction of Ellsberg's trial, he was praying that it would "have some impact in deterring others from interfering with any individual's right to a fair trial."

In accepting Colson's plea, the Watergate prosecutors dropped two other charges against him — stemming from his alleged role in the Watergate coverup and the illegal burglary of the office of Ellsberg's former psychiatrist in September, 1971.

That burglary was committed by members of the White House "Plumbers" unit, a special group set up in July, 1971, by Mr. Nixon and authorized to fully investigate Ellsberg, once accused of leaking the so-called Pentagon Papers.

Before announcing sentence, Gesell noted that "the court recognizes that men of ambition, affected by blind, impulsive loyalty, react to the atmosphere in which they work and which they helped create. But this does not change the individual responsibility of each public servant. Morality is a higher

force than expedience."

The judge gave Colson until July 8 to begin his prison sentence.

Colson's sentence came despite an at-times impassioned plea for probation by David L. Shapiro, Colson's attorney and former law partner.

Shapiro argued that his client had been victimized by a series of "deliberate leaks" that created "the most pernicious kind of publicity linking Colson's name to every conceivable criminal act and dirty tricks."

If the judge sentenced Colson to jail "because of the 'public expectancies' built up in this case," Shapiro added, "that would be for some a most popular disposition. It would also be — I most respectfully suggest — a terribly shortsighted one."

At this point, Gesell, visibly agitated, broke in. "You're barking up the wrong tree, Mr. Shapiro," he said sharply. "I'm not about to do what I'm going to do because of public expectancies. You're beating a dead horse."

New York Times



AP Wirephoto

CHARLES COLSON AND HIS WIFE PATRICIA
The former White House aide was sentenced to one-to-three years in prison



UPI Telephoto

SENATOR HAROLD HUGHES ESCORTED CHARLES COLSON FROM COURT
Hughes, an Iowa Democrat, is a member of Colson's prayer group