

Jaworski: Evidence To Show Nixon Guilt

Watergate special prosecutor Leon Jaworski said that evidence will become public showing that former President Nixon is guilty of an obstruction of justice, The Wall Street Journal reported yesterday.

"The evidence will show he's guilty, just as much as a guilty plea," Jaworski told Journal staff reporter Karen J. Elliott.

The article stated that Jaworski, whose resignation as prosecutor becomes effective Oct. 25, believes that the offer of a pardon and Mr. Nixon's acceptance of it signify his guilt.

Jaworski said that he had assumed, on the basis of an early press conference held by President Ford, that Mr. Nixon would be pardoned. The only issue remaining, according to Jaworski, was the timing of the pardon.

But Jaworski said it was a "mistake" to believe that more would have been known about Mr. Nixon's role if he had stood trial. "If he had been pardoned after indictment, the public would have no new information," Jaworski said. "If he had gone to trial, he could have invoked his Fifth Amendment guarantees against self-incrimination, pleaded nolo contendere, or even pleaded guilty, and we wouldn't have learned any new details."

Jaworski, who announced his resignation last Saturday, said the pardon did not affect his decision. Rather, the Journal said, Jaworski decided to step down because his primary

task—outlining the case against Mr. Nixon—had been completed.

One of the tasks still to be performed by the special prosecutor's office is the filing of a report with Congress on the Nixon investigation. Jaworski indicated in the interview that without clear authority from Congress, it would not be ethical to disclose evidence against Mr. Nixon, since he has not been charged.

Sources on both the Senate and House Judiciary committees indicated that legislation already pending in Congress to authorize such disclosure has a good chance to pass.

In a related development, former counsel to the special prosecutor Philip A. Lacovara, appearing on the "Today" program (NBC, WRC-TV) said yesterday that he resigned because President Ford's pardon was "fundamentally erroneous and inconsistent with the values" that Lacovara and others had been trying to uphold. Lacovara said the pardon "undermined the principle of equal application of the law."