

# Cover-Up Jurors Found Few Major Disagreements

By Austin Scott

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The Watergate jury that convicted some of the most powerful men in President Nixon's first administration had many differences of opinion but no major disagreements during its 15 hours of deliberation, three of its members said yesterday.

At the outset, said foreman John A. Hoffar, "on almost every count there was a difference of opinion."

But the nine women and three men, eight of them black, took up the 17 counts of the multi-page indictment one by one in order, he said. They held long and detailed discussions on each count, with every juror getting a chance to say all that was on his or her mind, and the informal poll at the end of each discussion was always unanimous, he said.

"By the time we reviewed the evidence and talked about it and what was said on the stand, I don't know if you

the highest places of public trust. And that, said juror Ruth Gould, was also very much on the minds of the jury.

"I just think that what this case is about is as much as anything else the preservation of those institutions that we put our trust in," she said, adding that the case was discussed in just those terms several times during the deliberations.

While the jurors "may not have a great deal of experience at high levels of government, they pretty well relate it to their lives when they

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have to, and they can make parallels, I think," she said.

"People don't have to have a lot of education or political power or social standing to be honest and to be fair and to expect that other people should be this way, and that was discussed in the jury room. I think people just felt [that] in their own private lives they were fair, and they did things honestly, and they felt other people should too."

According to Mrs. Gould and Hoffar, the only two so far to discuss extensively what went on behind the closed doors of the jury room, it was the White House tapes that carried the greatest weight with the jury.

Reid said he thought the jurors gave equal weight to the tapes and the testimony.

"It's hard to argue with the tapes," Hoffar told a reporter for the Long Island newspaper, Newsday, Wednesday night. "[They're] just like an octopus. They would touch so many people. And it was hard for the defendants to protect themselves."

Hoffar added that the jurors did not believe testimony by John N. Mitchell, H. R. (Bob) Haldeman, and John D. Ehrlichman. "Most of them were pretty skillful," he said. "You could tell they'd been over it with their lawyers . . . They wouldn't lie (but) they'd avoid telling the whole truth."

Mrs. Gould's recollections are similar. "When you weighed their testimony against the tapes, you certainly would find them wanting. I did," she said. "I think that once they [the jury] heard the tapes again, I think it put the testimony in perspective. We'd heard so much, we had

listened to testimony, and made our opinions about that testimony, and the tapes put it back in focus again."

Mrs. Gould, a Department of Agriculture loan specialist, said that for her—and she thinks for the other jurors, too—the most important single bit of evidence was the March 21, 1973, tape when White House counsel John W. Dean III told Nixon, "We have a cancer within, close to the presidency, that is growing. It is growing daily. It's compounded, growing geometrically now, because it compounds itself. That will be clear if I, you know, explain some of the details of why it is."

"And then there were either three or four tapes of Haldeman and the President, I believe, if I remember correctly," she said. "But I still say the Dean tape, when he came in to tell the President . . . I supposed that was the tape that was most remarkable."

Hoffar, 57 and a retired U.S. Park Policeman, said he thought the jurors were impressed with Dean. Mrs. Gould concurred.

"I was impressed with Dean as a witness because he was a very precise witness," she said. "I realized that he had perjured himself. I realized that he had been convicted. But it seemed to me as he was on the stand he had no reason to lie further. And another thing about all those witnesses for the prosecution. They were not vengeful men. You didn't have the feeling that they were really there to get anybody. It just seemed to me that they were there not to try to extricate themselves because they were already in it."

The next most impressive witness, as far as Mrs. Gould was concerned, was Herbert W. Kalmbach, Nixon's personal lawyer during his first term.

"I felt Mr. Kalmbach's sincerity as much as I felt the sincerity of any other witness," she said. "He seemed to me a very honest man."

Kalmbach pleaded guilty Feb. 25, 1974, to one count of taking part in an illegal political committee and illegally accepting contributions, and one count of promising benefits in return for contributions to Nixon's 1972 re-election campaign.

He was sentenced to six to 18 months in prison and a \$10,-

000 fine, and began serving that sentence July 1.

Hoffar said he does not remember any of the 17 counts that the jurors had an unusually difficult—or unusually easy—time agreeing upon.

"It would get loud now and then but there wasn't any shouting match," he said.

Thelma Wells, who said with pride that at 68 she was "one of the oldest ones there," limited her comments to agreeing

with Hoffar's recollection of no major disputes.

"There was not any disagreement," Wells said. "I've been on a regular jury and a grand jury, and this was the best group I have ever been with."

"There were no gut differences," said Gould. "We had a couple of loud talkers that really did talk loud when they wanted to get a point over, and I got used to that. I certainly did not feel any acrimony."

Reid, Hoffar and Gould all said they had not given much thought, during the trial or since, as to whether a deposition or personal appearance by Nixon might have made a difference in the outcome.

"We had so much to go through," said Hoffar.

Hoffar, the first juror to

break U.S. District Court Judge John J. Sirica's request to not discuss what went on in the jury room, even with family or friends, said he was very concerned about not honoring the request.

Hoffar said Sirica told the jurors the jury system would be hurt by any such disclosures. Asked if he believed that, Hoffar said, "Judge Sirica knows more about that than I do, so I try to do what he says . . . I guess I'm in trouble."

"I think what really, basically, all of us are concerned about is that we don't want to do anything to jeopardize what has already been done," said Gould. "I would feel very badly about that, so I feel that's why we're reluctant to say too much."



JOHN A. HOFFAR

... Watergate foreman

could say that we had any disagreement," said juror Dock Reid, a 60-year-old hotel doorman. "We pretty much reached the same conclusion."

"I think it was a very good team," said Hoffar. "Everyone was given ample opportunity to say everything on his mind. We stayed on each point long enough to make everyone feel he wasn't forced, you know, pressured into doing the wrong thing."

The case was a difficult one, requiring jurors to recall nearly three months of complex and often conflicting testimony by and about men in



By Joe Heiberger—The Washington Post

**Ruth Gould: Tapes "put the testimony in perspective."**