

Sentences Cut for Watergate 'Big 3'

Decision By Sirica

Washington

U.S. District Judge John J. Sirica yesterday sharply reduced the prison sentences of three principal figures in the Watergate case after each confessed in tape-recorded statements that they were guilty of wrongdoing and said they were sorry for what they had done.

The three — former Attorney General John N. Mitchell, former White House chief of staff H. R. Haldeman, and former White House aide John D. Ehrlichman — are the only persons convicted of Watergate crimes who are still in federal prisons.

The action by Sirica took place in the same courtroom where, three years ago, the men were tried and found guilty of conspiracy to obstruct justice in the aftermath of the break-in at the Democratic National Committee headquarters at the Watergate complex.

Originally, Sirica had sentenced all three to terms of between 30 months and eight years. But yesterday, after hearing petitions by their attorneys and tape-recorded statements by the men themselves, he reduced their sentences to "not less than one year, nor more than four years."

This means that Mitchell and Haldeman, who began their prison sentences last June, will be eligible for parole next June.

Ehrlichman, who began serving his sentence last October 28, would be eligible for parole October 27 on the charges stemming from the Watergate coverup case.

However, he also is serving a concurrent sentence of 20 months to five years for his involvement in the "Plumbers" case, which concerned a White House-sponsored burglary at the office of the psychiatrist of Daniel Ellsberg.

Because of this second sentence, Ehrlichman will not be eligible for parole until March, 1979, unless U.S. District Judge Gerhard A. Gesell, who presided at that trial, also agrees to a similar reduction of sentence.

Stuart Stiller, the attorney for Ehrlichman, said yesterday that an application for a reduction of sentence is pending before Gesell, and that if both Gesell and the federal parole board act in Ehrlichman's favor, the former White House aide could be "out by Christmas."

The tape-recorded statements by the three men were something of a contrast to the tapes played during the 13-week Watergate coverup trial, in which President Nixon and his then-aides were heard

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plotting the actions that federal prosecutors said constituted an obstruction of justice.

Ehrlichman said "an exaggerated sense of my obligation to do as I was bidden" had caused him to commit the crimes of which he was convicted. "In effect, I abdicated my moral judgment and turned it over to someone else," he said.

Mitchell said, "No set of circumstances, whatever they might be, could ever again cause me to perform such actions or lead me to commit such deeds."

Haldeman, who had once been, after the President, the most powerful man in the White House, said: "I have the deepest personal regret for everything I have done. I realize the damage it has done to the nation and I will carry for the rest of my life the burden of knowing how greatly my acts contributed to this tragedy."

Sirica announced his decision yesterday afternoon after a 2½-hour hearing at which he listened to the tape recordings and to the pleas made by attorneys for the three men.

One of the attorneys, John J. Wilson, told Sirica that he should consider the "legal unfairness" of jailing three of Nixon's subordinates when the former President himself had received a pardon.

"I've thought long and hard about that," Sirica replied. But he added: "I cannot condone or excuse anyone just because Mr. Nixon gets a pardon."

Later, the judge added: "There does seem to be an element of unfairness. But Mr. Nixon paid a great penalty as the first President to be forced to resign in disgrace."

When he returned to the courtroom after a lunch break, however, Sirica read a three-sentence statement in which he said that "after a careful consideration of all the facts and circumstances of this case" he had decided to reduce the sentences.

The action could be one of the last Watergate decisions to be made by the 73-year-old judge, who assigned himself to preside over the trial of the original Watergate defendants after their indictment on Sept. 15, 1972, and who later presided over the cover up trial as well.

The reduction in sentence followed a pattern that Sirica set early, in which he handed out relatively lengthy sentences and then reduced them after the convicted persons had served relatively short times in prison.

On his way into the court before the hearing, Sirica told one reporter: "I'm glad it's the last major decision I'll have to render in this case. It's a long, difficult case, in many respects a sad case. I'm glad to see the end of the tunnel."

The tape recordings were obtained during the past two weeks by Herbert Vogt, deputy chief of the District of Columbia probation office, who visited the minimum security prison camps where the three men are held.

The three had written letters to Sirica seeking a reduction in sentence, but the judge apparently wanted to hear their statements of contribution in their own words, and decided that tape-recording them would be preferable to transporting the three across the country for courtroom hearing.

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