

# KUNHARDT **FILM** FOUNDATION

JOHN DEAN INTERVIEW

*THE NEWSPAPERMAN: THE LIFE AND TIMES OF BEN BRADLEE*

KUNHARDT FILM FOUNDATION

**JOHN DEAN**

**Nixon Administration, 1970-1973**

**February 15, 2017**

Interviewed by: John Maggio

**Total Running Time: 1 hour, 10 minutes and 4 seconds**

START TC: 00:00:00:00

ON SCREEN TEXT:

The Newspaperman

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ON SCREEN TEXT:

John Dean

White House Counsel, 1970-1973

## **Starting in the Nixon Administration**

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JOHN DEAN:

I went to the Nixon White House to work because I was at the Justice Department; I had been selected to be the number 13 man in about a 35,000-lawyer department and was serving as the Associate Deputy Attorney General. In that post, I did a lot of work with the White House staff, particularly with the press. Because my bosses - the Attorney General John Mitchell, and the Deputy Attorney, General Dick Kleindienst - did not like to

do backgrounders at the White House. They found I was a pretty fast study on these subjects, and so they sent me over to do a lot of these backgrounders. That's when I started working with the White House, with John Erlichman, Bud Krogh, and the domestic counsel. And when Erlichman became the Assistant to the president, leaving the White House counsel chair open, that's when they asked me to come over and take the job.

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JOHN DEAN:

I actually played a little hard to get. I had friends at the White House who I realized were working around the clock with little reward, so I was pretty sure what the job would be before I took the job. They really persuaded me. I didn't realize until decades later when I saw all the vetting they had done on me, the people they had sent to kind of privately interview me and see if they thought I'd fit in, which they did. And when they finally offered the job, they flew me out to California and helicoptered me down to San Clemente, and the president asked me to take the job. And that's pretty hard to turn down at that point.

### **Wanting to work in the Nixon administration**

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JOHN DEAN:

When I first asked my boss, John Mitchell, whether he thought I should take the job, both he and Kleindienst told me not to take the job. Dick Kleindienst was rather explicit; he said "I wouldn't work at that zoo up the street if was being paid five times what I am now." So I got some feedback initially that I had to be careful about going up there. Mitchell said to me though, he said "I

can understand at your age and at your position while you'll go up here in the department, the job - the title of Counsel to the President - is hard to not want on your resume." And that really was what sold me.

### **First impressions of Nixon**

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JOHN DEAN:

The first time I did meet Nixon is when he offered me the job.

JOHN MAGGIO:

What did you think of him?

JOHN DEAN:

When I walked into his office at San Clemente, he was rather theatrically looking out over the Pacific. He was wearing a casual sport jacket. And he—Haldeman and I sat down in the office before he turned and sort of dramatically said, came over and introduced himself. But from the very beginning I thought how theatrical he was with guests, and even once I did become a member of the staff, I noticed that was a trend that he staged often, appearances in the Oval Office. Not when you became a regular working staffer; you'd walk in, he'd have his feet on the desk and look at you around his shoes. But first impressions, he certainly played it up in the Oval Office, and his other offices.

### **Nixon vs. the press**

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JOHN DEAN:

First, I must say I really wasn't in the inner circle at the White House. I have out of Nixon's totality of meetings each day; I have roughly 37 meetings with Nixon. They happened to be very key meetings later in history. But I was a middle level staff guy as White House counsel. I reported through my predecessor, John Erlichman, or the Chief of Staff, Bob Haldeman. And typically my dealings with Nixon were in groups or I was in there with several other people. And it was very late in the game before I started having one-on-one with Nixon. And that's after he's been re-elected, and he really doesn't want Haldeman and Erlichman being consumed by Watergate, so he wants to get it directly from me knowing they're coming to me to get updates because I'd become sort of the desk officer on this issue and gathering all the information.

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JOHN DEAN:

So that's when I started having one-on-ones with Nixon. But I have definite impressions about the way the White House worked from the assignments I was given, the questions I was asked. And I would say that Richard Nixon had great difficulty with the press and the media in general, *The Washington Post* in particular. That was quite evident to anybody who worked there. I don't think any president is very happy with negative coverage. And Nixon always had a well he could draw from - and drew deeply - throughout his career. So it probably is—part of it was with the job, part of it was from his own background where he felt that because his education was not Ivy League, and he often that the press - particularly the columnists who were critical of him -

were looking down on him. So there was no question that that played into it. I never heard that.

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JOHN DEAN:

As it happens, I've listened to literally hundreds of tapes for one of my books, and you certainly get it in listening to tape after tape. But from my personal meetings, I didn't get much of it. There was one notable conversation in one of my first Watergate related meetings on September 15th of 1972, the day that the burglars were arrested in the Watergate, and Howard Hunt and Gordon Liddy - their handlers - were all indicted for the Watergate break-in. And in that conversation after talking briefly about the arrest, Nixon talks about how he is going to tee off on the press during his second term. He's very confident he's going to win re-election. It, to me, is one of my most—probably the only embarrassing conversation I've had with Nixon when I later listen to it. I'm new to it and I really sort of brown-nose and say "Oh, that sounds great, Mr. President" because I know that's what he wants to hear. None of my other conversations did I play that way with him.

### **Advising Nixon on Watergate**

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JOHN DEAN:

Being as young as I was - I'm in my early 30s, here's a man who's been vice-president, he was president - I had to be very careful. I didn't know what he knew. I initially don't think we have any trouble and realize by the time I start dealing with him we're in a lot of trouble. And I have tried to convince my colleagues we're in a lot of trouble. And I don't carry a lot of good news

into him at that point, and I play it very straight with him. So after the September 15th conversation - which is fairly early in Watergate, if you will - as opposed to my later conversations, I pull no punches with him. In fact, it gets down where I really am trying to warn him and frighten him, if you will, to do the right thing.

### **The Pentagon Papers**

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JOHN DEAN:

The Pentagon Papers were published the weekend of the Tricia Nixon wedding. And I became aware of the President's reaction on Monday following the weekend of the wedding, and the Sunday in which the headline of the release on *The New York Times* of this Vietnam study, when it was on the front page of my paper as well. And I got a call from Erlichman in the Oval Office wanting to know if the administration can prosecute *The New York Times* for this leak. And I said, "For what?" He said, "Well, how about treason?" I said, "Well, I don't think this is treason. And I also don't think it's the policy of the Department of Justice to run this kind of prosecution, but I'll make some calls and get back to you." Which I did. I actually called Bill Rehnquist who was the Assistant Attorney General and the Head of the Office of Legal Counsel, later a Chief Justice, who was out.

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JOHN DEAN:

But his office sent back a very quick memo saying, "Yes, they could be prosecuted, but no, it was not the policy of the Department of Justice to launch this kind of prosecution." I wasn't involved in the decision to go to the

Supreme Court and try to enjoin *The Times* and really had little more than newspaper knowledge of that. I was White Counsel at that point. I had the title of White House Counsel. John Erlichman gave up the title; he never gave up the position. I reported to two people. I reported to John Erlichman, who had been White House counsel, and I reported to Bob Haldeman, the Chief of Staff. Liddy was brought—I think Liddy was already on the staff when the Pentagon Papers were released. I hadn't met Liddy at that time. During the time and shortly after the release of the Pentagon Papers, a fellow by the name of Jack Caulfield came in my office. He said "I just came from Chuck Colson's office. Colson wants me to firebomb the Brookings Institute." I said "Wait a minute. Give that to me again." He said "He wants me to firebomb the Brookings Institute." I said "What are you talking about, Jack?" He said, "Yes, he wants me to firebomb it. And when the fire department responds, I'm to send in a team of burglars to get papers out of the safe in the Brookings that the President thinks belong to the government." I said "Jack, this is crazy. Do nothing. Do nothing."

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JOHN DEAN:

And I then flew to San Clemente because I wasn't going to debate this on the phone with anybody. And went in and told Erlichman, I said "This is crazy, John." By that time I'd pulled down the DC code and realized if there's a death as a result of arson, it was a capital crime at that point. So I wanted to be loaded with at least some law. And went out and told Erlichman the story and he said—he picked up the phone, called Colson. He said "Colson, young counsel Dean is out here. Doesn't think the Brookings is a very good idea. Cancel it." I learned later as a result of my doing that, when they set up the

Plumbers unit to investigate Ellsberg and other leaks, that they were specifically told not to tell me what they were doing. Bud Krogh, who was one of the persons who set it up explained to me, he said "John, a lot of people around here think there's some little old lady in you."

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JOHN DEAN:

Well, I wish there had been more little old lady in a lot of people around there. But I don't think it was a sign of little old lady; it's just being sane. And I had no trouble in dealing with issues like that. So that was my first inkling of how far this thing might go. Today I know from listening to the tapes, on three occasions Nixon tells Haldeman to break into Brookings. He's not getting satisfaction, so he picks up the phone and calls Colson and tells Colson to do it. It's Liddy who cooks up the scheme to have his Cuban Americans that he is working with - and would later break into Watergate with - dress up as firemen, and they will buy a fire truck, and they'll go over and start this fire and pretend like they, too, are firemen entering the building, and in the confusion they'll get in the safe. I mean, it was just—it was outrageous, the whole scheme. So I didn't know until many, many years later this was Gordon Liddy's idea, but not untypical of his thinking.

### **The Watergate break-in**

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JOHN DEAN:

In piecing it together after the fact, I've never - at that time or in the years since - seen any evidence that the Watergate break-in itself was something that the White House wanted or designated. Now, there was clearly an



awareness in the White House that Liddy was over at the Re-Election Committee and running some kind of intelligence operation. Had they not been arrested, the team that went into the Watergate, their real mission that night was to go to George McGovern's office, who was of course running against Nixon in that election, and they were going to break into his headquarters. But because they were arrested, they never got there. However, if you look at the McGovern break-in, you can literally trace that directly to the Oval Office on a combination of papers and tapes. Nixon tells Haldeman they want to put a plant - and he's not talking about a flower - a plant in the McGovern campaign.

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JOHN DEAN:

Haldeman in turn tells his aide, Gordon Strachan, to have Liddy start this as the focus of his investigation—were his intelligence gathering. So you can track then that Strachan calls Liddy in, tells him to transfer his intelligence gathering from Muskie - who was the focus initially, Senator Muskie who they thought was going to be the opponent - to McGovern. But they never got there. But it actually would have been traceable directly to the Oval Office had that been—the place they'd gotten arrested that night is fairly anywhere as ham-handed anywhere they went as they would have been at the Watergate. So I've never seen any evidence, however. And once asked Jeb Magruder - who gave the orders to go into the Watergate - "What in the hell were you looking for?" And in essence told me they were fishing. They were looking for financial documents, anything with numbers on.

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JOHN DEAN:

This is what Howard Hunt was told; this is what the Cuban Americans who were in there looking through the files, were just told to look for things, they were told to look for things from contributions Cubans. And they thought there was some Castro money - which was just, as Hunt told me - a cover for just finding papers with numbers where they might be able to find something that was of interest to them. So that was—it's always been to me a fishing expedition. Now after the fact, people can't believe it was as stupid as it appears on its face. The problem is, it was even stupider than it appears on its face. And conspiracy theories have tried to fill the gap, which really are fraudulent.

### **The Watergate scandal**

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JOHN DEAN:

At the time the arrests occurred on June 17th at the Watergate, I happened to have been in Manila, about as far away from Washington as you can be on the planet. My first mistake was probably coming home, because I had planned to stay in San Francisco. I had gone over to give a speech and was coming back and was just going to spend an extra day in San Francisco. And my deputy told me, he said "Erlichman and Haldeman are both looking for you, so you'd better get back." So I'm in the office on the morning of June 19th and really read on the front page of *The Washington Post* about what's happened. I don't have a clue what's happening. Erlichman calls me and ... excuse me, let me reverse that order. After looking at *The Post*, Jeb Magruder called me and told me he'd been asked to return to Washington. He said, "This was our operation, John." He said "Liddy screwed it up."

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JOHN DEAN:

And he said "Would you talk to Liddy?" I said, "Well, what do you mean?" He said, "Well I can't talk to him." I said, "Why can't you talk?" He said, "Well, a few weeks ago we had a little incident at the elevator. I was going off to play tennis and he was, as you know, the general counsel of the Finance Committee at that point. And I in a very friendly way reached out and put my hand on his shoulder and said "Gordon, I need a memo that he had promised me." And he said "Liddy looked at me with a hateful look and said 'Jeb, if you don't take your hand off my shoulder, I'm going to rip your arm out of your body and beat you to death with it.'" And he said "John, I think he was actually serious." He said "That's why I can't talk to him." And so I said "Well let me see what I can do." I no more than hung up with Liddy then John Erlichman calls me, and asks me if I am aware of what's happened. I said "Only what I know in the newspaper." And he said, "Well, I've talked to Colson, and as you know Hunt worked for Colson, but denies any knowledge or involvement. Maybe you'll check in on Chuck and see what you can get from him." And I said "Well John I've had a call from Magruder asking me to meet with Liddy because this is Liddy's operation."

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JOHN DEAN:

He said "We understand that." He said "It's probably a good idea if you do meet with Liddy." So I called Liddy and told him to come over, rather than have him in my office I'd walk down 17th Street with him. And at that point he confesses the whole thing. And says, "It was my operation. I screwed up. I should have never taken in somebody like Jim McCord who was the head of

campaign security, but I needed ... they kept cutting my budget and I had to have somebody to put the wiretaps in, and we had multiple assignments." He said "I also should tell you there's a real problem here." I said "What do you mean?" He said "Well, the White House is involved in this." I said "What do you mean, Gordon?" He said, "Well, when I was working at the White House, did an operation under Erlichman's direction to break into Dan Ellsberg's psychiatrist's office." And he said "The same men I used in that operation I used in this operation, and two of them at least are now in jail as a result of getting arrested at the Watergate."

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JOHN DEAN:

As we were walking back up 17th Street, he stopped me and he said "Please don't shoot me at my home." I said "What are you talking about, Gordon?" He said "Well I know ... I can understand why everyone will be upset with what I've done." But he said "I've got children and I don't want somebody driving by with a shotgun and harming one of my children." So he said "You just tell me what street corner to be on and what night to be there, and you can take me out." I said "Gordon, I don't think we're right there at this point." Probably another mistake.

### **Unraveling the Watergate web**

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JOHN DEAN:

Early on, there is never a meeting where everyone sits down and says we have to cover this up. In fact, it's really, I start as sort of an information gatherer where they're trying —everyone's trying to learn what has

happened. Yes, it's known quickly that this is a Liddy operation and Liddy's budget had, I assumed, had probably been approved by Mitchell, if not Haldeman. I don't know where all the threads run and how it's all going to turn out. I – once, for example, when they wanted to learn that Hunt is involved, and Colson is professing he has no knowledge of this thing that I'm telling Erlichman. In fact, I report back right after my meeting with Liddy to Erlichman about what I said, "John I understand that..." I told him the problem; that an operation that Liddy's says he's authorized is also connected to this, which he is not very happy, one, to hear; or two, that I even have knowledge of.

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JOHN DEAN:

And he's somebody who plays it very close to the vest, but I had by then learned to read him pretty well. And I know he's upset with it. And one of the things I tell him, I said "John," I said, "Listen, I have no background in the criminal law. To my knowledge you have no background in the criminal law. I have nobody on my staff who has that kind of background. And I think we ought to bring somebody over here so we don't make foolish mistakes." He just blew that away. He said "Not going to do that; we don't need that. We don't have any intent to get in trouble. We're not going to get in trouble. You just find out what happened for me." So that's my assignment, which seemed like a perfectly legitimate assignment. Soon I'm finding out one of the things that Liddy had also told me, he said "You've got to get those men out of jail." And I said, "Gordon, I have nothing to do with that. I can't get those men out of jail." And I learned later that Liddy had gone to see the Attorney General

who was playing golf at Burning Tree over the weekend after his men were arrested, and asked the Attorney General to get these men out of jail.

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JOHN DEAN:

I learned that directly from the Attorney General, who told me how foolish Liddy was to come out. And he said "I told Liddy I couldn't help him, either." "They also," Liddy said, "these men are going to need money for lawyers and support and what have you." Again, I said "There's nothing we can do." But he does go back to the Re-Election Committee and to Mitchell's aides and said "We've got to get these guys out of jail. Gotta get money for them." And then I learn from Mitchell that he needs help getting the money. So I very quickly become sort of ... they all trust me. I should put it in the larger picture. Erlichman and Haldeman got along wonderfully. They were close classmates at UCLA. Mitchell and Haldeman got along fine, in a very professional, good relationship. Apparently this started back during the '68 campaign. Mitchell and Erlichman do not get along at all.

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JOHN DEAN:

They could barely speak by this time. And I had worked for Mitchell at Justice. I had worked for Erlichman at the White House. I become the vehicle through which they talk. Sometimes, oddly, sitting in the same room they would turn to me to talk to each other. It was that strained. So these personalities fit in also as to how this unfolds. And one of the things that I quickly discover is I am sort of the lynchpin of all the information and what have you. And that becomes my role and why I end up with all this knowledge. Nobody is volunteering much, but I am being asked to report what I can find out.

**The slush fund**

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JOHN DEAN:

Well *The Post* report that there was a large slush fund, I never saw that. I knew that Haldeman had money that had gone over to the Re-Election Committee. But it really wasn't – I never knew of a slush fund. There was always difficulty raising money to meet the demands of Hunt and Liddy, who were demanding the money for themselves and for the others, particularly Hunt. And this escalated very quickly; like we had endless sources. So that money wasn't there; it had to—the President's private lawyer assisted in raising it. There was, I think about \$80 thousand in campaign money. But this large slush fund, I never knew of, and to this day don't know of. There was a lot of interesting reporting in the press that didn't bear out as things went on. Some of it did.

**Watergate and *The Washington Post***

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JOHN DEAN:

To put this in a larger frame and context, I never saw *The Post* break a story that we didn't know about in advance at the White House. Sometimes I picked up details we didn't know, particularly the early reports on the break-in where they had one of their police reporters who's usually on the scene. Some of that first information did inform the White House. But very quickly, we'd come up to steam. What *The Post*—so *The Post* doesn't crack the case as far as we're concerned, from our point of view. Nor are they even

close to understanding what's really going on. What they're doing - and the tremendous effect they're having - they're making it the biggest story in town by putting it on the front page. This is a newspaper that the prosecutors read, that the FBI agents read, that members of Congress read - and that's the tremendous impact this story has. Not on what Bob and Carl are picking up - which is really long after the fact often, which is new to them - but it's way old in the investigation. So the story as it unfolds in the paper is often greatly delayed from where the investigators and prosecutors are. So that's why no one is particularly worried about *The Post* at this point, of them somehow cracking it. It's the fact they're drawing such attention to it.

### **The Watergate cover-up**

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JOHN DEAN:

Just like I don't think that there was—I know of no meeting where there was ever a sit down on how do we plan and cover this up. It just happens incrementally, a response from one matter to another matter, where no one's going to volunteer or be forthcoming. They've quickly - the White House - it's clear to me the reason they don't cut the Re-Election Committee free is because of the Ellsberg break-in tie-in, which they don't want to have revealed. When Mitchell first learns of this, in fact, I think Mitchell might have been prepared to step forward and say, "Listen, I made a terrible mistake. I approved this nut case - Liddy's - plan to gather intelligence. It got way out of hand and I'll take responsibility for that." But because of his dislike of Erlichman, as soon as he hears of the fact of what Liddy has done at the White



House - which he thinks is actually potentially more serious than even this bungled break-in at the Watergate - he does a hundred and eighty.

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JOHN DEAN:

Over the course of two days, I saw Mitchell's whole attitude toward the thing change, where he initially is concerned, he's taking responsibility. And then he learns that they have put this guy, Liddy, over in his office never telling him about what had happened. In fact years later, Bud Krogh apologized to everybody for the plan they had when Liddy screwed up the Ellsberg break-in so badly, where they went in and trashed the place and left ... actually, it was directly traceable back to the White House at that time and they shut down Liddy's operation right after that in the White House. And then their next plan is to get rid of it. So what do they do? They push him off. I'm looking for somebody to become general counsel at the Re-Election Committee, and Krogh recommends Liddy. He said, "Listen, this guy's a former FBI agent, he's a good lawyer and former prosecutor," and so on and so forth. And I pass him on to Mitchell and they hire him.

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JOHN DEAN:

And nobody knows any of his background. So I see this whole change of attitude as this information surfaces and Mitchell learns what Erlichman has done to him. And this is why the White House can't cut him loose, either. Otherwise, I think it would have been a very different unraveling of the whole matter. But the White House is worried about the Ellsberg break-in. And that's their concern; that's the motivation for their cover up. What's also interesting is Nixon himself doesn't even learn about what's driving

Haldeman and Erlichman until very late in the game; until the next spring, in March, when I tell him on March 17th. I started to give him background because I realized he doesn't know. And I tell him about this Ellsberg break-in.

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JOHN DEAN:

Erlichman claims that he told the President that in July of '72, whereas I'm telling him in March of '73. He happened to tell him on the beach in San Clemente, so there's no record of it and Nixon has both admitted that it's possible and denied it's possible. So I don't know if that ever happened. There's no record of it for history to clear that point up. But I do know that's when the White House became concerned, is because of the fact that two of the men who were in jail from the Watergate break-in and arrest, had also been involved in the Ellsberg break-in.

### **The pre-election coverage of Watergate**

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JOHN DEAN:

I remember from the film *All The President's Men* how that tense moment of the reaction of Mitchell to their call as to the potential fate of Katie Graham. And what I see happening at that moment is probably different than most people. It wasn't particularly tense with inside the cover-up then. But what happened is, Mitchell's drinking had increased, so he was obviously feeling his own set of tensions. And it sounds to me like they caught him when he obviously had fallen asleep and had a lot of booze and didn't have a very thoughtful answer. But I don't put that as a ... it's easy to kind of take these

things and try to superimpose things later. I can't put any particular problem that Mitchell thought he was threatened at that point. Nobody was happy with the press coverage because of the pressure it was putting on.

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JOHN DEAN:

But it really isn't until after the election that I even think we have trouble. I realize we're on the wrong side of the law and what have you. Pre-election, everyone's pretty comfortable. And as I recall that was a pre-election event. Not concerned that Nixon is going to be re-elected. Outside of Washington and *The Washington Post*, almost nobody is covering this story. *The New York Times* is in early and out early; they don't have a clue of what's happening. *The Post* is the only one that's following this story. Occasionally, in *The Evening Star* at that point. But across the country? No, and we of course, saw all those newspapers in the President's new summary. Television - other than CBS picking up an occasional *Washington Post* story, Walter Cronkite trying to dramatize it and bring it to the television audience - it's getting almost no coverage. So it's not a big problem pre-election. It's not a big problem at all.

### **Watergate after the election**

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JOHN DEAN:

Well, what changes for me after the election is I realize we're on the wrong side of the law. We had made stupid mistakes. When I first thought of a defense fund, I didn't think in terms of paying hush money to keep these people silent. I thought they needed ... I knew of many defense funds that existed. It was something of the era. What happens, though, is Chuck Colson -

who had been responsible for Howard Hunt coming to the White House - Colson receives a call from Howard Hunt after the election. Colson, to my amazement, records the call - a lot of people in the White House recorded their calls. And he brings it down to me, proud as punch, to prove the fact that he had no advance knowledge of the Watergate break-in, which Hunt sort of reaffirms as Chuck asks him some leading questions indicating he had no advance knowledge. But what I hear is something very different in the tape as I listen to it, as it plays it on a little cassette for me.

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JOHN DEAN:

And what Hunt is asking for is, he said, "Well now that the election is over, we have made great sacrifices. And the promises and commitments that have been made to us haven't been kept. And we need a lot more money," and what have you. And he uses the term "the ready isn't there." He doesn't so crudely say, "we want the money;" he calls it "the ready." But it's very clear what he's talking about. And Chuck says to me after he plays this tape, he said "Well, what are you going to do with this?" I said, "I have no idea, Chuck." And he said "Well I'll leave it with you." And I, in turn, made a copy - actually it was on a Dictaphone belt, an early recording device - and I converted from that to a cassette, that I then in turn took to Camp David where Haldeman and Erlichman were working on the President's plans post-election for the second term.

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JOHN DEAN:

And I play this tape and I say, "Listen, this is serious. This is—what Hunt and these others are asking for is quid pro quo. And this, I'm sure, is illegal." They

say, "Take it to John Mitchell and let him solve it." So I then fly to New York the same day and take it to Mitchell who meets me at the University Club in New York, and play the tape for him. I'll never forget his response. He said, "You never have any good news, do you?" And I never did have any good news. And he said he'd take care of it. But that's when I also went back to my office and started my fingers walking in the law books, and discovered a statute under 18 US Code 1503 which is the obstruction of justice statute. And reading the annotations in the code I had in my office, I realize very quickly that we're obstructing justice.

### **Investigating the White House**

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JOHN DEAN:

I'm not aware of Segretti until after he surfaces in *The Post*. That's the first I hear of him and my office is asked how we should deal with that and what have you. And to my knowledge Segretti has committed no criminal acts from what—myself and Fred Fielding, my deputy, talked to him and what he's done is not nice, but it doesn't appear to be criminal activity, so we're not particularly concerned about Segretti. And he said "What should I do?" I said "Take a long trip home to California." He gets on a train and goes back to California. It was really the press that was after him more than law enforcement. In fact, very early in the investigation - like two days after the arrest - I go over to the Attorney General's office. That's when he tells me about Liddy coming out and wanting to get his men out of jail.

00:36:57:00

JOHN DEAN:

He also has Henry Peterson, who's the head of the criminal division, come up and report to me. And I had worked at the Justice department. I knew Peterson very well. Henry and I'd had long conversations, so I'd ask him about things like the Bobby Baker investigation of Lyndon Johnson, and how they had somehow miraculously steered that around the Johnson White House - back when, long before this Watergate or any kind of criminal activity - just when we were lunching together at the Justice Department as colleagues. And so I knew Henry very well. And I said, "Henry, I don't think the White House can take a wide open investigation." He said, "You won't be subject to a wide open investigation." I said "To the best of my knowledge we had nothing to do with Watergate. So I don't think there's a problem there," he said. But I said "Campaign act violations? I have no idea what could have gone on." And he said "Well, John" he said, "the department's had a long standing policy. We do not investigate until at least a year after the campaign within the statute of limitations campaign act violations. So they're not going to be investigated. They're not part of this investigation." That's one of the things *The Post* was, in September, was writing and focusing on heavily is they had uncovered Segretti and nothing was happening on the Segretti investigation. Well that was standard Department of Justice policy at that time.

***All the President's Men***

00:38:26:00

JOHN DEAN:

Well, watching the theater of, say, the movie *All The President's Men* is ... that's a dramatized account. It wasn't that tense. It particularly wasn't that

tense in the White House. It may have been that tense in the newsroom, but I can't speak to that. I doubt it, but I know how newsrooms operate as well. But it makes for great theater. And the story holds up even to this day to watch the movie. But it just wasn't that tense when it was unfolding. Now, I'm sure it got tense at the White House when things started falling apart. I'm sure it got tense when the President was waiting to hear if the Supreme Court would rule that he had to turn over his tapes. I'm out of there by then, and not irresponsible for that happening.

**The loss-frame theory**

00:39:25:00

JOHN DEAN:

My immediate reaction to realizing I'm on the wrong side of the law is not what I would have logically thought it would be. What I did at that point when I realized I was in trouble, was I decided I had to get deeply involved and make the cover-up work; that we were all going to sink, including me. Now, today I understand what happened. The psychology behind that hadn't even been developed at that point. But people like Daniel Kahneman has developed the loss-frame. It shows what I did was just very typical. In fact, when I later listened to many of the tapes, I heard my colleagues entering the loss-frame, where you don't think logically. You do not make a rational judgment. You are more inclined to double down on the loss than try to lessen it and step away from it. It's a classic - it's almost human nature, I'm convinced - since so much science has shown in support of these theories.

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JOHN DEAN:

Good example of that is, I would have never imagined destroying documents or tapes or anything. But after I learn we're in trouble and I discover that we have not - by accident - turned over everything we had on Hunt. I found a notebook that has been stuck in my file and I realize it may have some of the information relating to the Ellsberg break-in in it. How do I solve that? I put it in my shredder, and that's a typical bad loss-frame type decision. And then basically forget about it and do not recall it when I ... I don't think I can testify about that in the Senate; it'd just escape me. It's amazing how when you're even trying to tell all you'll suppress things. But anyway, that I saw is a very common thing that happened, where people doubled down when they knew they were in trouble. I saw Richard Nixon do it and go for broke. He decided "I'm going to hang - I'm going to find a scapegoat and just lie my way through this."

**A cancer on the presidency**

00:41:52:00

JOHN DEAN:

What happened on March 21st of 1973 is I'd reached a point where I realized we had to do something. We had to stop the cover-up. I was out of the loss-frame, if you will. I realized it was only going to get worse, and I first tried to convince Haldeman and Erlichman - particularly Erlichman who had such an influence on Haldeman as a lawyer that he listened to. I wasn't sure he would follow my advice, or he believed that we weren't in as deep trouble as I was trying to tell him. I had arguments with Erlichman about the law. In fact, I didn't until decades later when I listened to all the tapes, realize that two had gotten onto the tapes, where Erlichman is telling the President that



the counsel here has been reading the statutes, and sort of makes fun of me for being overreacting to some of this stuff.

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JOHN DEAN:

But his argument was we were not violating the law because he didn't have a criminal intent. Nobody had a criminal intent. Well, that isn't even a law school 101 concept, and I don't know if he missed that at Stanford when he went to law school there. But it was very clear to me that we had the proper intent to be on the wrong side of the law. But he actually tried that defense throughout his trials, and said he had no criminal intent. He had a good motive. Well motive and intent are very different animals. And even if you have a good motive, you can still be a thief as much literature has explained to us. Anyway, when I go in on the 21st to tell the President, I'm convinced I've got to get him to step in and end the cover-up, that it's going to get us all.

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JOHN DEAN:

And the night before I'd been talking to another aide who was involved in some of the PR of this - a lawyer - and we talked about it ... it's like a cancer the way it's spreading. So to get the President's attention - because sometime when I walked in there, he was relaxed enough with me that sometimes he'd look at me around his shoes, they were up on the desk and what have you. And that morning they were up there and I wanted to make sure I had his full attention. So I began by telling him there was a cancer on the presidency, and using that symbolism to try to get his attention, which it did. And then took him through a hour and forty minute conversation of how bad things were. The first hour, it's just he and I alone. He later calls in Haldeman for about the

last 50 minutes of the conversation. And I really try to take him through one problem after another problem after another problem, and I'm somewhat stunned that he has an answer for everything.

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JOHN DEAN:

I tell him that Bud Krogh who had been involved with the Plumbers, thinks he might have committed perjury, and Nixon's response was "Well, perjury is a tough rap to prove, John. He could probably get away with that" in essence. One response after another. I think, in hindsight, this is the first time I really meet Richard Nixon. He knows I'm deadly serious. He is following every word. I have his full attention, and I am drawing out of him who he is and how we deal with this. He later admits, he says "Dean clearly came in to warn me and he obviously didn't get the responses he was expecting." And I didn't. But that pretty much put me out of business as the desk officer for the cover-up, that conversation.

### **The FBI investigation**

00:45:48:00

JOHN DEAN:

What happened is nobody –if you look at the FBI investigation today, the only person who was under any suspicion at all at the White House was Chuck Colson. And he gave two interviews or more to the FBI agents, and they concluded based on those that, indeed, he was not involved. And to this day there's no evidence he was involved in the Watergate, but he could say with some validity, indeed, that he hadn't had advanced knowledge and hadn't been instrumental. Now if they had asked him the right question - was he

aware there was an intelligence gathering operation at the Re-Election Committee - and started down that avenue, they would have probably found he had some problems. But the way it was handled - and nobody else was ever the target of the FBI. When the Segretti matters came up, Haldeman was never interviewed. Dwight Chapin was; later he would commit perjury. I don't think he gave false statements to the FBI because it wasn't that probing, and he was able to handle the questions. No, these really were—I'm telling you, pre-election the White House didn't think they had any problems at all. And thought it would actually go away after the election.

**Fact-checking the *Post's* coverage**

00:47:21:00

JOHN DEAN:

One of the things I, on a long flight once - actually flying to Australia, it was about a 17 hour flight - to pass the time I took my copy of *All The President's Men* and pulled out every statement that Deep Throat - Mark Felt - had given to Woodward. And I had a laptop and had made a long list of them; it was long after the fact. And I realized at that time that about 50 percent of what Felt gave Woodward - and I have no doubt that Bob got it right; he wrote it down quickly after the conversation - was false. It was just pure fabrication. Nowhere will you find this information in the FBI's investigations. Where Felt was getting this stuff, I have no idea because you can't find it today. Bob and I have agreed to disagree on this. But I will ... if somebody does the drill I do and goes through and tries to find in the historical records some of this information, it's just not there.

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JOHN DEAN:

What I'm saying is I think that maybe if Felt indeed warned them their life was in danger, he was dramatizing this for his own reason because there was nothing coming out of the White House that I'm aware of that would ever have put their life in danger. They weren't being followed. They weren't being investigated. They weren't being threatened in any way. They weren't seen as a great threat. So the White House has a whole different view of this.

### **Gordon Liddy and Howard Hunt's failed operation**

00:49:01:00

JOHN DEAN:

There's no question that Liddy and Hunt over-played this sort of thing. They did the same sort of thing, apparently, with the Ellsberg's break-in, where they had tools that they dropped off and hid in this psychiatrist's office. They were going to later go back. They had promised Krogh that they would not get involved personally at all, yet Liddy stands as the lookout. And when he's later asked by Krogh "Well, what would you have done if the police spotted you?" And Liddy said "I could outrun the police." And Krogh said "What about a police car?" He said "I can outrun a police car." I mean, this is crazy stuff. And that's when they shut down Liddy's operation. So the fact that he got the kind of money he got to put out the kind of operation is not being directed by the White House. I mean, the White House is stunned as it learns some of these details. The fact they used Jim McCord, I mean it's just insane.

### **Nixon's response to scandal**

00:50:10:00

JOHN DEAN:

The closest I ever saw to a threat was on that September 15th conversation, where he said, "These people—we're going to get them after the election. We're going to nail them. Going to go after them." And in listening to some of the other tapes, I never heard Nixon threaten anybody physically, and not sure he would. He's no patsy, but also he didn't seem to play that way. The closest I came to dealing with him on those sort of issues was My Lai, which he was very unhappy with. He doesn't have a high tolerance for that kind of activity. I've often said when George Bush, for example - Bush two - called for torture, I don't think Richard Nixon would have gone there. He's somebody who's served in the Pacific, who was aware of what waterboarding was about, and I think there are lines that Nixon would draw and wouldn't cross.

**Spying on the *Post***

00:51:14:00

JOHN DEAN:

To my knowledge, *The Washington Post* phones were not bugged. Certainly not by anybody that I've ever seen either contemporaneously or historically that would indicate that to be the case. The only surveillance that I'm aware of that was ever authorized by the White House was really legitimately authorized and was run by the FBI. Stuff that Liddy and Hunt were doing was learned about after the fact, and not directed from the White House. I was pretty quickly stunned by the stupidity of what they had done. The curious investigation for me was when the bug later turned out - they found a second bug, was found by the DNC itself that apparently the FBI had missed in their first sweep - but the whole - very amateur operation where they had

soldered together their own smoke detector to be a bugging device and stuff like this.

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JOHN DEAN:

This was not high sophistication, but rather to me it was something that guys with too much imagination and too much money had cooked up pretending to be something that they really weren't. When Nixon asked for a plant on George McGovern, I think what he envisioned is something that was not unusual for any campaign is to put somebody in that campaign where they would report back. Not unlike what they had done with the press; they had people ... Lucy Ann Goldberg was following around and reporting back to Murray Chotiner on what was happening with the press and on the people in the press. I suspect that—I don't really know that much about campaign operations other than what I've read, so I have no first hand knowledge of any of this. But some of the very highly untoward or the drama that Bob and Carl were threatened physically, I've never seen a scintilla of evidence to support that.

### **Interviewing the grand jury**

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JOHN DEAN:

Well, we know that Bob went in and got the names of the grand jurors, and that Carl followed up and they talked to a number of the grand jurors - which is not something that, I think, grand jurors are allowed to do under the federal rules of criminal procedure—what is it 8-E I think is the rule that prohibits grand jurors from talking and that would be a very fast way to get

in contempt of court if not even deeper criminal problems, obstruction of justice.

**The scapegoat**

00:54:18:00

JOHN DEAN:

I initially tried to convince my colleagues we were in trouble and we had to end it. And fairly from March 21st on, I set that conversation up. As it was ending I realized I was not carrying the day with the President. I put him in a position I knew was an impossible position for him. I said, "Mr. President, I think people are going to go to jail here in the White House." He said "Like who?" And I said "Like me." And really laid it out that I had personal jeopardy. And knew he really had to deal with that himself in some way. The way he dealt with it is just distance himself from me. And I know today what happened is they had conversation after conversation after conversation with how to deal with it. They're circular conversations. It was the toughest part of the book, I wrote about this was to take this to see where these repeating conversations added something new and spun out into a little further step.

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JOHN DEAN:

And it's very ... they just keep going in one circle after another. And where they keep coming out is they realize that the solution is to lay it all on me. Everything that happened up 'til June 17th when the arrests occurred they'll lay on Mitchell, and everything that happened post June 17th they will lay off on me. I mean it becomes very clear from the tapes, Nixon will defend himself by saying "I knew nothing about Watergate until Dean told me on March

21st." I couldn't prove that for years until I went through the tapes. I knew it was a lie. I knew it based on my September 15th conversation with him. But there were countless conversations where he's deeply involved in the cover-up. Indeed, so deeply that when we're having trouble raising money, Nixon himself is selling ambassadorships to raise money. Stunning conversations that he knows exactly what he's doing.

00:56:23:00

JOHN DEAN:

So it became evident to me that they were setting me up. I'd seen it happen with other things at the White House where somebody had to take the fall, but I wasn't inclined to do that. I thought we all had to come stand up and that was the only chance the President would have if he got us all to come forward and admit our mistakes, because I didn't know how deep - or not deep - he was. And at one point - because they stopped talking to me - the only time I ever talked to the press was I had my secretary call *The Post* and the *AP* and *The New York Times*, and read a message to them that if they thought I would be the scapegoat, they didn't understand how the system worked or me. And indeed I got through with it, that message. They read it in the paper. But after that, they became even more protective and that's when I decided I had to break rank, and it's the only way it was going to end.

### **Surrendering to the legal system**

00:57:36:00

JOHN DEAN:

First of all, that would solve nothing if I went to a newspaper and spilled the story. By that time it was clearly going to be a Senate Watergate investigation,



there were ongoing grand juries, and the only way—everyone had criminal liability. This wasn't going to solve itself short of the completion of the criminal process. And so, I tried to convince them that we all had to go into grand juries and tell the truth. And they at one point were saying "Well you go ahead," and I did. And that's where it all starts to unravel then.

### **Defendants and deals**

00:58:19:00

JOHN DEAN:

After the March 21st conversation, the President wants me to go to Camp David and write a report - a written report - of everything I've told him. Well, I knew writing this report - which I start drafting, actually - is just going to nail everybody. And this isn't the way to do it. But it's the first time I started really kind of collecting my thoughts - about who had done what and when, and how it all had unfolded - was up at Camp David. While I'm up there, McCord ... actually the day McCord sends his letter to Judge Sirica where he's trying to crack a deal by saying he thinks there's been perjury at his trial where he and Liddy had gone to trial for their role in the bugging and break-in. And he put ... Liddy has told McCord a surprising amount about what's going on. But much of it Liddy doesn't know what actually happened. He doesn't know who at the White House is involved, or who has done what or what have you.

00:59:22:00

JOHN DEAN:

But McCord puts some of this hearsay out, for example, that I'm aware of the Watergate break-in - which is totally untrue. I had tried to kill Liddy's plans

when I heard about them initially. I thought they were just as crazy as the Brookings thing, as everybody would later testify that I had, indeed, had done that. But when McCord puts this in *The Post* and elsewhere, I realize I need a lawyer to put these people on notice. So I called one of my classmates from law school and asked him to represent me and put any papers that carry this on notice that this is false and untrue - which he did. A fellow by the name of Tom Hogan, who later became the Chief Judge of the federal district court of the District of Columbia. A good judge; good lawyer.

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But when I decided, you know, I really need to go to the prosecutors and start unraveling this thing, that I need a criminal lawyer, because Tom is not—at that point has very little criminal law experience. And we have a mutual friend, Charles Schaeffer, that had been an assistant U.S. attorney in the southern district, and is a very experienced criminal defense lawyer. And so Tommy arranges for me to meet with Charlie and we start that whole process. It's a very interesting story in itself, how Charlie has his own ideas about how to handle this. I know the political side of it; I know the congressional side of it having worked up on the Hill for a number of years. Whereas he knows the criminal law side of it, and that's a whole other story you could do another documentary on, but we're not.

### **The Watergate story explodes**

01:01:20:00

JOHN DEAN:

First of all, there is good coverage of the trial in January of the original burglars. In fact, Sy Hersh writes a story that is, probably was for me as I've

told Bob and Carl one of the most troubling, where he picks up the fact that the burglars are being paid and puts that in *The New York Times* long before *The Post* has this material. That's a story that did give the White House heartburn, for sure... Post-trial and as sentencing approaches, the media itself begins to sense there's more going on here than they initially had thought. That notwithstanding Nixon's overwhelming re-election, that something big is astir. And at that point, in April you start getting increasing coverage of Watergate. And soon it's wall-to-wall coverage of Watergate. And by the time you get into this hearing before the Senate in May, you've got a worldwide coverage of Watergate. So it becomes the biggest story of its era for some— You know, total from start to finish, it's about 900 days, which is remarkable. I'm not sure it could last that long today with the way the media cycles move so much faster. But it went for a long time.

**The *Post* got it right**

01:02:59:00

JOHN DEAN:

The story that was an important story in Watergate for Carl and Bob and Ben Bradlee was the story they did in the fall on Haldeman and the purported grand jury testimony by Hugh Sloan, which they had a misunderstanding. It was at this point that the White House was actually chuckling at *The Post* getting things wrong. And Ziegler would go out and just hammer them in the briefing room for getting it wrong, and be on firm ground in his doing it, and a certain delight in being able to do that. But that was short lived. It was not a particular story that ever really bothered the White House. It was the

cumulative effect of *The Post*. Everyone in the White House knew this story was important because *The Post* had made it important.

01:03:58:00

JOHN DEAN:

It made it a talking point. They'd made it something people read about at breakfast. And that's why I'm convinced that the Senate decided to continue with hearings, to set up a special select committee to investigate it. It's why the prosecutors decided they were going to continue to unravel it and see where else would happen after the initial trial. It's because of *The Post*. There's just no question that it was gutsy of them to take on a president who had been so clearly, overwhelmingly elected; carried every state but Massachusetts and the District of Columbia. So it was a gutsy play. And it turned out they got it right in the long run. But they didn't know it, and it wasn't any one story that made that bring home, it was just the daily drip, drip, drip, drip, drip of the whole thing.

### **Nixon's Enemies List**

01:05:02:00

JOHN DEAN:

I don't think that Nixon intentionally created an enemy out of the press. The fact that he had an enemies list was revealed through my testimony. Actually set up with Weicker, who is my neighbor - Senator Weicker was a member of the committee - and decided to not put it in my testimony. Rather, we saved that for a Q and A where we knew it would come out the second day. And I had no idea it would become such a big story, the enemies list. It was somewhat overplayed, in fact, because while there were enemies projects,

most of them were bungled and little was actually done. Larry O'Brien's tax returns, Nixon had Haldeman all over that. But there was not a widespread—you took these cumulative lists that were in my—actually just got tossed in my desk drawer and that's why I happen to have them. Never did anything with them. So I had them all, and then it became a badge of pride for people after this all came out for people that have been on the enemies list.

### **Auditing Nixon's enemies**

01:06:22:00

JOHN DEAN:

What happened at one point is Erlichman called me to his office and gave me this sheaf of papers, hundreds of names. And he said, "You know Johnny Walters, don't you?" Who was then the head of the Internal Revenue Service. I said "Yes I do." He said "Well, I'd like to have you take this and give it to John and have him start audits on all these people." I said "Okay," and what I did is called Walters in and said, "John Erlichman gave me this list and he would like you to start tax audits on it." Fortunately, John Walters had a good memory; he wrote down what I said. He would later testify in front of Congress exactly how it happened. I was sort of stuck in the middle of it, and did not think much of it. Mostly is when these things were in my control, they went in the desk drawer.

### **Nixon's resignation**

01:07:24:00

JOHN DEAN:

By the time Nixon resigns, it's been pretty much my word versus his word. He's called me a liar on national television several times; said I'm the only one who testified he was involved and what have you. I'm relieved and I thought—what worried me at that point was that he would defy the court. That he would say, "This is all trumped up and these tapes were never made for this purpose." He never claimed a privilege that he might have gotten away with, which was the state secrets privilege. Later, Bush two would use that very effectively. It's much more sweeping than executive privilege. I thought something like that would come into play and that he wouldn't resign. So I was very relieved when he resigned. I had agreed by that time to assist the prosecutors. I had, just before he fired Cox, agreed to—I had watched Cox.

01:08:29:00

JOHN DEAN:

My attorney, Charlie Chaffer, happened to be a good friend of Jim Neal. They had tried Jimmy Hoffa together. I actually formed a lifetime friendship with Jim Neal as a result of that. I was very surprised when, shortly before he died, I'm one of the people he called. I didn't know he was dying - it was a trumped up conversation - but he wanted to call me about the procedures for clemency, which he could have found out a dozen places. And I ... a few days later realized he was calling to say goodbye. But anyway, I was a little bit annoyed and surprised because it was not clear what was going to happen next when Cox disappeared. That was a huge story; much more threatening than anything else. So I was relieved when Nixon resigned. To me, that was the only thing he got right.

**Ben Bradlee's lasting legacy**

01:09:32:00

JOHN DEAN:

Let me end on this note. I'm sure Ben is smiling at how well *The Post* is running today and how important *The Post* and its work is going to be to President Trump. And how unhappy President Trump is going to be with *The Washington Post*. I think that's very important.

**END TC: 01:10:04:00**