



Chapter 7

Thomas C. Green

Thomas C. Green served briefly as attorney for Lt. Col. Oliver L. North during November 1986. In connection with this representation, there is evidence that Green assisted North and North's secretary Fawn Hall in removing official National Security Council documents from the White House after North was fired.

On the afternoon of November 25, 1986, the NSC director of information policy, Brenda Reger, had secured North and Hall's office suite 302 of the Old Executive Office Building and refused to allow any removal of documents without her approval. Subsequently, Fawn Hall decided to remove certain documents secretly and hid them inside her clothing. Hall called North back to the office, and North informed Hall that Green would accompany him.¹

¹ Hall, North Trial Testimony, 3/22/89, p. 5361.

After North and Green arrived, Hall informed North -- but apparently not Green -- that she had documents in the back of her skirt. Hall carried the concealed documents out of suite 302, accompanied by North and Green.

While Hall, North and Green were at the elevator bank on the third floor of the Old Executive Office Building, according to Hall, she indicated to North that she had documents. She said that after they left the building, she indicated she wanted to "pass the documents, and Tom Green said, 'No, wait until we get inside the car.'" She said she took the documents out of her clothes once they were in Green's car. As Green dropped her off at her car, she said he asked her "if I was asked about shredding what would I say, and I said, 'We shred every day.' And he said, 'Good.'" ²

² Hall, Select Committees Testimony, 6/8/87, p. 306.

Based on Hall's testimony, Green's conduct on November 25 raised questions. First, if Green told Hall not to hand the documents to North on the street but to "wait until we get inside the car," it could have been instinctive prudence, or it could have been that Green knew that Hall had in her possession documents that she had illegally removed from the NSC offices, and that he was aiding and abetting a crime. Second, Green asked Hall about what she would say if she were asked about destroying documents. By approving testimony by Hall that would mislead investigators, Green could be said to have exposed himself to a charge that he attempted to obstruct justice.³

³ Two days later, when Hall was asked by Jay Stephens of the White House counsel's office about the reports of shredding documents in North's office, according to Hall, "I told him that we shred every day, and I led him to believe that there was nothing unusual about what had occurred." (Hall, Select Committees Testimony, 6/8/87, p. 309.)

Additionally, North testified that Green advised him to remove documents from his office after his firing. According to North, Green asked him whether he had "anybody or anything to protect yourself?" In response to Green's question, North said he "gathered up a number of documents that I believed would indicate or show that I had had the authority to do what I had done over the course of those two [Iran and contra] operations. I put them in my briefcase, along with my notebooks, and left the Executive Office Building with him [Green]." ⁴

⁴ North, North Trial Testimony, 4/10/89, pp. 7104-7.

When Green was called before the Grand Jury in April 1987, he refused to testify, citing his Fifth Amendment right not to incriminate himself, his clients' constitutional rights to effective representation by counsel, and the attorney-client and attorney work-product privileges.⁵

⁵ Green, Grand Jury, 4/3/87.

North was not available as a witness until after his conviction. Independent Counsel determined that a prosecution of Green, based essentially on the testimony of the person who removed the documents, Hall, would not be useful to the investigation.