

Saxbe Comments Stir Ire of FBI

By Robert Gruenberg

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No responsible FBI official would speak up openly to say he wished the top boss, Attorney General William B. Saxbe, would keep his mouth shut.

But in various other ways it was made plain.

It was apparent in the "official" statements issued in the name of FBI director Clarence Kelley. The statements said the FBI would continue to pursue the kidnaping of Patricia Hearst—and her part in the \$10,000 robbery Monday of a San Francisco bank—in its own way.

It was also apparent in their significant silences when Kelley's spokesmen were asked whether Saxbe's pronouncements were helping or hindering the investigation.

"I wouldn't address myself to that at all," said one of Kelley's aides.

Saxbe stunned the FBI, and a number of his Justice Department colleagues, when he said Wednesday that Miss Hearst was "not a reluctant participant" in the bank robbery by her Symbionese Liberation Army (SLA) kidnapers.

The SLA is a "group" of "common criminals," said Saxbe, and he described Miss Hearst "as a part of them."

Saxbe also cast open doubt on whether she was legitimately kidnaped. When asked, he replied, "I have no way of knowing that."

Saxbe's statements contradicted those by San Francisco U.S. Attorney James Browning and FBI special agent Charles Bates who have said there was evidence Miss Hearst took part in the heist "under duress."

Meanwhile, Chesterfield H. Smith, president of the American Bar Association,

He also said Saxbe shouldn't have even gone so far as to label the others in the SLA as common criminals. He said many lawyers had been complaining about Saxbe's comments.

The Wednesday remark was not the first time Saxbe's shoot-from-the-hip declarations had unsettled the principals in California.

A notable one took place Feb. 14, nine days after Miss Hearst was kidnaped. Saxbe said police would be guilty of "derelection of duty" if they know where Miss Hearst was being held by the SLA and failed to "go get her."

As for the SLA demand that Randolph A. Hearst, Miss Hearst's father, supply \$70 million worth of food to California's needy, Saxbe declared:

"I certainly wouldn't recommend compliance with such vague and unrealistic demands."

Each time the FBI just gritted its teeth and plowed on, with declarations by Bates that he would do his best to solve the kidnaping and bring Miss Hearst back safely, and "explanatory" statements by Saxbe aides that the Attorney General meant no harm to Miss Hearst.

This time Bates, who has between 100 and 125 agents working around the clock on the case, was apparently so enraged that he opted to do nothing but read a short, cold statement to reporters that referred to himself in the third person:

"Let me read you this, fellows, and take it down—'Charlie Bates, special agent in charge . . . feels he has no comment to make . . . Period.'"

"I'd like you to send that out, because I've got thousands of calls in here from all over the country."

Bates also called his Washington headquarters.

What he said to higher ups was not disclosed. But a spokesman for FBI chief Kelley, after emphasizing that Saxbe's remarks were his own—as Saxbe himself said—asserted:

"We are continuing to actively investigate the kidnaping and bank robbery in

order to develop all the facts concerning both offenses, and identify all the individuals involved."

Based on the findings, he added, the evidence will be presented to the U.S. attorney "to determine whether additional warrants should be obtained."

If the FBI had thought—as does Saxbe—that Miss Hearst was a willing participant, a warrant would have been obtained against her, was the clear implication from the spokesmen's words.

lashed out yesterday at Saxbe's comments about Miss Hearst.

"It's unethical for a prosecuting officer to comment on the guilt or innocence of anybody, or to in any way interfere with the process of a fair trial," Smith told the Woman's National Democratic Club.