Richmond Wiretap Probe Shifted

By Bill McAllister Washington Post Staff Writer

Justice Department officials investigate a wiretap that a said yesterday they have maintenance man said he switched grand juries in the found in a vacant apartment. "highly sensitive" probe into Instead of confiscating the the FBI's handling of an ille- wiretapping device, as regal wiretap placed by Rich- quired by Justice Department mond police.

said the change was believed source has said. "wise" because an assistant U.S. attorney who had been reported missing. Under Vir. regularly appearing before the ginia law only State Police are initial grand jury as a prosecu- permitted to conduct wiretaps tor also was called as a wit- and then only under court apness in the wiretap investigation.

G. Rodney Sager, the attorney, is also viewed as a possible witness in any case that might result from the investigation, the spokesman said.

In Richmond, U.S. Attorney William B. Cummings described the change in juries as "not at all uncommon" and said it was made with his approval and that of Guy L. Godwin, a Justice Department lawyer from Washington who is in charge of the investigation.

The initial grand jury was a regular panel assigned to hear routine criminal cases and the second grand jury is "more in the role of an investigative grand jury," Cummings said. The second jury has been meeting in Richmond for several months while it conducted an investigation into crime unit and Cummings said charges of corruption in the he is hopeful that their work Richmond office of the Small can "conclude this fall." Business Administration, he said.

Five Richmond FBI agents, including the special agent in charge of the office, James E. Decker, have been placed on administrative leave with pay pending the completion of the wiretap investigation. The grand jury began its work af-ter the Justice Department received a report on the discovery of the wiretap that was "less than complete," according to one source close to the investigation.

Three FBI agents reportedly were called to an apartment in suburban Henrico County outside Richmond this summer to

rules, the agents returned the department spokesman device to Richmond police, the

> The device has since been proval. The Henrico County tap was not approved by state authorities, officials have said.

Cummings said yesterday that he didn't know when the grand jury would complete its wiretap investigation, but said the switch to the SBA grand jury would not delay its work "more than a couple of hours." Under federal rules, a grand jury may be read the testi-mony of another grand jury and proceed to issue indict-ments based on the other jury's evidence, he said.

A source close to the investigation has said that the FBI agents are being investigated for possible indictment on obstruction of justice charges for the way they handled the wiretap case.

The SBA investigation is being handled by members of a Justice Department organized