

Bell Is Insistent On Prosecution Of FBI Agent

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Attorney General Griffin Bell declared yesterday he is standing by his decision to prosecute an FBI man for allegedly illegal mail-opening and wiretapping.

Bell told reporters he has given no thought to the possibility of dropping the charges against former FBI supervisor John Kearney despite FBI Director Clarence M. Kelley's request that he reconsider the matter.

"What's at stake is the rule of law," Bell said. "If you break the law, ordinarily you suffer the consequences."

Bell made the remarks at an impromptu news conference after he met for 90 minutes with Kelley and 10 FBI agents from as many cities.

Kelley had asked for the meeting April 14 in a statement calling on Bell to reconsider the decision to prosecute, in light of the Justice Department's earlier decision not to bring charges against Central Intelligence Agency men involved in illegal mail-opening.

Bell said the agents expressed concern that the indictment of Kearney and the expected indictments of other FBI men involved in allegedly illegal tactics have impaired bureau morale.

"They're very upset over the indictment of John Kearney. They expressed their dismay," Bell reported. "It has had what they consider to be a very bad effect on the morale of the bureau in their areas and other parts of the country."

He said he is not now reviewing the FBI case in light of the CIA decision but "in due course, I'm going to respond" to Kelley's request that he do so.