

Washington Merry-go-round

F. Paul 11/10/77
By Jack Anderson & Les Whitten

WASHINGTON — Back in the bad old days of Watergate, a briefcase-packing, circuit-riding prosecutor traveled around the country hunting subversives. He was Guy Goodwin, who hurried from place to place indicting people for their political beliefs. We called him Richard Nixon's witch finder.

Justice Department sources say he supervised about 100 grand jury investigations in 36 states. He returned more than 400 indictments. There was one trouble: few of the indictments stuck. The rare convictions were often for minor offenses, having nothing to do with the subversive activities Goodwin was investigating. Goodwin sought contempt and perjury indictments when he couldn't make a better case.

Now the witch finder himself is under investigation. Charges have been brought against him behind closed doors on Capitol Hill. The most devastating testimony has come from a former Justice Department colleague and ex-assistant U.S. attorney for Virginia, Rodney Sager.

The testimony was taken in the strictest secrecy by a House Judiciary subcommittee. Sager cited abuse after abuse by the hit-and-run Goodwin. "His prosecutions were left to others," said Sager. "He got his indictments and disappeared."

Normally, "95 percent of all indict-

ments end in convictions," Sager reported. But Goodwin seemed unable to distinguish between violent, bomb-throwing revolutionaries and peaceful, anti-war activists. No more than 25 percent of those Goodwin indicted were ever convicted, Sager charged.

This "indicates without any question," he said, "that individuals were indicted without the least scintilla of evidence." Innocent people can be "ruined," he warned, by careless indictments. "If I were indicted and the case thrown out tomorrow," he said, "the stigma that would attach to what happened to me would never be erased in my community."

Yet despite Goodwin's "numerous abuses of the system," Sager declared, "he remains with impunity on the federal payroll. . . . The Justice Department, which speaks of protecting witnesses, continues to protect Guy Goodwin. The question can only be asked of the well-meaning representatives from the Justice Department—why?"

Goodwin is an improbable witch finder: an impeccable, subdued, handsome man, with styled gray hair and a soft voice. Testified Sager: "Guy Goodwin is a very mild-mannered individual. He's not one of those so-called screaming, overly aggressive individuals. But he just sits there and just asks broad, sweeping questions that have no relevance whatsoever and are virtually

Impossible to answer."

Here are a few of the "horror" stories that Sager recalled from his personal experience with Goodwin:

— Goodwin "went so far as to subpoena the defense attorney of the primary defendant" in a Richmond, Va., case. Goodwin even "threatened to have him locked up. . . . If he didn't show up for the grand jury." Inside the grand jury room, Goodwin demanded whether the attorney had any "wire tapping equipment." Recounted Sager: "The fellow laughed in his face. . . . had a few choice words for him and left the grand jury room."

— During the same investigation, Goodwin granted immunity to the wrong witness. Sager considered this to be "just comical" but also concluded it was a "grossly negligent act. . . . (that would) suggest professional incompetence."

— When Sager criticized Goodwin's performance, with the witch finder tried to indict him. As Sager recalled this startling development: "He said to me, 'Mr. Sager,' he says, 'you complained a little bit and I want to protect you.' I said, 'Protect me? What do you mean protect me? He said, 'Well, I want to advise you of your rights.' I said, 'Man, you've got to be crazy.'"

Nevertheless, Goodwin went ahead with an investigation of Sager and actually hauled him before a grand jury.

Sager recalled that Goodwin's questions "were so ridiculous that it would defy my imagination and logic as a prosecutor with six years experience." The grand jury found no misconduct by Sager. He responded by filing charges against Goodwin, but these were ignored by his superior, then-Assistant Attorney General Richard Thornburgh. So Sager quit in disgust. "I'm disappointed and disillusioned," he said.

After listening to the secret testimony, Rep. Harold Sawyer, R-Mich., snorted: "If I were voting here based on what I heard, I certainly would vote to hand down an indictment on Goodwin. You certainly sold me on that."

Other eminent authorities have also condemned the witch finder. Whitney North Seymour, the U.S. attorney in New York City, said Goodwin had "little apparent regard for the rights of witnesses." Prof. Arthur Kinoy, a famed constitutional lawyer who has reviewed Goodwin's record, called him "one of the most serious examples of repression." Some of Goodwin's colleagues referred to him as "the grand inquisitor."

Goodwin is now keeping in the shadows, but he is still keeping an eye out for witches in the Justice Department's Internal Security Section. Footnote: Goodwin refused to take our calls for his comment.