

Professor Charges Richardson With

Conflict Of Interest

Post 10/2/73
BALTIMORE (AP)—A George Washington University law professor, charging Atty. Gen. Elliott Richardson with "inherent and unavoidable conflict of interest" in the Justice Department's criminal investigation of Vice President Spiro T. Agnew, asked a federal judge Monday to appoint a "independent and unbiased special prosecutor."

The motion was filed by John F. Banzhaf III in U.S. District Court here, but it was not formally accepted by the clerk until it is reviewed by Judge Walter E. Hoffman of Norfolk, Va., specially assigned to the handle phase of the Maryland political corruption probe.

Paul R. Schlitz, the court clerk, said Hoffman must grant Banzhaf permission to intervene as a third party in a lawsuit filed last Friday by Agnew's attorneys to stop the federal probe as it involves Agnew.

Published allegations accused the vice president of having accepted bribes and kickbacks from consulting engineers and architects while he was chief executive of Baltimore County and later governor of Maryland in the 1960s.

Agnew has branded these charges "damned lies" and said he would continue to fight to prove his innocence.

Schlitz declined to show Banzhaf's motion to newsmen on grounds that it was not yet part of the court case. However, in a statement Banzhaf said his motion "charged that the politi-

cal and other advantages Richardson stands to gain from a successful prosecution of Vice President Agnew, and the many benefits of Agnew's resignation would have for President Nixon, make it impossible for Richardson to conduct the matter fairly and impartially."

Banzhaf had been a consumer advocate and is on the staff of the George Washington University National Law Center.

Banzhaf said that the court, meaning Hoffman, "should refuse to permit the attorney general to continue to conduct the proceedings until he follows the precedent in the Watergate case and appoints an independent and unbiased special prosecutor to supervise the proceedings."

Hoffman was named to handle the Agnew phase of the investigation, outside the grand jury room, because all nine federal judges in Maryland declined to participate because of their long friendship or previous social and business associations with Agnew.

Banzhaf's statement noted that he earlier had sent a letter to Richardson asking him to

appoint a special prosecutor. In that letter, Banzhaf said Richardson's political image could be tarnished fatally "because of the impossibility of proving that your decisions in the Agnew case were not motivated by political considerations and/or presidential interference."

Banzhaf added that Richardson is widely regarded as one of the leading contenders for appointment as vice president should Agnew resign "and thus could hardly objectively weight any 'deal' involving the vice president's resignation."