

Mandel Agrees to Delay Md. Corruption Probes

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ANNAPOLIS, Oct. 17—Gov. Marvin Mandel agreed today to a request by U.S. Attorney George Beall that Maryland officials postpone any investigations of their own into political corruption in the state until Beall has finished his probe.

Mandel also made it clear that any later state investigation would not include Spiro T. Agnew, who was convicted following a no contest plea last week to a tax evasion charge brought against him by Beall. Mandel repeated his assertion that Agnew "has suffered enough already."

Mandel's decision is not necessarily binding, however, on two state's attorneys, Warren B. Duckett of Anne Arundel County and Samuel A. Green Jr. of Baltimore County, who have expressed interest in starting county grand jury in-

vestigations of Maryland politicians and engineering firms.

Beall, whose investigation of Agnew produced detailed allegations of a pattern of cash kickbacks from engineers to state and local politicians for government contracts, met with State Attorney Francis B. Burch in Baltimore today to discuss the question of a state investigation.

Beall also plans to write letters to Duckett and Green requesting that they not begin their own investigations at this time, state officials said. One source in Beall's office said he made the requests because he fears competing state probes would interfere with his own investigation and believes the county prosecutors lack the manpower and expertise to handle such an extensive and complicated inquiry.

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In the case of Green, the Baltimore County prosecutor who has been indicted on bribery charges by a special state grand jury, Beall's office fears that he might use a political corruption investigation to get at his own accusers and "punish people who have cooperated with us."

Gov. Mandel, at an impromptu press conference called in response to inquiries from reporters, left open the possibility that some special state investigation of Maryland corruption might still be started once the federal probe is ended.

The federal investigation, which already has resulted in the indictment of Baltimore County Executive Dale Anderson, as well as Agnew's resignation and no contest plea, is expected to continue well into 1974.

Any delay in a state investigation of political corruption will not affect attempts to collect any back state income taxes that Agnew may owe, Burch said. Under a long-standing arrangement with the federal government, Burch said, whenever the Internal Revenue Service attempts to collect back federal income taxes it notifies state officials so they may move to collect back state taxes.

"If the federal government comes up with an assessment against him (Agnew) for federal taxes, the state is going after him for state taxes, too," Burch said.

Agnew has been found guilty of evading more than \$13,000 in federal income taxes in 1967. The IRS is expected to attempt to collect this amount, plus a penalty of up to 50 per cent and interest of 6 per cent. The former Vice President also has been accused by the Justice Department of extorting at least \$87,500 from two Maryland engineers between 1967 and 1972, leaving open the possibility that the IRS also could attempt to collect back taxes from years other than 1967.

It was also learned today that both the Maryland and the Baltimore County bar associations have begun preliminary steps that could lead to Agnew's disbarment as a lawyer in the state.

In Baltimore County, where Agnew practiced law before he began his rapid rise to national political prominence, the bar association last week assigned two lawyers to begin investigating the case. Agnew, according to a state legal source, will be invited to meet

with the grievance committee of the state bar association, which also is already investigating the matter.

Any disciplinary action against Agnew as a lawyer must be made by the Maryland Court of Appeals, the state's highest court. The bar associations make recommendations to the court in cases of lawyers who violate the law. The court may then disbar a lawyer, suspend him from practice for a period of time, issue a reprimand to him or take no action.

Under state law Agnew's plea of "no contest" to the tax evasion charge is equivalent to a finding of guilty by a court, according to one legal source.

Mandell's agreement with Beall not to begin a state investigation of political corruption is not legally binding on local state's attorneys such as Duckett or Green, over whom the governor exercises no authority.

"They (state's attorneys) ought to abide by the U.S. attorney's request," Mandel said. "I have no authority, but if they call me I'm going to abide by the request of the U.S. attorney and I think they should do the same."

Duckett said today that he has never intended to begin an investigation in Anne Arundel County after Beall finishes investigating persons directly connected to Agnew—for example, Jerome B. Wolff, a former aide to Agnew who provided evidence against Agnew to federal prosecutors in Baltimore.

However, the federal investigation is expected to extend beyond Agnew's two-year term as governor of Maryland from 1967 to 1969 and eventually may focus on the Mandel administration. In a 40-page "exposition of evidence" against Agnew that was released last week, the federal prosecutors made several references to a so-called "system" of kickbacks, indicating that they may have been told that the system not only is widespread but has continued over the years from one state administration to the next.

Duckett said that on Tuesday he asked members of the current Anne Arundel County grand jury to consider whether the county should ultimately begin its own investigation of political corruption and to advise him. But he said he agrees with Beall's contention that it would not be wise to have overlapping federal, state and local probes of the same general area.

Duckett already has looked into an Agnew fund-raising dinner, contributions to the 1970 campaign of Sen. J. Glenn Beall Jr. (R-Md.), and charges that unattributed smear campaign flyers were distributed by workers for Rep. Marjorie Holt (R-Md.) against her 1972 opponent.

These investigations have thus far produced an indictment against only one individual, the Agnew dinner treasurer, banker Blagden Wharton, charged with knowingly filing campaign finance reports for the dinner that contained false names for some ticket buyers.

Duckett has said that in the Holt investigation that he is certain there were violations of the state law requiring that all campaign flyers bear an authorization statement, but there are signs that the investigation has turned up only minor campaign workers who may not be indicted.

Duckett also indicated that he does not believe any laws in effect in 1970 were violated by the spending of about \$185,000 in Maryland by a District of Columbia commit-

tee for Sen. Beall. Duckett has expressed the hope that Beall will agree to disclose how the money was spent, but Beall has not responded to the request.

While Mandel said the state would later decide whether to begin its own investigation of Maryland corruption, he added that Beall may be prohibited by law from turning over evidence his office developed to state authorities. Earlier this year, the governor said, the IRS, citing federal law, had refused to turn over certain records to state officials who were seeking the records in connection with the investigation of Green's office in Baltimore County.

Mandel also disclosed that the day after Agnew resigned, he called the former Vice President and offered him state police protection for a while if the Secret Service stopped immediately guarding him. The Secret Service has continued to provide protection for Agnew.

Contributing to this story were Washington Post staff writers Richard M. Cohen and Paul G. Edwards.