

# Saxbe Stresses Moral 'Jawboning'

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COEUR D' ALENE, Idaho —As he is wont to do, the U.S. Attorney General leaned back heavily in his chair, put his feet on a table and began talking with a blend of folksy humor and impulsive frankness that kept his top public relations aide on the edge of his chair.

The occasion was an interview in his hotel room after William Saxbe had made a speech to the National Association of Attorneys General, his ninth policy speech in two months on the subject of morality in government and fairness in law enforcement.

Saxbe calls it "jawboning for decency," and it is char-

acteristic of only Cabinet member in the Nixon administration to loose a steady verbal barrage at the misdeeds of the justice establishment in the Watergate era.

If Saxbe's public relations aide, John W. Hushen, was waiting for the Attorney General to put his foot in his mouth—as Saxbe is also wont to do—he should have been relieved at the end of the interview.

After nearly six months as President Nixon's fourth Attorney General, Saxbe, the former maverick Republican Senator from Ohio, has concluded that he "has had to learn a hell of a lot, not only about the Justice Department but about keeping



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my mouth shut about things I have nothing to do with."

"You know, as a senator, you get a lot of bad habits," he said.

Saxbe makes a sharp distinction between his admitted verbal faux pas—such as labeling Patricia Hearst a "common criminal" or tell-

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ing reporters that Jewish intellectuals were "very enamored" with the Communist Party in the McCarthy era—and his controversial policy statements about Watergate morality.

The latter are not inadvertent slips of the tongue, Saxbe insisted, and they will not to be tempered by any amount of pressure from the White House or anyplace else.

In recent weeks, Saxbe has criticized the President for giving grand jury information to White House aides, has called Watergate the "greatest cloud in our history," has complained that persons who conspired to "steal our freedoms are in and out of jail in the wink of an eye," and has promised "no more dirty tricks."

He has also criticized the late FBI director, J. Edgar Hoover, for excesses against the New Left, castigated businessmen for unethical dealings and second-guessed previous Attorneys General for indiscriminately

signing wiretap authorizations "as some sort of easily obtained hunting licenses."

The deviations from the Nixon administration's shoulder-to-shoulder defense posture, according to a member of Saxbe's closest circle of advisers, are not the impulsive blurtings of a man with a history of shoot-from-the-lip assertions.

The theme of fairness in law enforcement and morality in government was developed more than a month ago as Saxbe prepared to leave Washington for a round of commencement addresses at Ohio State University, Bowling Green College and Urbana College.

For his own part, Saxbe

said he believes it could take a half-generation or more to recover the public trust lost in the Watergate scandals, and he decided he would rather turn the day-to-day administration of the Justice Department over to his deputy, Laurence H. Silberman, so he could "salvage something out of Watergate by jamboning."

"I think I can perhaps

have some influence in getting the idea of fairness back into our institutions," Saxbe said.

"This is the benefit side of Watergate, the good side of Watergate," he said. "Most things like this in most countries can be turned around only by revolution. We're trying to turn around a trend here by jawboning."

He added, "I've got a tremendous advantage right now, because I'm not a candidate for anything... and I think everybody in government, from the federal trade commissioner on down, has really got an opportunity to hit a lick because of the fact that the White House and the Congress are really off balance. They haven't got the clout to put (me) out of business."

So far, Saxbe said, the White House has shown a hands-off attitude toward his busy schedule of Watergate-related speeches, which have stretched across the country and have been directed mostly at groups of lawyers, police chiefs and other law-enforcement officials.

"General Haig talked to me a couple of times, and he said, 'Right on,'" Saxbe said, referring to Alexander M. Haig Jr., White House chief of staff.

"He called me over there one day and I went over there with fear and trem-

bling. But he said—and this was when I was catching a lot of flak—'We like what you're doing and we've got no complaints,'" Saxbe said.

He said that while he was not trying purposely to embarrass the President, he intends to continue his Watergate theme. "In the things that I believe are in my area of responsibility, I have no reluctance to speak," Saxbe said, with what might have been viewed as understatement.

When asked how he could assure there would be "no more dirty tricks" by Justice officials, as he did in his speech here, Saxbe said, "I can't give them any assurances on that, because it's a great and unwieldy department and what I'm attempting to do is set company policy."

But Saxbe said he has carried his morality message personally to section chiefs, and "they understand what I'm talking about."

"We have a lot of aspects of justice in the country under attack" Saxbe said. "We not only have a salvage operation for the Justice Department, but the jury system and other institutions are under attack."

"I'm hoping we can work our way out of our present difficulty without great insitutional change . . . I think



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the weaknesses that have shown up, so far are weaknesses of men, not of the institutions," Saxbe said.

Saxbe said he purposely is directing his message to local lawenforcement agencies, because restoration of the publics faith in the justice system has to begin there.

"The guy in the village judges the whole justice system by what he sees at that level— how he comes out in the traffic court and in the small claims court or the domestic court," Saxbe said. "We can have all kinds of reforms at the Washington level, but if it doesn't trickle

down it's no good, and that's tired of seeing circus tactics why I may be able to have some little influence.

Specifically, Saxbe said, more diligence in policing local bar associations and local prosecutors will contribute the most to the pub-

lics recovery from Watergate. "That, in the long run, is going to be the good thing to come to this, Saxbe said.

Saxbe conceded in the interview that image-building in an unprecedented speaking tour would be shallow without demonstrable reforms in the Justice Department, and he claimed that a number of programs just getting under way will help salvage respect for his office after one Attorney General was indicted for felonies connected with Watergate and another pleaded guilty to a misdemeanor charge stemming from the scandals.

Since his appointment and swift confirmation in the Senate a year ago, Saxbe has initiated several programs he said he believes will help restore confidence in the justice establishment:

- An 'advocacy school' at Justice, where assistant U.S. attorneys and other prosecutors across the country will be taught courtroom decorum. "I think the public is

in the courtroom," Saxbe said.

- A tighter rein on the FBI, which enjoyed complete autonomy under Hoover. "Those days are past," Saxbe said.

- A review of organized crime strike forces, which will result in, among other things, more control by U.S. attorneys.

- A study of the practice of granting immunity in exchange for testimony, which Saxbe complains has been abused greatly in recent years.

- A tightening of the procedure leading to the issuance of wiretap authorizations, and a general cutback on the number of domestic security wiretaps. Saxbe said that on the basis of the Safe Streets Act and recent Supreme Court decisions, he will continue to cut back on the number of taps.

- Improving liaison with state attorneys general and involving them more in federal law-enforcement programs.

- Tighter control over the release of computerized criminal histories by the National Crime Information Center.

On wiretapping, Saxbe recalled that at the time of his appointment, "It was repug-

nant to me. I was determined to find out how and who was involved and whether it was done fairly.

"When the Bell Telephone people get 10,000 calls from people who think their telephones are tapped, obviously there is a pretty prevalent idea that this is done indiscriminately, and it is not now," Saxbe said.

He said last year there were 130 domestic wiretaps by the federal government, and that the figure would probably decline.

"I think you have to use electronic surveillance rigidly within the guidelines, because of the emotional impact on people," Saxbe said. He said he did not believe wiretaps could be legitimately used to monitor the activities of terrorist organizations such as the Symbionese Liberation Army and the Black Liberation Army.

In a speech in Cleveland Friday, Saxbe continued hammering at this theme, saying, "The possibility of Big Brother eavesdropping on our thoughts as well as our actions has seeped into our national consciousness in substantial ways. And some of the events related to Watergate have increased public fears on the subject.

"For the record, let me state that the term 'national

security' will not be employed by the Department of Justice during my time as Attorney General as some sort of easily obtained hunting license . . . The yardsticks of fairness must be adhered to doggedly," he said.

While this kind of talk may rub against the grain of some old-line FBI officials still loyal to the style of Hoover—which Saxbe concedes is "a problem, but not insurmountable" — it was warmly received by most of the state attorneys general here, some of whom candidly associated a restoration of public trust in government institutions with brighter prospects for reelection of incumbents in this fall's election.

The attorneys general were also impressed by Saxbe's apparent willingness to consider their local problems, and a constant stream of them visited the Attorney General during his two-day stay here to discuss topics ranging from antitrust actions to federally funded police hardware.

"I'm very optimistic about it. It's a marked improvement," said South Dakota Attorney General Kermit A. Sande, a Democrat. "It's more than just lip service; he is very receptive to our input."