

Perjury Charges Dropped by Saxbe

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Attorney General William Saxbe has decided not to prosecute U.S. Rep. James M. Collins (R-Tex.) on allegations of perjury and obstruction of justice that have been under investigation here for the last two years, a Justice Department spokesman said yesterday.

"Given the present circumstances of the case, it was not enough of a case to proceed on . . . He felt it was a weak case," the spokesman said when asked of Saxbe's reason for deciding against prosecution after reviewing the finished case.

U.S. Attorney Earl Silbert, whose office had conducted the probe, also said he had been informed of Saxbe's decision and understood that it had been made "for a number of reasons, including the age of the case."

The allegations against Collins concerned his alleged obstruction of justice in the successful prosecution of his administrative aide, George A. Haag, and perjury allegedly committed during that probe three years ago.

The Justice Department spokesman said the decision not to prosecute was made by Saxbe personally because there had been a split decision

among members of the Justice Department criminal division staff as well as in the U.S. attorney's office on whether or not the case should proceed.

Prosecutors privately acknowledged possible problems with the case if it had progressed as proposed. They pointed out that key possible witnesses, including Haag might pose credibility problems and that the congressman might be able to successfully make a motion that the charges should be dismissed for lack of a speedy trial because of the protracted investigation.

"You don't prosecute a congressman—or hopefully anyone else—unless you have as solid a case as possible," one U.S. prosecutor said.

However, it is known that some prosecutors involved in the case —although admitting the case was not as strong as some other prosecutions—urged that it proceed for a jury determination, especially since it concerned an elected official.

Collins' attorney, William O. Bittman, said he had been informed of Saxbe's decision and "assumed it it the end of the case . . . and that the decision was based on the merit of the charges."