

dupe



Sprague with committee chairman Thomas Downing, a prosecutor's prosecutor

not to be confused with Warren Commission critic Richard E. Sprague, the Philadelphia attorney who drew national acclaim for unraveling the complex conspiracy behind the brutal 1970 assassinations of United Mine Workers reformer Jock Yablonski, his wife and daughter.

Sprague worked on that case for five years as Special Prosecutor of Pennsylvania's Washington County, periodically working his way up the chain of command, first came the apprehension and conviction of the three assassins, then the other four co-conspirators, further up the line. Next came the indictment and conviction of Albert Pass, the Secretary-Treasurer of District 19 of the United Mine Workers. Finally, in September, 1975, Tony Boyle, the powerful leader of the United Mine Workers, was convicted and sentenced to life imprisonment as the man who had financed the Yablonski assassination. It was by all accounts an extraordinary achievement.

Nevertheless, a number of Warren Commission critics were initially wary of the choice of Sprague to head the new investigations. His track record, eight of his 17 years as the District 19 attorney, and the fact that he had been the chief counsel of the Warren Commission, were not other than questionable. "I'm a prosecutor and I'm not going to look back at the work of the Warren Commission," he said. "I've enabled the Warren Commission to accept full responsibility for the two party wounds and the many shots fired to top shed a national time by one individual with one decrepit World War II surplus rifle. Many critics feel that Spector's work should be subject to intense scrutiny by any new investigation."

Sprague adamantly maintains that "I have no problem in going wherever the evidence leads," adding

that "wherever as any involvement suffers whatever may be." In fact, in spite of what appeared most of the time to be a tight relationship between Sprague and Spector, sources close to Sprague at the time maintain that the relationship was actually often cool. At one point Spector is reported to have barred Sprague from accepting the job of Special Prosecutor on the Yablonski case, fearful of taking too much of a back seat to his First Assistant. Spector threatened to quit and Sprague backed down. Sprague received only expenses for serving as Special Prosecutor, and used accumulated vacation time to conduct the trials while continuing to work for Spector.

Sprague joined the DA's office in 1958 at the age of 33 and quickly earned the title of "the iron man" after working the courtroom for 57 consecutive weeks without breaking for a vacation. He was promoted over several assistants with more seniority to become Chief of Homicide in 1962, and in 1966 the newly-elected Spector appointed him First Assistant, the highest position in the DA's office under the DA himself. Sprague has prosecuted or supervised over 15,000 criminal cases. He personally prosecuted over 20 first-degree murder cases, winning convictions in all but one. In that case, the jury returned a second-degree conviction.

Sprague has been described by lawyers he has opposed as ruthless but compassionate. He is a strict law and order man who strongly favors the death penalty, opposes plea-bargaining, and applauds court actions like that of the Berger Court in overturning the Miranda decision.

Sprague has never been shy about speaking his mind. He was dismissed from the Philadelphia DA's office after criticizing F. Emmett Fitzpatrick, the man who had defeated

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The man Congress picked to investigate the assassinations

It's an almost impossible job. The trails, if any, are stone cold, one crime took place 13 years ago, the other eight. Many witnesses are dead. The police agencies that were the primary basis of the investigation are then scrutinized for suspicion.

But the news of the two and four new investigations and their assassinations of John Kennedy and Martin Luther King III, only last week in Congress, and the impeachment of the House voted 280-160 to authorize 12 members solely committed to "conduct a full and complete

investigation" of the two murders. And despite all the false starts, several Congressional probes, many of them of the official verdicts in the two cases are guardedly optimistic this time. The reason is Richard A. Sprague, the man picked to serve as Staff Director and Chief Counsel, the most important position on the committee. Sprague

Specter in the 1974 election, in a *Philadelphia Inquirer* interview. Sprague was also a harsh critic of Watergate Special Prosecutor Leon Jaworski, and wrote on the *New York Times* op-ed page that Jaworski "misused and abused" his position by excessive use of plea bargaining and his failure to contest the Nixon pardon.

Before accepting his new assignment, Sprague demanded that he receive an assurance of absolute freedom to hire and fire staff and to conduct the investigation as he sees fit, subject only to the veto of the committee. He plans to set up two complete homicide investigation units, each to operate independently and concurrently, each with its own legal, investigative and technical staff. He plans a third unit as well—a Legal Counsel with a separate staff to provide legal advice so that staff time and energy are not sapped with litigation and other legal troubles.

Sprague envisions a staff of 160 to 200 people—possibly the largest committee staff in the history of Congress. That figure may cause some hard swallowing when the matter comes up in Congress early in the next session (the new Congress must formally reauthorize the select committee), but Sprague feels it is necessary to do the job right, and that Congress has an obligation to do

WIDE WORLD



Kennedy was Congress serious about "a full and complete investigation."

whatever is required if it was serious in authorizing "a full and complete investigation."

As he assembles his staff, Sprague claims an open mind and no preconceptions as to whether either assassination resulted from a conspiracy. As for assistance from the FBI and CIA, Sprague categorically rules it out prior to any work involving inquiries into any government agency.

The committee lacks the power of prosecution, but Sprague intends to compel accurate testimony. "There's contempt power. There's immunity power," he notes. "In fact somebody is caught in perjury in a properly provable case, I do not think there will be much trouble in seeing that there's prosecution."

How long will the investigation last? Sprague won't even guess. "We might as well not commence the investigation if no deadline is set." He maintains that even an extensive job will have a timeframe. "It needs a few weeks," he says. —Jerry Pollack

Peanut power

And Bill Clinton, now expected to cash in on the peanut market, but Howard Johnson is now a reality show.

Since Carter's nomination in the House, has been selling special peanuts in plastic planters, guaranteed to sprout within 72 hours. If the buyer is lucky, his peanut will grow to six inches in 18 to 28 days and produce 25 to 100 peanuts within four months.

Although the Peanut Power Supermarket chain, Sprague doesn't mind a little marketing. After the people at Howard Johnson's conceded that Carter is best to market the quick sale of their plants, "Peanuts are in the limelight," says the store chain's manager Evelyn Bulova, "and it's lucky for us."