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Leniency for Nixon, Agnew

Associated Press

NEW ORLEANS — Federal prosecutors say the leniency for Richard Nixon and Spiro Agnew has given crim-

inal defendants argument in their pleas for freedom.

U.S. attorneys from across the country said defense lawyers are raising the Nixon

and Agnew cases more often as they urge juries to acquit their clients and petition judges for light sentences.

Some prosecutors suspect that juries on occasion have refused to convict because of the Nixon and Agnew cases.

The prosecutors said they see few signs that judges have changed their sentencing habits because of the Washington scandals.

The prosecutors assessed the impact of the scandals on their own cases in interviews during a four-day conference with Justice Department officials. Several asked not to be named.

In Utah, said prosecutor C. Nelson Day of Salt Lake City, defense lawyers many times refer to public figures or well known political figures during the trials.

"Our counter attack is that we're trying this case and the jury must make its decision on the facts in this case alone," Day continued.

"We get it regularly and in a steady dose," said a Southern state prosecutor.

"They are using it. It's a problem. We were beat over the head with the Agnew case," said Ralph B. Guy Jr., the federal prosecutor in Detroit and vice chairman of the department's advisory committee of U.S. attorneys.

U.S. Atty. Robert E. J. Curran of Philadelphia said: "I think there is a residual

effect. Most of it is an undercurrent—it's there but you don't talk about it. There's no question the government has suffered."

Many prosecutors claim that suddenly they are facing skeptical jurors.

"Since all the troubles began, we've lost a few cases.

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gives crime lawyers a new tool

that we can't really explain. We've had a few hung juries we can't really explain," said a western state prosecutor. "They may believe all the government witnesses are nutty because of Watergate or because of something else."

U.S. Atty. Dean C. Smith of Spokane, Wash., chair-

man of the advisory committee, recalled his trial of a fraud case at the time the Senate Watergate Committee was conducting nationally televised hearings about the scandal.

The jury was going home every night and watching the hearings. We were defending the United States

government and it just wasn't selling in that atmosphere at all," he said.

Before the Watergate scandal, Guy said, defense lawyers never attacked the credibility of FBI agents testifying as prosecution witnesses because they felt it was impossible to convince a jury that an FBI agent

could lie.

But defense lawyers now are testing the tactic more and more often, he said.

The Detroit prosecutor also said that defendants in tax evasion cases are putting stronger pressure on prosecutors to accept a no-contest plea.