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Agnew Pledges He Won't Resign Even If Indicted

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LOS ANGELES, Sept. 29—Vice President Agnew vowed today that he would remain in office even if he is indicted, and he accused top Justice Department officials of attempting to destroy him politically with "malicious and outrageous" news leaks.

A wildly cheering audience of 2,000 Republican women interrupted Agnew with applause 32 times as the Vice President proclaimed his innocence of accusations that he got kickbacks from Maryland contractors.

He singled out Assistant Attorney General Henry E. Petersen, accusing him of attempting to rescue through an Agnew prosecution a reputation lost through "ineptness and blunder" in the Watergate and other cases.

"Because of the tactics that have been employed against me, because small and fearful men have been frightened into giving evidence against me . . . I will not resign if indicted," Agnew said.

[In Washington, Attorney General Elliot L. Richardson praised Petersen and said Agnew had "singled out for criticism a career public servant constrained from defending himself by the ethical standards governing a criminal investigation."]

The delegates to the National Federation of Republican Women's convention yelled their approval of Agnew's statement and stood on tables to cheer. They

waved programs, scarves and signs that said, "Spiro My Hero" and "Agnew for President." Above the cheering, Agnew said once more: "I will not resign if indicted."

Agnew's emotional defense of his innocence came as an addition to a far blander prepared text in which he philosophically discussed the necessity of grand jury secrecy and referred only once to his own case, calling it a "cruel form of kangaroo trial in the media."

When he finished his prepared text, the Vice President looked directly at the television cameras and said he had decided to add some remarks because of the opportunity offered by national television.

"In the past several months I have been living in purgatory," Agnew began. "I have found myself the recipient of undefined, unclear and unattributed accusations that have surfaced in the largest and most widely circulated organs of our communications media. I want to say at this point—clearly and unequivocally—I am innocent of the charges against me."

Agnew was drowned out by applause and cries of "Right on." He continued above the din, proclaiming that he had not "used my office nor abused my public trust as county executive, as governor or as Vice President."

He said that the stories that he was under investigation were leaked by the prosecution. The friendly audience gasped

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in sympathy when the Vice President said he had learned that a copy of the letter informing him of the investigation was given to the Wall Street Journal before Agnew received the letter. The newspaper has denied this.

A press release issued Friday by the Department of Justice denied that the department was responsible for the news leak and, as Agnew saw it, seemed to imply that Agnew himself was responsible. The Vice President heaped scorn on this assertion, calling it a "ridiculous" reply.

"I say this to you: The conduct of high individuals in the Department of Justice, particularly the conduct of the chief of the criminal investigation division of that department, is unprofessional and malicious and outrageous . . ." Agnew said.

"It is my intention to use the courts of this country in an attempt to gain permission to examine under oath these people who are trying to destroy me politically through the abuse of the criminal justice system of the United States."

Petersen, whom Agnew did not mention by name, is head of the criminal investigation division. Agnew said that Petersen and other "individuals in the upper professional echelons of the Department of Justice have been severely stung that the President and the Attorney General have found it necessary to appoint a special prosecutor and they are trying to recoup their reputation at my expense—I'm a big trophy."

In another remark clearly aimed at Petersen, the Vice

President said that "one of these individuals has made some very severe mistakes" in the performance of his duties.

"He considers himself a career professional in a class by himself, but a recent examination of his record will show not only that he failed to get any of the information out about the true dimensions of the Watergate matter, but that he also through ineptness and blunder prevented the successful prosecution of crime figures because of wiretapping errors," Agnew said. "Those are the reasons why he needs me to reinstate his reputation as a tough and courageous and hardnose prosecutor. Well, I'm not going to fall down and be his victim, thank you."

The Vice President continued in a similar vein after his speech, at a closed meeting with 15 California Republican officials in an upstairs room of the Los Angeles Convention Center.

Agnew denounced as false a report that he had ever engaged in "plea bargaining" with prosecution officials. According to the report, Agnew's attorneys had discussed the possibility of the Vice President pleading guilty to a lesser charge in exchange for resignation.

Agnew then went on to say at this meeting that he did not consider that it was any longer "realistic or feasible" for him to attempt a presidential candidacy in 1976. But the GOP officials, including state Chairman Gordon Luce, replied that Agnew had not been politically destroyed and said that he may emerge from his ordeal stronger than before.

This was the same point made Friday by John B. Connally, who is considered a likely presidential choice for Vice President if the office became vacant and who also is regarded as a presidential possibility in his own right for 1976. Luce is a supporter of California Gov. Ronald Reagan, another prospective presidential candidate.

J. Marsh Thomson, the Vice President's press secretary, said afterward that Agnew was "extremely pleased" with the response he received both from the Republican leaders and from the convention.

In his speech Agnew said he had learned in April "through the cocktail circuit and rumor mills of Washington" of threats made by individuals whom he did not name. These "threats," said Agnew, were from people who "left no doubt that unless I used my high office to cut off the investigations against them that they intended to implicate me in their sordid misdeeds."

The Vice President apparently was referring to persons implicated in the continuing federal investigation of kick-back scandals in Maryland.

Agnew said he sent word to the "certain individuals" that he would not help them and that in response they obtained immunity from prosecution in an effort to escape "the full force of punishment by turning in someone higher up."

The Vice President said he had turned to the House of Representatives this week because he felt that he could not obtain a fair hearing before a grand jury in Baltimore.

"The well has been most successfully poisoned," Agnew said, "and I felt the only chance that I had to have a full hearing of the facts was to appeal to the House of Representatives. Thus far, they have decided not to grant me that hearing."

Agnew made the request for an investigation Tuesday of House Speaker Carl Albert (D-Okla.) who the next day declined it on grounds that the case is in the courts. On Friday the Vice President's attorneys filed papers in Baltimore federal court contending that the Constitution protected Agnew from prosecution while he is Vice President.

Agnew said it "enrages" him that large news organs had interpreted this latter action as an attempt to "hide behind a constitutional shield and suppress the facts."

"... What I want is not a suppression of the facts but the fullest possible hearing of them, widely publicized, so that the people of the American nation . . . will know exactly what is going on in this case," Agnew said. "I am not going to hide anything."

The speech was viewed by Agnew supporters here as the first step in a counterattack in which the Vice President will place his case before the jury of American public opinion.

"Make no mistake about it," said one California GOP official, "if it comes to an impeachment, the Congress is going to be looking to the people for guidance in their verdict."

Agnew will speak next Thursday to a Republican fund-raising dinner in Chicago. He has other speeches scheduled during October in Williamsburg, Va., Pittsburgh, and again in Los Angeles.

Agnew is spending the weekend at the home of his friend, entertainer Frank Sinatra. The two men played golf together this afternoon, according to aides.

The Vice President is scheduled to return to Washington on Monday morning.