

Hogan Explains Impeachment Decision

In declaring yesterday that he will vote in the House Judiciary Committee for the impeachment of President Nixon, Rep. Lawrence J. Hogan, a Republican candidate for governor of Maryland, explained how he reached that decision in a prepared statement, excerpted here:

Here are excerpts of yesterday's declaration by Rep. Lawrence J. Hogan, a member of the House Judiciary Committee and a Republican candidate for governor of Maryland, that he will vote for the impeachment of President Nixon:

Some say that an impeachable offense is anything that Congress wants it to be. I don't agree with that. Others say that impeachment can lie only for an indictable offense. I don't agree with that position either, but someplace in between is the standard against which the President's conduct should be measured.

To my mind, it must have at least some aspects of criminality and it must be so grievous that it makes the President unsuitable for continuing in office . . .

Impeachment has been compared to the grand jury process and grand jurors need find only "probable cause" that the defendant has committed a criminal offense to bring him to trial. In impeachment, I think we need a higher standard of proof than that.

Others say that we should employ the traditional standards of proof for civil liability, that is "preponderance of the evidence" or "clear and convincing" proof.

But to my mind, because impeachment is a quasiminal procedure and because of the enormous ramifications on our system of government as well as on the rights of the President himself, we should employ the highest standard of proof. When we are considering the awesome question of impeaching the President of the United States can we use a standard any less than that employed in a criminal trial where the guilt of the defendant must be proved "beyond a reasonable doubt?" I think not . . .

It has been argued that the President should be impeached because he was responsible for the wrongdoing of his staff. I don't agree with this view. We cannot impeach the President of the United States for anyone else's wrongdoing. In

my view, there must be personal wrongdoing on his part . . .

I want with all my heart to be able to say to you now that the President of the United States is innocent of wrongdoing, that he has not committed an impeachable offense . . . but I cannot say that.

After having read and re-read, sifted and tested the mass of information which came before us, I have come to the conclusion that Richard M. Nixon has, beyond a reasonable doubt, committed impeachable offenses which, in my judgment, are of sufficient magnitude that he should be removed from office.

The evidence convinces me that my President has lied repeatedly, deceiving public officials and the American people. He has withheld information necessary for our system of justice to work. Instead of cooperating with prosecutors and investigators, as he said publicly, he concealed and covered up evidence, and coached witnesses so that their testimony would show things that really were not true. He tried to use the CIA to impede and thwart the investigation of Watergate by the FBI. He approved the payment of what he knew to be blackmail to

buy the silence of an important Watergate witness. He praised and rewarded those whom he knew had committed perjury. He personally helped to orchestrate a scenario of events, facts and testimony to cover-up wrongdoing in the Watergate scandal and to throw investigators and prosecutors off the track. He actively participated in an extended and extensive conspiracy to obstruct justice. To my mind, he is guilty beyond a reasonable doubt of having committed these impeachable offenses.

I know that many Americans will disagree with my decision. I know that many of my friends, in and out of Congress, will be very displeased with me. I know that some of my financial contributors (who have staunchly supported Richard Nixon and me) will no longer support me. I know that some of my longtime campaign workers will no longer campaign for me. But to those who were my campaign workers back in my first campaign, I want to remind you of something. Remember, I was running for Congress as a Republican in an area that was registered 3-to-1 Democratic, and in an effort to convince Democrats that they should vote for me, a Republican, I

quoted John F. Kennedy who said, "Sometimes party loyalty demands too much." Remember that?

Well, those words have been coming back to haunt me in recent weeks.

Clearly, this is an occasion when "party loyalty demands too much."

To base this decision on politics would not only violate my own conscience, but would also be a breach of my own oath of office to uphold the Constitution of the United States.

This vote may result, not only in defeat in my campaign for governor of Maryland, but may end any future political career. But that pales into insignificance when weighed against my historic duty to vote as my conscience dictates.

Those who oppose impeachment say it would weaken the presidency. In my view, if we do not impeach the President after all that he has done, we would be weakening the presidency even more.

Unless Richard Nixon is removed from office and this disease of Watergate, which has sapped the vitality of our government is purged from the body politic, government and politics will continue to be clouded by mistrust and suspicion . . .