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Agnew Case
'Leniency'
Effect Eyed

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Former Deputy Attorney General William D. Ruckelshaus said yesterday that there was "general agreement" among top Justice Department officials last year that a recommendation of lenient treatment for former Vice President Spiro T. Agnew would require similar treatment for others involved in the Agnew case.

Gerge Beall, the U.S. attorney for Maryland who headed the investigation of Agnew, disagreed with Ruckelshaus, saying no such consensus existed then or now.

Beall acknowledged, however, that he told then Attorney General Elliott L. Richardson that if Agnew were given special treatment the federal prosecutors in Baltimore would have "a terrible problem" in deciding how to deal with other figures in the case.

Beall's office last year compiled a massive amount of evidence against Agnew involving allegations of bribery, extortion, conspiracy and tax

See **BEALL, C3, Col. 1**

BEALL, From C1

evasion. As part of a plea bargaining agreement, Agnew resigned from public office last October and pleaded no content to a charge of federal income tax evasion in return for a Justice Department recommendation to the judge in the case that he not be jailed.

Agnew was fined \$10,000 but was not imprisoned.

The cases of at least four other persons—all of whom admitted to taking part in the bribery-extortion scheme and who provided the bulk of the evidence against Agnew—have never been resolved.

The question arose because of a letter from Ruckelshaus published in this week's editions of Time magazine.

In the letter, Ruckelshaus argued against criminal prosecution of former President

Nixon. Saying he recognized that this might not be fair to those who have been prosecuted in connection with the Watergate scandal, Ruckelshaus referred to the Agnew case:

"Unfortunately, unfairness is bound to result," he wrote. "Last year not a single witness who admitted to giving money to former Vice President Agnew was indicted, because the Justice Department believed it would be grossly unfair to prosecute one-half of the bribery conspiracy while pardoning the other half."

In a telephone interview yesterday, Ruckelshaus said, "As I recall, everybody agreed that it would be unfair" to treat others in the case differently than Agnew.

"It was the general understanding that it would be diffi-

cult if not impossible to go against them (others in the case) if we didn't go against Agnew," he said.

"A recommendation of leniency (for Agnew) by its very nature would be a recommendation on the others."

Ruckelshaus said his recollection of the internal Justice Department debate in the Agnew case may be based "on my perception of what would be fair."

In a separate interview, Beall said he told Richardson last fall that he was "terribly concerned about the Justice Department's position if Agnew received some kind of special treatment, as in fact he did."

He said Richardson's decision to recommend leniency for Agnew left his office with a problem—"how to best avoid disparity in the treatment of

others in the case and Agnew"—but that there was no agreement or consensus on resolving the problem, nor had it been resolved.