



Richard Sprague has impressed congressmen

Quick Start

The Boss of the Kennedy-King Probe

Washington

The cramped, three-room suite is deceptively modest. The staff already numbers 35; luckily, they have yet to show up for work all at once.

Some of them are in Mexico City, looking for memories of Lee Harvey Oswald. Others have been in Memphis, tracking down records on Martin Luther King.

The House Select Committee on Assassinations is evidently anxious to make a quick start. It was created less than three months ago. Its members will meet today to discuss a two-year inquiry that is expected to cost approximately \$5 million.

It could be the single most expensive investigation in Congressional history, but its proponents argue that it ought to be done thoroughly and professionally, or not at all. The trails behind the murders of President Kennedy and Martin Luther King will not be easily picked up again.

The chief exponent, and director, of the investigation is the committee's chief counsel, Richard A. Sprague, a longtime prosecutor from Philadelphia with a remarkable record of success.

He has tried more than 70 first-degree murder cases and "lost" only one. A resourceful advocate, he has even prosecuted cases of corruption where no laws existed, convicting one Pennsylvania magistrate under "an old English concept that I dug up — oppression in office." The novel charge was applied to the magistrate's connection with a collection agency that kept bringing debtors before him for summary justice.

"The courts upheld us," Sprague says proudly. "He went to jail."

For the present inquiry, Sprague, 51, brings only his tools. When he took the assignment, he says, he knew next to nothing about the assassinations of either Kennedy or King. He has, he insists, no preconceived

notions about whether either one was the victim of a conspiracy.

For instance, he says, he worked for years under Arlen Specter, former Philadelphia district attorney and onetime Warren Commission lawyer who authored the "single bullet theory" — which holds that both Kennedy and Texas Governor John Connally were wounded, at one point, by the same shot from Oswald's rifle. It is one of the most controversial findings of the Warren report. Yet Sprague says he never once discussed it with his former boss.

There are those who are still unimpressed. "I say he's got a conflict of interest," protests Harold Weisberg, author of "Whitewash" and other attacks on the Warren report. "It is not possible to investigate the Kennedy assassination without investigating Arlen Specter."

Other assassination buffs, by contrast, are happy to see Sprague on the job. It even appears that one of them, Mark Lane, author of "Rush to Judgment," may have been the first to broach Sprague's name to the House committee.

Acting as a sort of self-appointed talent scout "without portfolio," Lane says he sounded out the veteran prosecutor about the job and commended him to the office of Representative Thomas Downing (Dem-Va.), the committee chairman, as well as to others.

Sprague has had little to say about all these goings-on except to state that he intends to be his own man. For instance, he says, he insisted on "the absolute right of hiring and firing" committee staffers. He also demanded to be named not only chief counsel but also staff director, so he could make sure the investigation is "thoroughly impartial" and proceeds "in a professional manner."

Such prerogatives have, by all accounts, been firmly promised to Sprague, both by Downing, who is leaving the House, and by Representative Henry Gonzalez (Dem-Tex.), who is expected to be next chairman. It remains to be seen whether Sprague's insistence on being in charge of the show is compatible, in the long run, with continued employment by a Congressional committee.

All sides profess to be optimistic, at least for now. Representative Richardson Preyer (Dem-N.C.), who will head the subcommittee investigating the Kennedy assassination, says the goal is nothing less than a "definitive report" that will resolve all the nagging doubts and questions about the Warren Commission's work. A former federal judge and one of the most respected members of the House, Preyer adds that he has been highly impressed by Sprague.

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"I think Sprague is a remarkably fair-minded and tough-minded investigator," Preyer says. "I don't feel he's the kind of fella who is going to be swayed by whoever recommended him or who talked to him last. He's a professional."

He also has a touch of flamboyance. As a prosecutor in Philadelphia, he drove around in a bulletproof, city-owned Chrysler New Yorker with telephone, radio and police siren. He used to park it on the sidewalk outside city hall.

With a ruffled, expressive face that reminds some of a bloodhound, Sprague was best known nationally as special prosecutor in the Joseph Yablonski murders, which were finally traced to former United Mine Workers president W.A. (Tony) Boyle. But in Philadel-

phia, there are plenty of other cases to remember him by.

One of them was the "case of the missing body," a long-ago murder without a *corpus delicti*. The victim, a meticulous woman, had disappeared without a trace, but she left everything behind, even her bridgework.

Sprague built a circumstantial case against her common-law husband, who had reportedly acknowledged to friends that he carved the victim up and left her remains for the garbage man.

"Sprague had a beautiful case made out," recalls A.J. Brem Levy, the defense lawyer who tilted with him at the 1961 trial. "I remember going before the jury and emphasizing how they never found her body. I said, 'My goodness gracious, she could come walking through that door any second now.'

"Everyone on the jury turned and looked to the door," Levy says. "But Sprague didn't look. He got up and said, 'I didn't look — and the defendant didn't look because he knew she wasn't going to show up.' He's a magnificent courtroom advocate . . . When he gets into something, it's prepared to the queen's taste."

A firm believer in capital punishment who has obtained the death penalty more than 20 times (one, Frank McCoy, was executed), Sprague is no darling of the liberals in the City of Brotherly Love, but that doesn't bother people like Washington lawyer Joseph L. Rauh Jr., whose liberal credentials are not open to question. He met Sprague during the Yablowski investigations and counts him as "one of my dearest friends."

In his new role as Congressional committee counsel, Sprague's first major chore will be not in solving any murders, but in convincing the House that the effort needs, and is worth, a staff of 170 people for an inquiry that could last two years but eschewing any deadlines at all.

So far, Sprague says, he's been making good headway. He points out that the Warren Commission had more than 300 full-time people, including FBI, Secret Service and CIA details, assigned to it. The House investigation, he adds, must cover two assassinations without relying on the government agencies whose shortcomings and mistreatment of evidence led to creation of the Select Committee.

Even so, the \$2.5-million-a-year price tag is five times higher than the House was initially led to expect. The committee has already hired more staff than its preliminary \$150,000 budget called for. And it is faced with the task of writing a persuasive enough report, perhaps including some compelling evidence, to convince the House to keep on going.

Despite the all-or-nothing theme, Sprague refuses to say what he would do if the committee is cut back to a point where it feels it cannot conduct a thorough set of investigations, but Preyer, for one, seems ready to bite the bullet.

"If it's cut way back, my feeling would be that we just shouldn't do it," he says. "We shouldn't do it just for appearance's sake. We want to do something the House can take pride in, like the impeachment inquiry. If we can't do it that way, I think we ought to just leave it alone."

JFK Probe Budget Is A Shocker

Washington

The House Select Committee on Assassinations gingerly agreed yesterday to seek a \$6.5 million budget for the first year of its investigations into the murders of President Kennedy and Martin Luther King.

The spending proposal, submitted at a formal committee session by chief counsel Richard A. Sprague, was more than twice the amount that committee members themselves had been privately forecasting.

"It blew my hat off, too," chairman Thomas Downing (Dem.-Va.) told reporters. Just a few days ago, he said, "I thought sure that \$2

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to \$3 million (a year) would be enough."

Earlier this week, it was reported that committee members were coming to yesterday's meeting expecting to discuss a two-year inquiry at a total cost of approximately \$5 million. And even that \$2½ million-a-year price tag would have been five times higher than the House was initially led to expect.

Sprague presented the budget proposal as a "bare-bones" minimum and insisted that it could not be cut without compromising the quality of the House inquiry.

Because of criticism directed at the FBI and the CIA in the Kennedy assassination investigation and at the FBI in the King murder probe, Sprague emphasized that the committee could not afford to cut corners by relying on any government agencies for its detective work.

The proposed inquiry, which is expected to take two years to complete, would appear to be the biggest and most expensive Congress has ever undertaken.

A former Philadelphia prosecutor with a nationwide reputation for his courtroom victories, Sprague proposes to conduct thoroughly independent, simultaneous inquiries into the two murders with a staff of 170 people on an annual payroll of \$3,635,000. At that rate, the average salary would be about \$21,400.

Sprague said "part of the inquiry . . . is going to be the activity and conduct" of the FBI, CIA and the Secret Service and that costs would be high because those agencies will not be relied upon to conduct investigations.

The House Judiciary Committee's inquiry, which recommended the impeachment of President Nixon in 1974, cost approximately \$1.9 million. The Senate Watergate investigation in 1973-74, which preceded the House inquiry and laid much of the groundwork for it, cost about \$2 million.

The Senate Intelligence Committee's subsequent investigation of the CIA, the FBI and other

segments of the U.S. intelligence community cost even more: approximately \$2,850,000. It had a staff of more than 120 people at its peak and lasted 18 months. As part of its work, that Senate inquiry found that senior officials of both the CIA and the FBI had concealed crucial information in the course of investigating the Kennedy assassination for the Warren Commission.

In a special report last June, the Senate Intelligence Committee said it had not come up with evidence "sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy," but the committee said the "investigative deficiencies" it had uncovered were glaring enough to raise substantial doubts about the Warren Commission's work and to justify continued congressional investigation.

The momentum for the current House inquiry was finally supplied in September when members of the Congressional Black Caucus, citing "new information" in the 1968 slaying of King, joined the campaign and secured the support of House Democratic leaders.

In a move yesterday that suggested continued support, Speaker-designate Thomas (Tip) O'Neill (Dem.-Mass.) gave his blessings to an unusual noon-hour appearance by Sprague on the House floor where he again plumped for the \$6.5 million budget before the House Democratic caucus.

Calling it "a bare-bottom figure," Sprague argued that the cost of professional investigative work is not generally appreciated. He pointed out that the FBI spent more than \$2 million just in the first three months of its work on the Patricia Hearst kidnaping.

The proposed budget must be submitted in January to the House Administration Committee. Its chairman, Representative Frank Thompson Jr. (Dem.-N.J.), told a reporter yesterday that "as far as I'm concerned, they'll get any money they can justify."

Sprague is building up the committee staff with a preliminary \$150,000 appropriation.

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