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Sarbanes expresses doubt about way House built its case against Clinton

Md. senator emphasizes need for deliberations on weight of evidence

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Sen. Paul S. Sarbanes of Maryland struck a judicious tone yesterday in commenting on President Clinton's Senate impeachment trial, but still raised doubts about the strength of the case being presented by the House Republican prosecutors.

"I am not impressed by the process that they followed in reaching their judgment," Sarbanes, a senior Democrat, said in his most extensive comments to date on Clinton's impeachment.

"Usually, good process tends to give you better results."

But, he added, "We'll have to judge the substance of the results on their own merits."

Sarbanes, who is serving with the rest of the Senate as a trial juror, said: "I'm not one of those guys who says, 'Ah! That's it!' and a big light goes on. We'll be in de-

liberations and have to judge the weight of the evidence."

The 13 House prosecutors will begin their presentation tomorrow in support of convicting Clinton and removing him from office.

Sarbanes was interviewed yesterday morning at the Renaissance Harborplace Hotel after he spoke at a major housing conference that included Housing Secretary Andrew M. Cuomo, a member of Clinton's Cabinet. While refusing to say how he would vote, Sarbanes made plain his skepticism about the prosecution's case.

He served on the 1974 House Judiciary Committee that drafted articles of impeachment against President Richard M. Nixon.

Sarbanes has previously criticized the actions of the committee's present Republican members, who led the successful House impeachment drive against Clinton and are now serving as prosecutors in the Senate trial.

Yesterday, Sarbanes sounded unconvinced by some aspects of the articles of impeachment, such as their lumping into a single article of perjury several alleged instances of lying under oath.

Additionally, though Sarbanes

had been critical of the House Republicans for relying so heavily on the investigation by Kenneth W. Starr, he said he remained opposed to calling witnesses to testify in the Senate. Last week, during a caucus of the entire Senate, Sarbanes spoke out on the issue in an address to his colleagues.

"My view was that we should decide it on the basis of the record that the House put together," Sarbanes said. "The House did not ask for witnesses. When they were asked about that, they said they did not need witnesses.

"It seems to me we should just take that record and make our judgments. If you're going to go to witnesses, I think the parties" — the prosecutors and the president's defense team — "should be able to make their own case."

If House prosecutors are allowed to call witnesses, Sarbanes said, then both sides should be able to call any witnesses they want. That could drag the trial out for weeks or even months, he said.

He rejected the notion, embraced by some Senate Republicans, that the Senate could continue to work on policy issues whenever it was not enmeshed in



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Sen. Paul S. Sarbanes
questions some actions of the House Republican prosecutors.

formal trial proceedings.

"It's safe to say, as long as this trial is going on, that's where the attention and focus is likely to be," Sarbanes said.

Maryland's other senator, Barbara A. Mikulski, also a Democrat, was ill yesterday and could not speak to reporters, a spokeswoman said. Often outspoken on issues involving sexual impropriety, Mikulski nonetheless has shied away from commenting on Clinton's impeachment.

In a brief interview last week, Mikulski said she, too, opposed calling witnesses, a step that would require a majority vote by the Senate.