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PROSECUTION RESTS IN NEBRASKA OFFICIAL'S IMPEACHMENT TRIAL



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LINCOLN, Neb., March 28— The prosecution rested its case today in the impeachment trial of Paul Douglas, the Nebraska Attorney General, and the State Supreme Court rejected his request for acquittal and dismissal of the proceedings.

In ordering the case to continue, Chief Justice pro tem Leslie Boslaugh of the Nebraska Supreme Court said the court was required to "view the evidence in the light most favorable to the state."

William Morrow Jr., a defense attorney, asked for the acquittal and dismissal earlier in the day. He contended that it was "at best difficult to determine exactly what the charges are" against Mr. Douglas, that the evidence would show Mr. Douglas had done "nothing at all improper" and that the Nebraska Legislature erred when it voted to impeach him on March 14.

Richard Kopf, the state prosecutor, said earlier that the evidence was "clearly sufficient in our view to support each and every article" of impeachment.

Before the trial started Monday, Mr. Morrow moved to quash the articles of impeachment. The court has not yet ruled on that motion, but on the first day of the trial Chief Justice Boslaugh said the court had "serious doubt" about whether charges related to violations of the Code of Professional Responsibility for lawyers could be included in articles of impeachment.

Mr. Douglas, a Republican serving his third term as State Attorney General, is the first public official to face an impeachment trial in Nebraska in 91 years. He is accused of abetting insider loans at the Commonwealth Savings Company in Lincoln. Commonwealth, an industrial loan and investment company, was declared insolvent Nov. 1.

If convicted, he would be permanently removed from office and could not again hold public office in Nebraska. The trial is being held before a seven-judge panel, including three lower court judges filling in for justices who excused themselves from the trial.

Ronald Rotunda, a professor at the University of Illinois Law School and an expert in legal ethics, testified today that he believed Mr. Douglas violated the code of responsibility when he gave statements to investigators concerning his involvement with Commonwealth.

Mr. Rotunda said he believed Mr. Douglas violated the code when he gave statements concerning his knowledge of Commonwealth's financing of the sale of lots that he and a business partner owned. The land was sold to Judith Driscoll, a secretary to Marvin Copple, a former Commonwealth officer.

Over the defense attorney's objections, Mr. Rotunda testified that he believed Mr. Douglas violated the code in failing to disclose \$32,500 in income from Mr. Copple. The law professor also said he believed that another violation occurred involving a letter by the Federal Bureau of Investigation, written last March, that said there might be legal violations at Commonwealth.

Variety of Business Transactions

John Miller, a former interim State Banking Director, testified that, in his opinion, Mr. Douglas did not fully cooperate in an investigation of Commonwealth despite statements by the State Attorney General that he wanted to be forthcoming in the investigation. David Domina, a former Special Assistant Attorney General, outlined on Tuesday a variety of business transactions involving Mr. Douglas and Commonwealth, using charts to explain his testimony.

The charts, admitted into evidence over Mr. Morrow's objections, showed that Mr. Copple's secretary borrowed \$371,814 from Commonwealth to buy lots from Mr. Douglas and his business partner, Paul Galter. Of that, \$320,755 went back to Mr. Copple for payment on the lots the two men had purchased. Mr. Douglas and Mr. Galter earned about \$51,000 on the transaction, according to Mr. Domina's charts.