

# Political Burglar Gets Probation

By Rick Carroll

Political burglar Jerome (Jerry) Ducote, who admitted to 17 break-ins during the 1960s in a futile effort by three California growers to smear Cesar Chavez as a Communist, was given a suspended sentence yesterday.

Ducote, a former Santa Clara county sheriff's deputy and right-wing Republican leader, received a \$3000 fine, five years' probation and a suspended one-year jail sentence. He then walked out of a San Jose courtroom to his freedom.

Ducote, 47, had faced a maximum of 70 years in state prison, on

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seven felony counts arising from his espionage activities in 1966 and 1967.

But Superior Court Judge James Duvares Jr., who sentenced Ducote at an early morning and not widely announced hearing, agreed with a minority probation report that concluded "additional time in custody would serve no useful purpose" to Ducote or society in general.

A "substantial" jail term had been recommended in two other probation reports.

An obviously relieved Ducote — who spent seven days in the Santa Clara County Jail after his arrest December 22 and 90 days at Vacaville Medical Facility where he underwent diagnostic tests — reportedly has accepted a \$20,000 advance from Simon and Schuster to write a book about his exploits as "a misguided patriot" who believed he acted in the best interests of the United States.

Ironically, he is collaborating on the book with Warren Hinckle, former editor of Ramparts magazine, whose San Francisco office Ducote admitted burglarizing in 1967.

Ducote's sentence created a

mild furor in the Santa Clara county district attorney's office.

Deputy District Attorney Ken Robinson, who prosecuted the case, called the sentence, "a mere slap on the wrist."

"He got nothing," said the disgusted prosecutor, who lost a heated argument in court that Ducote "deserved at least some incarceration because of the nature of his offenses."

"After all," Robinson said, "Cesar Chavez testified that Ducote's burglaries set back the farm labor movement one year. Ducote hasn't been set back at all and now he's back on the streets."

Informed of Ducote's suspended sentence, Chavez said prosecutors "took the wrong man to trial."

"Jack Pandol, Jim Ailes and that gang are the ones that should have gone to jail," Chavez said.

Pandol, a Delano grape grower and member of the state Board of Agriculture, was named by Ducote in a statement to police as having arranged the break-ins, a charge Pandol has denied.

Ailes is the former police chief of Delano.

Meanwhile, Ducote traded his jail togs for a blue leisure suit at the Santa Clara jail, where he once served as a jailer, and went home. He was not available for comment.

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But his attorney, Tom Salciccia, said he thought "the 97 days that Ducote served was substantial enough."

"This should amply serve as a deterrent to anyone with misguided political motivations. I don't believe he was a predatory type of criminal; he just unwittingly adopted the 'end justifies the means' philosophy," Salciccia said.

The attorney also said Ducote plans to hit the lecture circuit and

already has received, "lots of offers."

"He could point out what caused all of this and possibly assist at preventing it in the future," Salciccia said.

Ducote, in his 96-page confession last year to state investigators, admitted burglarizing the Delano office of the United Farm Workers, the office of Ramparts magazine, both the Carmel home and Chicago office of the late Saul Alinsky, the San Francisco American-Russian Institute and the San Francisco offices of the People's World, a Communist newspaper.

He also admitted stealing documents from the San Jose law office of radical attorney John Thomas, the San Jose headquarters of former Assemblyman William Stanton, the San Jose office of Catholic Social Justice and numerous anti-Vietnam war groups in Berkeley, Palo Alto and San Jose.

He said three wealthy California growers who hoped to smear farm labor leader Chavez as a Communist financed the midnight sojourns, which Ducote repeatedly claimed carried the blessing of the FBI.

Ducote never was charged with burglary because the three-year statute of limitations had expired by the time his escapades of almost a decade ago came to light.

He instead pleaded guilty to seven counts of concealing the stolen documents in the garage of his San Jose home.