

Jury Selected for Chapin Trial

By Timothy S. Robinson
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Twelve jurors, ranging from a 25-year-old law student to a 72-year-old retired General Motors secretary, were quickly selected yesterday to consider the innocence or guilt of former presidential aide Dwight L. Chapin.

Chapin, who was President Nixon's appointments secretary during his first term of office, is charged by the Watergate special prosecutor with four counts of lying to a grand jury probing the activities of political saboteur Donald Segretti.

The Chapin case is the first Watergate-related trial here since the original seven defendants went on trial in January, 1973, on charges of conspiring to break into the Democratic National Committee headquarters at the Watergate office complex to plant illegal bugging devices there.

However, in the intervening 15 months there have been several guilty pleas in Watergate-related cases. Three persons who have entered those pleas, Segretti; John W. Dean III, former White House counsel, and Herbert W. Kalmbach, and President Nixon's personal attorney and political fund raiser, were among the four prospective government witnesses against Chapin named in court yesterday.

Defense attorneys said they intend to call four former White House aides and employees, two of whom are now Interior Department officials, as the four witnesses scheduled on Chapin's behalf. It was also indicated yesterday that excerpts from White

House tapes may be introduced during the trial, possibly by the defense in attempts to question the credibility of government witnesses.

The defense witnesses, as listed by defense attorney Jacob Stein are Nell Yates, whom he described only as a White House employee; Terry Dekker, whom he described as a former White House employee now living in New York; Dr. John C. Whitaker, under secretary of the Interior Department and former White House aide, and Ronald H. Walker, who was the President's top "advance man" during his last presidential campaign and is now director of the National Parks Service.

One defense source said that all of the witnesses could be categorized in the general description of character witnesses. Defense Attorney Stein said in court, in response to a question from U.S. District Judge Gerhard A. Gesell who is hearing the case, that Chapin's defense will be that he did not make any false statements, and that if he did, he did not intend to make such statements or mislead the grand jury.

It was unclear what specific role, if any, the White House tapes will play in the expected week-long trial. The possible use of such tapes came up in a brief legal discussion after the selected jury was sent home to collect belongings, as its members will be sequestered for the duration of the trial at a local motel.

Chapin, who was one of a handful of White House aides who had easy access to President Nixon during his first

term and who met almost daily with the President, appeared jaunty but tense as he sat in the courtroom yesterday with his wife Susan. Chapin's parents, Mr. and Mrs. N. S. Chapin of Encino, Calif., also were in the courtroom.

The 33-year-old Chapin is charged with lying to the grand jury when questioned about his knowledge of Segretti's campaign activities, whether he advised Segretti to talk to the FBI, whether he told Segretti to concentrate on specific Democratic candidates with his "dirty tricks," and his knowledge of the financing of Segretti's activities.

Unlike the marathon jury-selection process that has taken up several days in other major cases in District Court here with lengthy questioning of individual prospective jurors, the process employed by Judge Gesell yesterday was a general weeding-out procedure that began with general questioning on the problems of sequestration and the question of the effect of pretrial publicity on the jurors' objectivity.

On two separate occasions, 60 prospective jurors were brought into Judge Gesell's

courtroom to sit on one side of the room. The other side was packed with media representatives, with only five seats available to the public during the jury selection process.

Each panel of 60 jurors was told by Judge Gesell that Chapin was a former White House staffer and that he was charged with a crime that was connected to "what is loosely called Watergate." He pointed out, however, that Chapin was not charged with the break-in or cover-up.

In the first batch of prospective jurors, only three said they felt they would be unable to be objective because of the massive publicity they had observed surrounding the Watergate scandals. Twelve persons in that group said they had heard about Chapin specifically, but said they had not formed an opinion about his guilt or innocence.

Four persons in the first group of 60 prospective jurors said they had not read about or heard about Watergate at all; two in the second group gave that same answer.

In the second group of 60, nine persons said they thought anyone connected with the White House was guilty of something in relation to the Watergate affair. A total of 14 said they had their minds made up and could not be objective about the Watergate-related case on trial.

From the first 120, all but 61 were excused after the answers to sequestration and publicity questions. Twelve of that 61 became the final jury, and another four were selected as alternates.

The final jury was com-



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Former presidential aide Dwight L. Chapin and wife Susan leave U.S. District Court.

posed of seven blacks and five whites and averaged 51 years of age. Five jurors are women and seven are men.

Gesell earlier in the case rejected a contention by Chapin's attorneys that the former White House aide could not get a fair trial in D.C. because of its 70 per cent black population.

Blacks here, the attorneys contended, would be "particularly offended" by ra-

cial campaign tactics allegedly practiced by Segretti under Chapin's approval.

Gesell asked prospective jurors if they could decide the case fairly although certain evidence might be introduced that carried racial overtones. Only one prospective juror, a white woman, asked to speak to the judge concerning that possibility and she was later dismissed.

Segretti pleaded guilty to using "dirty tricks" in the Florida presidential primary and spent 4½ months in jail. His tactics included a press release suggesting that black Congresswoman Shirley Chisholm had been confined to a mental institution and a poster suggesting U.S. Sen. Edmund Muskie was seeking a black running mate for his presidential ticket.