



By Douglas Chevalier—The Washington Post

Donald H. Segretti tells panel that he felt "parameters" might be put on jury probe of "dirty tricks."

WXPost Segretti Bares Dirty Tricks

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Convicted political saboteur Donald H. Segretti testified yesterday that he was not pressed for details of his 1972 campaign "dirty tricks" by federal prosecutors during the original Watergate grand jury investigation.

After testifying before the grand jury in the late summer of 1972, Segretti told the Senate select Watergate committee yesterday, he "believed then that there was something going on behind the scenes."

Segretti also recalled in his testimony yesterday that White House counsel John W. Dean III had told him at the time that Dean "might be able to put parameters" on the federal grand jury inquiry into the Watergate break-in.

This testimony came as part of Segretti's first public disclosure of the

full story of how he conducted a campaign of "dirty tricks" against Democratic presidential candidates in 1972. He told of being recruited by two friends from college, Dwight Chapin, then President Nixon's appointments secretary, and Gordon Strachan, an aide to then White House chief of staff H. R. (Bob) Haldeman, and of being paid about \$46,000 in salary and expenses by Herbert W. Kalmbach, Mr. Nixon's personal lawyer.

Segretti also told what he said he knew of the investigation of his activities following the Watergate break-in arrests.

According to Segretti, when he spoke with Dean prior to testifying before the grand jury, Dean was "concerned" about the names of Chapin, Strachan and Kalmbach coming up in the grand jury. Segretti said Dean was "particularly concerned" about Kalmbach's name being mentioned.

Dean has testified before the Senate committee that he contacted Assistant Attorney General Henry E. Petersen, the Justice Department official who supervised the Watergate investigation, to ask him to avoid eliciting testimony from Segretti about Chapin, Strachan and Kalmbach. Dean said he told Petersen they were not involved in the Watergate break-in and that their connection to Segretti could be "politically embarrassing" if revealed during the election campaign.

Petersen testified before the committee on Aug. 7 that he considered Segretti's activities to be a separate matter from the Watergate investigation and that he directed Earl J. Silbert, at the time the chief Watergate prosecutor, "to limit his investigation of Mr. Segretti to the so-called Watergate activities and not get into the dirty tricks."

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Segretti's testimony, coupled with the indictment that was returned against him last May and his guilty plea this week raise further questions concerning the apparent failure of the Justice Department initially to perceive or investigate his activities as violations of federal law.

Prior to testifying before the grand jury, Segretti said yesterday he was interviewed by Silbert who asked him "Were you receiving funds from Mr. K?" Segretti said that Silbert did not mention Kalmbach's name and made only that "brief reference" to Kalmbach in the interview. During his testimony before the grand jury, Segretti said, "nothing was asked by the U.S. attorneys regarding that."

By the same token, Segretti, responding yesterday to questions by chief committee counsel Samuel Dash, said that he had given Silbert "the general outline that I was first contacted by Mr. Strachan and Mr. Chapin."

But when he appeared before the grand jury, Segretti said, to his best recollection Silbert asked no questions about Kalmbach or Chapin. Their names came up before the grand jury anyway, Segretti said, because a grand juror asked questions about them. Petersen told the Senate committee on Aug. 7 that when he learned of the grand juror's questions, "I wondered if that was Earl Silbert's way of disagreeing."

Although Dash did not say so explicitly yesterday, his pointed questions to Segretti implied that the prosecutors had not interrogated Segretti in sufficient detail to determine whether his "dirty-tricks" violated federal law or not. Segretti denied any involvement in or knowledge of the Watergate break-in yesterday, but he freely acknowledged his principal role in playing "dirty tricks" on Democratic presidential candidates as part of a White House-inspired effort to divide and confuse the Democrats.

The federal grand jury investigating the Watergate affair took no action against Segretti when it returned indictments against seven men in connection with the Watergate break-in and bugging on Sept. 15, 1972.

A federal grand jury in Orlando, Fla., however, indicted Segretti on May 4, 1973, however, charging him with distributing a phony letter on the stationery of Sen. Edmund S. Muskie (D-Maine) that separately accused two other presidential candidates, Sens. Hubert H. Humphrey (D-Minn.) and Henry M. Jackson (D-Wash.) with sexual misconduct. Segretti, apologizing publicly for the letter yesterday, said it was "untrue and without any basis in fact."

Segretti's indictment was subsequently taken over by special Watergate prosecutor Archibald Cox, who transferred the case here, enlarged the indictment and negotiated a guilty plea with Segretti, who pleaded guilty on Monday to three minor counts of political sabotage under an arrangement with Cox that was quickly sealed by court order.

Near the conclusion of yesterday's hearing, Dash took up the matter of how the original Watergate prosecution team headed by Silbert interrogated Segretti about his political activities. "I think as our record from a prior phase of this hearing already shows that the only reason the FBI gave, and the United States attorney gave, for not pursuing this particular matter is there was a belief that dirty tricks did not involve criminal behavior."

"And if, in fact," Dash continued, "Mr. Silbert had pursued all of the questions he could have pursued concerning your activities, your testimony before this committee is you would have told him everything that you have done. You would not have withheld anything from Mr. Silbert?"

"Well," Segretti replied, "I do not know how I would have acted, reacted to that. I may have taken the Fifth Amendment at some point, I just do not know."

"But you did not have that opportunity because you were not—Mr. Silbert did not pursue all these questions with you, did he?" Dash asked.

"No, he did not."

Petersen said in his Aug. 7 testimony before the Senate committee that he could not recall whether Dean had contacted him about Segretti's testimony. "It could well have been," Petersen testified. "I told Silbert I wanted him to confine his investigation to the Watergate, I don't regard this crime as an excuse for us to run a general investigation of the White House and the entire Republican Party."

Petersen explained his reasoning for not pursuing dirty tricks to the committee:

"That question was raised with me by two people, one, Earl Silbert, who said, you know, in effect, we are not experts on the Corrupt Practices Act. We don't see any violation. Do you? And I said, no, not on the basis of what we have. This is around August or September. The FBI in October—Charley Bowles, who was in charge of the accounting and fraud section, called me and said, 'Henry, you know we are not investigating these. Do you see any violation?' And I said 'No.'"

"You know," Petersen continued, "dirty tricks per se are not a violation to my

knowledge and the only violation we have been unable to uncover in connection with these things is the failure to accurately subscribe to a political statement that is promulgated . . . and that is what the investigations have gone off on, but mere dirty tricks, oral false schedules, for example, or passing an item of information on, was not a violation to my knowledge."

Petersen did not explain and he was not asked what circumstances led the Justice Department to re-examine Segretti's activities and to decide to seek an indictment against him.

During his opening statement yesterday, Segretti complained that "I have been abused by rumor, character assassination, innuendo and a complete disregard for the privacy of myself, my friends and my family. I have literally had to avoid the onslaught of the media during the past year, and their attempts to get a story at all costs."

Under questioning by minority counsel Fred Thompson, Segretti made a number of statements concerning reports about him in *The Washington Post*.

Segretti told the committee that an Oct. 10, 1972, story in *The Post* contained false allegations about him based on what Lawrence Young, a friend of Segretti, had told "The Washington Post or one of their reporters."

Segretti said Young later wrote him to explain "that if he did not give the press a story, they were going to print a story regarding him that was untrue."

Segretti said the false information was that "large sums of money were channeled through him (Young) to be used in the re-election of President Nixon." Despite the story's being false, Segretti said, *The Washington Post* printed the story.

The Washington Post at no time has printed a story alleging that Young was used to channel Nixon re-election funds. The Oct. 10 story, which discusses Segretti and other individuals, makes no mention of Young except in reference to a law firm of Young and Segretti. No one working on behalf of *The Washington Post* discussed running a false story with Young.

A committee staff member said that in interviews with Young, the California lawyer never complained of pressure from any newspaperman. The staff member said the committee does not have a copy of the letter from Young.

Thompson, however, suggested during his questioning that he had Young's letter to Segretti. "I will not take time to read the entire letter right now," Thompson said while questioning Segretti.

Asked by a reporter later

if he would furnish The Washington Post with a copy of Young's letter so that his charges could be examined, Thompson refused, explaining that the letter "is part of the file" but "is not part of the record."

Young could not be reached for comment.

Most of Segretti's campaign activities, he told the committee, were hastily conceived; a number of them, he said, were simply "thought up over a beer or two"—by him, Robert Benz or Douglas Kelly, two young men he recruited to help him.

Quite a few didn't work. At a Muskie fund-raising dinner in Washington in April, 1972, he recalled, he and his associates tried to rent an elephant to send to the dinner, but without success. They also made some protest signs and tried to recruit some pickets, he said, "but no one showed up to protest."

Segretti's most lamentable effort—in his own eyes and those of the committee—was the letter on Muskie stationery, sent out during the Florida primary election, accusing Democratic presidential candidates Humphrey and Jackson of sexual and other misconduct.

Segretti said he sent out

from 20 to 40 copies of the letter, which he said was "intended to create confusion among the various candidates," and said he was both cautioned and congratulated by Chapin when he reported this action to his White House contact.

Chapin told him, Segretti said, that for a \$20 expenditure he had received \$10,000, to \$20,000 worth of publicity useful to the Nixon campaign—but that Segretti should be careful. Segretti said he sent Chapin a copy of the letter, and in fact sent him copies of most of the publications he and his co-workers put out.

"It was a scurrilous letter," Segretti conceded to the committee. He said he now regrets that he sent it and wished to "apologize publicly for this stupid act."

Most of his other work consisted of picketing Democratic candidates and distributing reprints of unflattering articles about them, Segretti said. He also said that on at least three occasions he and those who worked with him put "stink bombs" in various Muskie campaign offices.

Segretti said he traveled to about 12 states in his undercover capacity, but in only "half a dozen" did he

hire assistants to carry out political sabotage.

Almost all his activities took place before the June 17, 1972, burglary at Democratic National Committee headquarters in the Watergate, Segretti said. He declared several times that he knew nothing about the Watergate episode.

His last political project, at the Democratic National Convention in Miami Beach in early July, 1972, was to hire an airplane to fly over the convention area towing a sign that read: "Peace, Pot, Promiscuity. Vote McGovern."

Most of his activities, Segretti said, "have been blown out of all proportion by the news media."

His name has been linked in news accounts with a letter sent from Florida to a New Hampshire newspaper accusing Muskie of using the term "Canuck" in a way offensive to Americans of French-Canadian descent, he said, but he denied having anything to do with the letter.

He also said the Washington Post identified him as having operated a "spy schiol" in the Midwest, which he denied doing. (The Post can find no record of any such article.)

He recounted a Florida

meeting with a man identifying himself as "Ed Warren"—whom he later learned was Watergate conspirator E. Howard Hunt Jr.—to draw up plans for fomenting disturbances in Miami during the Democratic convention.

But because the arrests of the Watergate burglars occurred a week later, these plans were never carried out. Segretti said he was not unhappy about that, as he never wanted to participate in physical violence.

Segretti's name and some of his campaign activities

first became public on Oct. 10 of last year in a story in The Washington Post. That same day, Segretti said, former White House counsel John W. Dean III summoned him to Washington to discuss the story and prepare a response.

He told the committee how he called Dean that night and was brought into the Executive Office Building by Dean's assistant, Fred Fielding—who he said told a guard that Segretti had "lost his wallet," thus getting him into the building



Associated Press

A Capitol policeman looks for a bomb in the Senate Caucus Room after bomb threats caused hearings to recess.

without Segretti's having to identify himself.

At that meeting, or in a subsequent meeting the next day, Segretti said, it was decided that it would be wise for him to stay out of sight for a while. "There was a social discussion regarding how nice the Greek islands were at that time of year," he said, but ultimately he decided to return to California by train.

Even that was a bit nerve-racking, he related. "I remember getting off, changing trains in Philadelphia and seeing my picture on the front page and going up to Chicago and seeing my picture on the front page up there. And I certainly did not want to talk to any reporters at that period of time."

While Segretti was staying out of sight, The Post printed a story on Oct. 15 naming Chapin as his White House contact. Chapin, through the White House press office, said the story was "based on hearsay and is fundamentally inaccurate." He declined to discuss the specific allegation that was Segretti's contact.

At yesterday's hearing, Segretti and his lawyer, Victor Sherman, argued that they should not have to reveal the substance of Segretti's conversations with Dean.

Dean was acting at the time as an attorney for Segretti, they argued, and their conversations should be protected by the confidentiality normally extended to relationships between lawyers and their clients.

Sen. Sam J. Ervin Jr. (D-N.C.), the chairman of the committee, rejected this argument and ordered Segretti to answer questions on the subject, which he did.

Segretti told the committee yesterday that when he was offered the job as the White House's roving agent provocateur, he accepted because the offer came from friends, the money was good, the work

sounded exciting and was filled with opportunities for travel.

He was a supporter of President Nixon, he said, but by no means a fervent Republican; he registered as a Democrat in April, 1972, in California, and said he was "apolitical" during his four years in the Army.

Segretti was born in 1941 and grew up in San Marino outside of Los Angeles. He attended the University of Southern California, where he met Chapin and Strachan.

Chapin and Strachan recruited Segretti; they were both active in campus politics at USC, and came to know him in that way.

However, Segretti's interest in USC politics was secondary to his studies, he recalled yesterday. He studied business administration, and did well enough to win a year's scholarship to Cambridge University in England.

After that he went to law school at the Berkeley campus of the University of California, worked briefly for the Treasury Department, and was drafted. He spent just over four years in the Army, serving as a lawyer with the Judge Advocate General Corps, with a year's hitch in Vietnam.

At one point in yesterday's hearing, Segretti said that he had a maximum of 11 people working for him—a figure he later modified to 28, in conformance with expense accounts he filed.

Sen. Edward J. Gurney (R-Fla.) described Segretti's activities as "a rinkydink operation" and remarked that from news accounts "you would get some idea there were about 5,000 spies in America and some kind of a great big political operation was about to sink the country."

The hearings resume today at 10 a.m. The committee expects to hear from both Benz and Kelly, Segretti's associates. Today's testimony will not be televised live, though a videotaped version will be rebroadcast at 8 p.m. tonight on Channel 26-WETA.