

# Reinecke Defense Move

Washington

Attorneys for Lieutenant Governor Ed Reinecke charged yesterday that Watergate special prosecutor Leon Jaworski went back on a promise not to prosecute him.

In papers filed in U.S. District Court, the lawyers asked dismissal of Reinecke's perjury indictment,

there would be no prosecution if defendant cooperated fully."

A spokesman for Jaworski declined comment on the charge, saying, "We reply to these things in court."

Reinecke's trial has been tentatively set for May 14 or 15 in Washington. However, Parker said he would rule on May 13 whether to grant Reinecke's motion that it be transferred to California.

Donohue said Wednesday he expected to call Governor Ronald Reagan and Mayor Joseph Alioto as character witnesses.

He also listed former White House chief of staff H. R. Halderman and Senator Robert Dole of Kansas among 15 "necessary witnesses." Dole is the former chairman of the Republican National Committee.

Reinecke was indicted earlier this month on three counts of perjury arising out of his Senate testimony in 1972 on the International Telephone and Telegraph Corp. case. It is known that

saying it was brought partly because of his "political affiliation and status."

Reinecke is seeking the Republican nomination for governor in the June 4 California primary.

The attorneys also claimed Jaworski exceeded his authority in the case and that the Senate committee before which Reinecke testi-

the indictment was delayed over a month, at Reinecke's request, while he and his lawyers tried to persuade Jaworski not to move against him.

The grand jury said Reinecke gave false testimony to the Senate Judiciary Committee about the date on which he informed Nixon administration officials about arrangements for the Republican National Convention, including a pledge by ITT to underwrite the convention by as much as \$400,000.

At the time, ITT was negotiating with the Justice Department for settlement of antitrust suits. An agreement was subsequently reached.

In the court papers Wednesday, Reinecke's lawyers said Jaworski went "beyond his authority" in presenting matters to the grand jury about the Republican convention.

"Therefore, his presentment to the grand jury upon which the indictment is grounded was defective," they said.

filed was illegally constituted because it did not have a quorum present.

U.S. District Judge Barrington D. Parker gave Jaworski's office seven days to file a reply.

F. Joseph Donohue and Theodore Kligman, Reinecke's lawyers, said their client had been questioned twice by FBI agents, twice

by the special prosecutor's office and once by a federal grand jury.

"He voluntarily gave statements, under advice of counsel, to the special prosecutor on July 30, 1973, and March 15, 1974," they told the court.

"All of these statements and testimony were given in light of representations by the special prosecutor that