

# Reinecke Trial--After The Primary

By George Murphy

A federal judge in Washington, D.C., yesterday set Lieutenant Governor Ed Reinecke's perjury trial for July 15 — more than one month after the state primary election in California.

But Reinecke insisted in Sacramento that the July date set by U.S. District Judge Barrington Parker was just a technical move, and not really binding.

"It means nothing," Reinecke said. "It will all be settled next week."

Reinecke, who has consistently claimed he wants the trial held and concluded before the June 4 election — in which he is a candidate for the Republican gubernatorial nomination — will appear before Parker in Washington next Monday.

The candidate will ask at that time for a change of venue from Washington, preferably to California.

Reinecke, who has maintained "you can't get a fair trial in Washington," said last weekend, at a GOP convention, that he had seen a poll that showed "84 per cent of the people (in the District of Columbia) polled believe 'indictment' means guilt."

Reinecke also maintained he had never instructed his attorneys to delay the trial until after the election.

His Washington counsel,

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F. Joseph Donohue, was recently quoted as saying he would have insufficient time to prepare the defense case to get the trial over by June 4.

But Reinecke said his chief attorney, James Cox of Martinez, will press for an early trial, "and Cox is in charge."

It appeared, however, that Reinecke will not get an early trial. Judge Parker's order yesterday indicated he will turn down the pre-trial motions for dismissal to be presented on Monday, and possibly rule against the charge of venue.

Reinecke has said that if the change of venue is turned down, his attorneys will appeal. That in itself would probably push the trial date beyond the election.

The political effect of the judge's order is two edged:

Should the trial not be held before election, Reinecke will be free to campaign in the crucial last weeks.

But this could pose the question for Republicans of what would happen if they nominate Reinecke and he is then convicted.

Even if he were to appeal such a verdict — which is almost axiomatic — the time consumed would be taken from his campaign against the Democratic nominee.

Reinecke's principal opponent for the nomination, Controller Houston I. Flournoy, has repeatedly refused to comment on Reinecke's legal problems.

Those problems stem from Reinecke's testimony before a U.S. Senate committee looking into a reported offer by International Telephone and Telegraph Corp. to help the 1972 Republican National Convention — then scheduled for San Diego — by a \$400,000 guarantee. At the time ITT was involved in an antitrust suit.

But while Flournoy has not commented, Republican National Committeeman William Banowsky of California came pretty close on Saturday in Burlingame.

Addressing the California Republican League convention (which later endorsed

Flournoy). Banowsky predicted a GOP victory in the gubernatorial race because, he said, "we are going to nominate a candidate who is scandal-free."

In a related development in Washington, Special Prosecutor Leon Jaworski filed a memorandum with the court saying a Reinecke claim that he had been promised immunity in the ITT case was "baseless."

Contacts between Reinecke and his attorneys and the prosecutor's staff lasted from July, 1973, until last month, Jaworski said, and "at no time did defendant or his counsel state that defendant was acting in the belief that he would not be prosecuted, even when formally notified an indictment would be sought."