

Reinecke Accused of Lying for Mitchell

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A Watergate assistant special prosecutor yesterday accused California Lt. Gov. Ed Reinecke of lying to a Senate committee two years ago to protect former Attorney General John N. Mitchell, whose political support he was then courting.

Under cross-examination at his trial here for perjury, Reinecke acknowledged that he hoped Mitchell would help him in his bid to become governor, and also hoped he might help Mitchell in his Senate testimony.

"But not to the extent of telling lies," Reinecke answered Assistant Special Prosecutor Richard Davis, who made the accusation. "I would not perjure myself to protect him."

In the perjury indictment Reinecke is charged with lying to the Senate Judiciary Committee about when he and Mitchell first discussed a \$400-

000 offer from the International Telephone and Telegraph Corp. to help finance the 1972 Republican National Convention if it were held in San Diego.

Reinecke told the Senators that the discussion took place in September, 1971, two months after the Justice Department had settled its antitrust cases against the company.

That testimony, given on April 19, 1972, confirmed what Mitchell had told the committee earlier. But it was in conflict with what Reinecke had earlier told newspaper reporters and later told prosecutors, that he had actually informed Mitchell about the ITT offer in three phone calls in May and June, 1971.

Yesterday Davis cross-examined Reinecke sharply for almost two hours after the lieutenant governor wound up about five hours of testimony in his own defense, which started Monday.

The prosecutor brought out four inconsistencies between Reinecke's testimony in court and statements he had made earlier to FBI agents and a grand jury.

The cross examination drew complaints from Reinecke's lawyer, James E. Cox, that it was a "repetitive, insinuating type of questioning." But U.S. District Court Judge Barrington D. Parker said he saw nothing wrong with it.

Under much gentler questioning by Cox, Reinecke made the main point of his defense, that he did not tell a deliberate lie to the Senate committee, because he thought the senators' questions dealt only with meetings he had with Mitchell, not with telephone conversations.

The committee called Reinecke as a witness near the end of its hearings on the nomination of Richard G. Kleindienst to be Attorney General. The hearings focused on whether ITT convention-financing offer may have influ-

enced the settlement of the antitrust cases against it.

Under cross examination, Reinecke conceded that at one point, about March 1, 1972, he had said in newspaper interviews when he had actually informed Mitchell of the ITT pledge but was mistaken then when he said he did so in a meeting.

Reinecke said he received a phone call on March 3, 1972, from a top Mitchell aide, former Assistant Attorney General Robert Mardian, who told him Mitchell's records showed there had been no such meeting.

He realized then that his interviews had been "a terrible mistake," Reinecke testified, because they were "embarrassing" to Mitchell and Mitchell was "a good contact for us in getting federal aid and contracts for California."

Reinecke said Mardian dictated a statement to him saying that Mitchell and Reinecke had never discussed the ITT offer until September, 1971.

Reinecke included the statement in a press release he issued that day and he stuck to the same story in his Senate testimony and for about a year later.

During the spring of 1972, before the Watergate break-in, Mitchell was chairman of the Committee for the Re-election of the President, the Nixon campaign organization. Reinecke had just announced that he hoped to succeed Ronald Reagan as California's governor, a quest he pursued until last month, when he was defeated in a primary.

Yesterday Reinecke said that when he testified before the Senate committee he had "no compunctions about telling them or not telling them" about phone calls to Mitchell about the ITT offer "but they didn't ask me."

Davis suggested that Reinecke felt relieved that the phone calls never came up. But Reinecke said he told an aide that he thought the omission was amusing.

"It was an indication of the low quality of the senators' investigation," Reinecke remarked. "I would have told them about the phone calls if they only asked me."