

## Reinecke's New Move in Perjury Case

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Attorneys for Lieutenant Governor Ed Reinecke sought yesterday to have his perjury conviction invalidated on technicalities, but the trial judge made no immediate ruling.

After two hours of arguments on post-trial defense motions, Judge Barrington D. Parker said:

"As far as I am concerned, the sentencing is still scheduled for Friday of this week."

Parker added that before sentencing time he will issue a ruling on the post-trial motions. Even though last month a jury found Reinecke guilty on one count of perjury, Parker has the power to grant a new trial or even declare Reinecke innocent.

Reinecke's remaining hope for staying in office until his term expires December 31 thus rests on Parker's ruling. Reinecke has said he will resign his post if his conviction is formally entered on the court record.

One argument raised yesterday by defense attorney Clarice Feldman was that Reinecke was denied due process of law when the Senate Judiciary Committee refused to honor his trial subpoena for transcripts of the executive sessions of the committee during its hearings on the International Telephone and Telegraph Corp. in the spring of 1972.

Mrs. Feldman said the executive session transcripts might have helped Reinecke establish that his appearance before the committee was irrelevant to the purpose of the Senate hearing.

Another defense lawyer, F. Joseph Donohue, argued

that Reinecke was telling the literal truth in his Senate testimony, even though his Senate interrogators failed to pin him down. Donohue said that if Senator Hiram Fong (Rep-Hawaii) "knew the first thing in the world about the art of cross-examination," he would have asked Reinecke the proper followup questions.

Responding for the prosecution, Assistant Special Prosecutor Richard J. Davis rejected all the defense arguments, saying "we have become accustomed to the

fact that Mr. Reinecke tries to blame everyone but himself for committing perjury."

The case grew out of Reinecke's testimony before the Senate Judiciary Committee about when he first informed then Attorney General John Mitchell that an ITT subsidiary had pledged \$400,000 to back a Republican National Convention in San Diego.