

Segretti to Plead Guilty to 'Dirty Tricks'

Now Cooperating in Probe

By George Lardner Jr.
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Donald H. Segretti, an undercover operative hired with the approval of high White House aides, agreed here yesterday to plead guilty to a four-count indictment involving political sabotage against Democratic presidential candidates.

Spokesmen for Watergate Special Prosecutor Archibald Cox said that Segretti is "now cooperating" in their investigation of so-called "dirty tricks" employed on behalf of President Nixon's re-election campaign.

In return, they hinted, the charges against Segretti will be confined to the four misdemeanors set out in a new federal indictment made public in a short hearing in the U.S. courthouse yesterday morning.

Segretti, who turned 32 yesterday, was reportedly recruited for his job in 1971 by Dwight L. Chapin, then Mr. Nixon's appointments secretary. He was secretly paid about \$35,000 for his spying activities by Herbert W. Kalmbach, then the President's personal attorney.

Chapin has apparently been notified that he is one of the "targets" of the investigation. Now an executive with United Air Lines in Chicago, he was recently sought for federal grand jury questioning here, but he was excused. The Washington Post learned on the grounds that he planned to

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invoke his privilege against self-incrimination.

Under a policy instituted by Cox's office, any "targets" subpoenaed for grand jury questioning are automatically excused from appearing if they plan to invoke the Fifth Amendment privilege.

Government investigators have also been trying to obtain diaries Chapin reportedly kept in 1971 and 1972, but it is not known whether they have been successful.

Neither Chapin nor his attorney could be reached for comment.

The new indictment against Segretti—replacing one handed up in Tampa last May—accuses him of

conspiring in the distribution of cards at a rally for Alabama Gov. George C. Wallace in the 1972 Florida presidential primary that said:

"If you like Hitler, you'll love Wallace .. Vote for Muskie."

A big favorite with Florida voters for his opposition to compulsory school busing, Wallace crushed his opponents in the Democratic primary there. Sen. Edmund S. Muskie of Maine finished a poor fourth.

Segretti was also accused of having a hand in the mailing of posters in the Tampa area reading: "Help Muskie Support Busing Our Children Now." The posters were ostensibly put out by "Mothers for Busing."

The indictment reiterated earlier charges against Segretti of fabricating and distributing two letters on Citizens for Muskie stationery.

One, distributed three days before the Florida primary, accused Sens. M. Jackson (D-Wash.) and Hubert H. Humphrey (D-Minn.), the two other leading Democratic candidates at the time, of sexual misconduct.

The other letter alleged that congressional equipment and personnel from the offices of Rep. Sam M. Gibbons (D-Fla.) were being used at Muskie's Tampa headquarters.

A federal grand jury in Tampa under U.S. Attorney John L. Briggs secretly handed up the new indictment Aug. 24. It includes one count of conspiracy and three counts of illegally distributing political literature without identifying who was responsible for it. The maximum penalty on each count

is a year in prison and a \$1,000 fine.

Segretti had pleaded not guilty to a two-count indictment that the Tampa grand jury returned in May, but he turned up at the U.S. courthouse here yesterday morning to signify his willingness to plead to the new set of allegations, which replace the old ones.

The new indictment names Robert M. Benz, 25, a former president of the Tampa Young Republicans,

and George A. Hearing, 40, a Tampa accountant, as co-conspirators but not defendants. Hearing had pleaded guilty to the first indictment and was sentenced to a year in prison. Benz was never indicted in the case.

The prosecutor in charge of Cox's task force on political espionage, Richard Davis, said the hearing here was needed to record Segretti's willingness to have his case transferred to Washington.

U.S. Magistrate Lawrence S. Margolis released the short, dark-haired defendant on his own recognizance and

scheduled another hearing for Oct. 1 at 9:30 a.m. to receive a status report. Segretti is expected to plead guilty then.

Davis told the magistrate at the seven-minute hearing that Segretti is "now being cooperative with the government." Speaking with reporters later, the prosecutor added that the investigation of political espionage is "very broad," but refused to give any details.

Dressed in a gray pinstriped suit, Segretti cheerily declined all comment and hurried off with his lawyer, Victor Sherman of Los Angeles, in a limousine provided by Cox's office.

Asked what Segretti is doing now, Sherman said: "Not too much. You could say he's between jobs." He has been living with his father in a Culver City, Calif., apartment.

Once described by a federal investigator as "just a small fish in a big pond," Segretti was hired in mid-1971 on the recommendations of Chapin and another ex-White House aide, Gordon Strachan. Chapin and Se-

gretti had been classmates at the University of Southern California and both were members of several campus organizations together. Strachan was two years behind them.

In his testimony before the Senate Watergate committee in July, Mr. Nixon's former chief of staff, H. R. Haldeman, said he approved the hiring of Segretti, but insisted that he was taken on as a sort of "political prankster" whose assignment "specifically excluded anything remotely connected with the Watergate type of activity."

Haldeman said payments to Segretti were made through Kalmbach out of surplus funds from Mr. Nixon's 1968 campaign.

According to excerpts of testimony obtained last spring by columnist Jack Anderson, Chapin told the Watergate grand jury here that he received regular written reports from Segretti but called them "virtually useless." Chapin reportedly told the grand jurors that he destroyed the reports, "usually the day that they were received."



Associated Press

Donald H. Segretti talks with newsmen outside courthouse after agreeing to plead guilty to political sabotage.