

U.S. Jury Finds Chapin Guilty

Panel Says Nixon Aide Lied Twice

By Timothy S. Robinson

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Dwight L. Chapin, President Nixon's former appointments secretary, was convicted by a U.S. District Court jury here yesterday of deliberately lying twice to a federal grand jury about his connection to political saboteur Donald Segretti.

Chapin was found to have lied when he denied telling Segretti to focus his political "dirty tricks" campaign on the Presidential primary campaign of Sen. Edmund Muskie (D-Maine) and when he denied knowing that Segretti was distributing faked campaign literature.

The jury, which deliberated for more than 11 hours between 2 p.m. Thursday and 4:45 p.m. yesterday, acquitted Chapin of another charge of lying to the grand jury when he denied telling Segretti to avoid talking to the FBI about his activities.

U.S. District Judge Gerhard A. Gesell had already thrown out a fourth perjury count charging Chapin with deliberately lying when he told the grand jury he did not know the details of how President Nixon's former personal attorney, Herbert W. Kalmbach, was paying Segretti out of leftover 1968 Nixon campaign money.

Judge Gesell scheduled Chapin's sentencing for May 15. Chapin could receive up to five years in prison and be fined up to \$10,000 on each of the two counts for which he was convicted.

Chapin is the highest-ranking Nixon administration official to be found guilty by a jury of criminal activities growing out of President Nixon's 1972 presidential campaign, although several other White House figures have pleaded guilty to Watergate-related crimes.

Chapin's case was the first to be tried before a judge or jury by the Watergate special prosecutor's office, and the first Watergate-related trial here since a U.S. District Court jury convicted two of the original Watergate burglary conspirators 15 months ago.

As the jury foreman read yesterday's verdict, Chapin, 33, showed no emotion. After the jury was dismissed, Chapin walked a few steps back from the defense table to the front row of the spectator por-



By James K. W. Atherton—The Washington Post

Dwight Chapin talks to reporters as wife looks on.

CHAPIN, From A1

tion of the courtroom and kissed his wife and mother, who were both crying quietly.

Later, outside the courthouse, Chapin vowed before a battery of cameras and clustered reporters to "continue to fight for my innocence . . . we'll fight this thing all the way through."

He said he was "obviously very disappointed" by the verdict, and refused to say directly whether he thought he was the victim of a Watergate backlash. "I don't think I was the victim of anything besides perhaps some political consequences that took place a long time ago," Chapin said.

Chapin's trial, described by both the judge and the prosecutor as a "straightforward, simple" perjury case, moved briskly under Judge Gesell's stern guidance. Three of the prosecutor's witnesses—Kalmbach, Segretti and former White House counsel John W. Dean III had previously pleaded guilty to Watergate-related crimes.

Chapin testified in his own defense that any incorrect statement he made to the grand jury were the product of his busy work schedule and confusion about the jury's questions.

The jury had before it two sets of questions on which it determined that Chapin had answered with calculated, intentional lies made to thwart the grand jury probe.

The first count of the indictment charged that Chapin answered falsely in the following exchanges with original Watergate prosecutors Earl J. Silbert, Seymour Glanzer and Donald Campbell:

"Q. Did you ever discuss with any way with Mr. Segretti the distribution of any campaign literature or statements of any kind?"

"A. No." That particular answer was not a lie, the jury found.

However, a second exchange contained in the same first

count of the indictment was a lie, the jury determined. It went as follows:

"Q. To your knowledge did Mr. Segretti ever distribute any statements of any kind or any campaign literature of any kind?"

"A. Not that I am familiar with."

That answer, the jury found, was false. Although the jury divided its verdict as to the individual questions, the verdict carries the weight of guilty as to the whole count.

Segretti had testified during the trial for nearly three hours about specific contacts with Chapin during various phase of the dirty tricks project. Chapin's defense had been that he had forgotten the details of the project, but prosecutor Richard Davis repeatedly read some of the racist-oriented documents to the jury of seven black and five white persons during his closing arguments and asked: "How could Mr. Chapin forget that?"

The next answer that the jury found was deliberately false came in a five-question exchange between Chapin and prosecutors before the grand jury. The lie, the jury found, was in this exchange:

"Q. Did you ever express any interest to him (Segretti) or give him any directions or instructions with respect to any single or particular candidate?"

"A. Not that I recall."

Chapin said in his trial testimony that, indeed, he may have given Segretti instructions about one particular candidate such as Muskie, "but not to the exclusion of other candidates."

Chapin, who is on a leave of absence from his position as director of market planning for United Airlines, whiled away his time awaiting the jury verdict by playing backgammon with his mother in a windowless witness room and occasionally chatting with reporters in the courtroom.

Chapin made a point after the trial ended of telling reporters that not all persons connected with the Nixon administration were against the press. "You've been great," he told reporters, and his wife nodded in agreement.

The Watergate Special Prosecutor's office also did not have any official comment after the verdict. It is known that winning a conviction in its first court outing was expected by the prosecutors to be of some advantage in future plea-bargaining efforts with other Watergate-related defendants.

"If we had lost this case, that would have been the end of plea-bargaining," one prosecutor said.

Chapin had first been named as a White House contact of Segretti's in an article that appeared in The Washington Post on Oct. 15, 1972. Chapin said at that time that the story was "based on hearsay and is fundamentally inaccurate."