

Reinecke on Stand

--1 Count Dropped

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Washington

California Lieutenant Governor Ed Reinecke took the stand in his own defense here yesterday after the judge dismissed one of the two counts of perjury against him.

Reinecke told an attentive U.S. District Court jury that his father had taught him never to lie, and that he followed that precept in his testimony before the Senate Judiciary Committee hearings on the nomination of Richard G. Kleindienst as U.S. attorney general in the spring of 1972.

At the culmination of Reinecke's three hours in the witness box, his defense attorney, James E. Cox, asked:

"Did you lie to Senator Fong?"

Calm but emphatic, Reinecke replied: "Absolutely not."

Earlier, U.S. District Judge Barrington D. Parker dismissed a charge that accused Reinecke with answering falsely to a question posed by Senator Edward M. Kennedy (Dem-Mass.) during the nomination hearings.

Defense attorney Cox had asked that the charge be dropped because the question Reinecke had been asked was "vague and uncertain and called for an impression."

In dismissing the perjury count, Parker agreed that Reinecke's response was based on a question which was "too nebulous" in its wording.

A third count of the original indictment had been dropped at the request of the special prosecutor's office.

Testifying in his own behalf yesterday, on the seventh day of the trial, Reinecke described the scene at the Senate Judiciary Committee hearing room in April, 1972, as "completely bedlam."

He said that during the hearing he was bothered by asthma, tired from a "red-eye special" flight from San Francisco, distracted by noises, and worried about reporters trying to overhear his whispered comments to an aide.

The thrust of Reinecke's testimony was that in those confused circumstances he misunderstood a question from Senator Hiram Fong (Rep-Hawaii) about "discussions" with then Attorney General John Mitchell in 1971 about the financing of the Republican National Convention.

Reinecke's contention is that he thought the question referred to what he told Mitchell in face-to-face "meetings" rather than in telephone calls.

Reinecke told the jury that prior to the Fong questions, he had been subjected to a

day of "extremely repetitious" questions from other senators about his 1971 meetings with Mitchell.

"Meetings, meetings, meetings all day long—there were 307 references in (my) testimony to meetings," Reinecke said.

The issue during the Senate Judiciary Committee hearings was whether Mitchell had known of a \$400,000 pledge by the Sheraton Hotels subsidiary of the International Telephone and Telegraph Corp. to help underwrite a Republican convention in San Diego prior to the Nixon Administration's decision in July, 1971, to settle an ITT antitrust case.

The charge against Reinecke is that he "deliberately lied" when he told Fong that the first time he discussed the convention Mitchell was after the settlement of the antitrust case.

On the witness stand yesterday, Reinecke readily conceded he told Mitchell about the pledge during a telephone conversation two months before the antitrust settlement.

Seeking to convince the jurors that Reinecke was not the sort of person who would lie deliberately, defense law-



UPI Telephoto

Lt. Gov. Ed Reinecke was met by his wife after he'd testified at his Washington trial

yer James Cox led the defendant through a lengthy account of his career, stressing the years before he got into politics.

The jury heard that Reinecke grew up in a "very strict" family, in which his

father, Fred, taught him not to lie. The lieutenant governor said he worked as a newsboy, construction helper, steamfitter's helper, navy radio technician, and salesman in his father's lawn sprinkler business.