

Reinecke Denies He Protected Mitchell

By E. W. KENWORTHY
Special to The New York Times

WASHINGTON, July 23—An assistant special prosecutor sought today to establish not only that Lieut. Gov. Ed Reinecke of California lied to the Senate Judiciary Committee in April, 1972, but also that he did so to protect former Attorney General John M. Mitchell.

At that time the committee was conducting hearings on the nomination of Richard G. Kleindienst to be Attorney General. One of the issues was precisely when Mr. Mitchell learned of a pledge by the International Telephone and Telegraph Corporation of up to \$400,000 for the Republican National Convention—before or after I.T.T. got a settlement of antitrust suits on July 31, 1971, permitting it to retain the Hartford Fire Insurance Company.

On March 1, 1972, Mr. Mitchell told reporters that he did not know "the faintest thing" about the convention financing. The next day Mr. Reinecke told reporters that he told Mr. Mitchell of the pledge at a meeting in Washington in May, 1971—two months before the settlement.

Said He Was Mistaken

But a day later, on March 3, he issued a statement after getting a call from Assistant Attorney General Robert C. Mardian, saying he had been mistaken—that he had not met Mr. Mitchell in May, but that he had met him in September, when he "discussed" the I.T.T. "offer" with him for "the first time."

Mr. Reinecke did not budge from this statement under stiff questioning by Judiciary Committee members when he testified on April 19, 1972. He is on trial for this testimony.

Today, Richard J. Davis, as-

sistant special Watergate prosecutor, asked Mr. Reinecke, a Republican:

"Hadn't you resolved before going to the [Judiciary Committee] hearing room to protect John Mitchell?"

"Absolutely not," Mr. Reinecke replied.

Mr. Davis then asked: "Do you remember telling the F.B.I. in March, 1974, that you had resolved before sitting down in the witness chair not to perjure yourself but that you would protect John Mitchell if at all possible?"

"I remember saying," Mr. Reinecke replied, "that under no circumstances would I perjure myself but that I was willing to help [Mr. Mitchell] in order to clarify the situation."

Phone Call

He testified today that, on March 3, 1973, the day after his statement to reporters that he told Mr. Mitchell of the I.T.T. pledge in May, 1971, a call came to his office in his absence from a person in Washington who, his secretary said, indentified himself as "Mr. Martin."

This person, Mr. Reinecke said, told his secretary that the Lieutenant Governor's statements as reported in the press did not square with Mr. Mitchell's records, which showed no meeting with Mr. Reinecke in May. That person, he said, left his number.

Mr. Reinecke said that a call was put to the number and that the person answering said the person answering said that there was no Mr. Martin there. But because of the call and because of press reports of a difference between his and Mr. Mitchell's accounts he said, he ordered a search of his own records and found that the caller was right and that he had had no meeting with Mr. Mitchell in May, 1971.

him and after hearing it, "dictated" a final paragraph, which stated:

"At no time did we [Mr. Reinecke and Edgar Gillenwaters, an aide] discuss any commitment from I.T.T. with reference to the Republican National Convention [with Mr. Mitchell]. In the September meeting, we did discuss financial arrangements, including the offer of the Sheraton Hotel [in San Diego, the planned convention site]. We never discussed—or thought of—any connection between the Sheraton Hotel and I.T.T. This would have been

the first time either of us discussed any such offer with the Attorney General."