

Reinecke Isn't Going to Jail

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Washington

Ed Reinecke, within minutes after resigning as lieutenant governor of California, was spared yesterday from going to jail because the trial judge decided his political career had been ruined.

U.S. District Judge Barrington D. Parker, sentenced Reinecke to 18 months in the penitentiary on a one-count perjury conviction, but immediately suspended the sentence.

Parker also placed Reinecke on unsupervised probation for one month. The judge could have sent Reinecke to prison for up to five years and fined him \$2000.

"I think you are a victim of your own ambition, your own selfish ambition," said Parker, peering down from the bench at the defendant who stood stiffly before him. "I think under the circumstances, you have been penalized sufficiently."

In a bitter statement to the judge before the sentencing, Reinecke said he had been guilty of nothing except being "overly cooperative" with federal officials during their investigation of the International Telephone and Telegraph Corp. beginning in 1972.

Reinecke told the judge he had learned one lesson from the investigation and his trial: "Cooperation with law enforcement officials is not always the best thing to do."

Amplifying that remark for reporters later, Reinecke said: "I would caution everybody, though I am not a lawyer, to find themselves a lawyer before they talk to

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either the press or law enforcement authorities."

Reinecke said that although he was "relieved" and "delighted" to get a suspended sentence, he planned to appeal his conviction on many grounds, including his belief that some prosecution witnesses committed perjury during his two-week jury trial here in July.

Reinecke's successor will be named today in San Francisco by Governor Ronald Reagan, who spent yesterday resting at his home in Pacific Palisades after a five-day Republican speaking tour that took him to eight states.

Most frequently mentioned to succeed Reinecke is State Senator John L. Harmer of Glendale, the Republican candidate for lieutenant governor in the November election.

Reinecke, who was the front-running Republican candidate for governor until his perjury indictment, left the impression that he had not ruled out the possibility of a political comeback if he wins his appeal.

Noting that his perjury conviction barred him from holding public office now, he said: "Politically, I will be out of office until an appeal has been obtained and perhaps beyond that."

He said he now finds the whose political process rather repulsive," but added that the nation needs strong public servants because "the arrogance of officialdom is reigning supreme."

Reinecke acknowledged that his wife, Jean, who flew with him from San Francisco to Washington early yesterday on a "redeye special" flight for the sentencing, was herself considering a political career.

Mrs. Reinecke, arm - in - arm with her husband at the



AP Wirephoto

ED REINECKE AND WIFE, JEAN They managed smiles leaving the courthouse

post-sentencing press conference, confirmed that she is thinking of running for the U.S. Congress as a Republican in 1976. The district she is eyeing is the reapportioned 14th District, which includes the Reinecke cattle ranch in Placerville.

Reinecke said his own immediate plan is to write a book entitled "So Help Me God," in which he would detail his tribulations in politics and the ITT affair.

Reinecke promised to "name names" in the book, including some people in the Nixon administration who he felt had "double-crossed" him.

Reinecke declined to make specific accusations now, saying: "I have to sell some books to pay my lawyers' bills."

He said his legal bills

through the end of July totalled \$167,000, and of that he still owed his lawyers — four of whom were in court yesterday — about \$125,000.

"I am now ruined politically and financially," he said.

In Sacramento, the State Controller's Office announced at the lieutenant governor had been "separated" from the public payroll. His final paycheck will be for \$188, his gross salary for the first two days of October.

Reinecke said he was now "trying to figure out how to get on a payroll again," and in the meantime, "I have got a lot of work to do at the ranch."

After the sentencing, Reinecke acknowledged that he had prepared himself mentally to hear Judge Parker

pronounce a tougher penalty.

"I steeled myself by praying," he said.

One symbol of his apprehension when he walked into court was a small gold-plated replica of a hangman's noose which he wore in his lapel, replacing the American flag which he had worn all during the jury trial.

The noose, he said later, was the emblem of the Chamber of Commerce in Placerville, known in Gold Rush times as "Hangtown."

During the opening minutes of yesterday's court session, Reinecke's worst apprehensions seemed justified.

In the traditional appeal for mercy, defense lawyer F. Joseph Donohue made a passing reference to the verdict by the "confused" jury.

Parker interrupted sternly saying, "I think this jury was . . . highly intelligent . . ."

Reinecke then made his own appeal for leniency, saying, among other things, "my wife and my children have been embarrassed on a world-wide basis."

Parker interrupted sternly saying, "I think this jury appeal, embarked on a harsh lecture on the seriousness of perjury by a public official."

Rejecting a previous defense contention that Reinecke had somehow been a naive victim of machinations by the Nixon administration, Parker told him: "Perjury when committed by anyone is a very serious offense; but when committed by a public official, it is even more serious."

Parker said he found it "strange and unusual" that Reinecke was the only person indicted in the ITT investigation, but added that the lack of other indictments "is not a matter at the present time for the court's consideration."

Then, explaining briefly that he felt the destruction of Reinecke's political ambitions was a sufficient penalty, he passed an 18-month suspended sentence.

Prosecutor Richard Davis offered no objectives to the suspended sentence and declined to comment later.

In an earlier case that has caused some public outcry, Davis' superior, special prosecutor Leon Jaworski, approved a similar suspended sentence in an ITT lying case, for former Attorney General Richard Kleindienst.

Reinecke is the first person in the last two decades to be convicted of perjury before a Congressional committee and the first elected official to be convicted by the Watergate special prosecutor's office.

Reinecke was picked by Reagan to become lieutenant governor in 1969, succeeding Robert H. Finch, who left the office to join the Nixon Administration. Then a congressman little known outside his Los Angeles county district, Reinecke declared his intention to succeed Reagan as governor.

He was elected easily in 1970 and had been heavily favored to win the Republican gubernatorial nomination this year. Then came the perjury indictment, and the primary went to state Controller Houston L. Flournoy.

Reinecke is entitled to an annual state pension of \$16,112, but that is being disputed in the Legislature's special session this week on repealing retirement benefits.