

Reinecke's Perjury Conviction Overturned

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Former California Lieutenant Governor Ed Reinecke's perjury conviction was overturned yesterday by the U. S. Court of Appeals, which ruled that a quorum had not been present when he testified to a Senate committee.

The three judges did not go into the merits of the case but quoted from a previous Supreme Court ruling that said perjury could be committed only before a "competent" tribunal — and such a tribunal required the presence of a quorum.

Reinecke, who has been living on a 227-acre cattle ranch near Placerville in the Sierra foothills, burst into tears of relief when the verdict was telephoned to him.

"I'm pretty choked up," he said. "It's wonderful to know that our American system of justice works in the end."

Reinecke resigned as lieutenant

governor in 1974 after he was convicted of lying to a Senate committee about his role in ITT's offer to contribute \$400,000 to help underwrite the 1972 Republican National Convention in San Diego.

The convention was transferred to Miami Beach after the ITT scandal stirred public controversy.

Following his conviction, Reinecke received an 18-month suspended sentence.

"I think justice has been vindicated," commented Reinecke's lawyer, Clarice Feldman, who had argued last spring that a conviction of perjury was invalid. She said Reinecke had been speaking before only one senator when he denied that he had discussed the ITT matter with former Attorney General John Mitchell.

Later Reinecke told the special Watergate prosecutor's office that he had told Mitchell about the ITT offer.

Three months before he testified before the Senate Judiciary Committee, the committee adopted a rule that only one of its 16 members need be present to receive sworn testimony. However, the appeals court held that the one-member rule had to be published in the Congressional Record to be valid, and this was never done.

Government lawyers argued that it didn't matter how many senators had heard the testimony Reinecke later said was inaccurate. They argued one senator would have been enough.

Following the unanimous three-judge ruling, a Justice Department spokesman said no decision had been made whether the government would appeal the case to the Supreme Court. If there is no further government

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action, all charges will be automatically dismissed.

During the time the case was on appeal, Reinecke said he might re-enter politics if he were vindicated.

But his lawyer reflected on the damage that had already been done to Reinecke's future.

"Justice has come at a tremendous cost to Ed Reinecke," Mrs. Feldman said. "His career was virtually destroyed. His family was put through a great deal of anguish. His victory has cost him a great deal."