

ULASEWICZ GUILTY OF U.S. TAX CHARGES

Watergate Case Figure Is Convicted
of Filing False Returns for 1971
and '72—Freed Pending Appeal

By MAX H. SEIGEL

Anthony T. Ulasewicz, a retired New York City police officer who worked as a private investigator for the Nixon White House, was convicted yesterday of charges of filing false income tax returns for 1971 and 1972.

A jury of eight men and four women deliberated 90 minutes before returning its verdict.

"We all feel very badly about having to come up with a verdict like this," one juror said as she left the courthouse, "but the facts spoke for themselves." Another juror disclosed that a unanimous verdict of guilty had been reached on the first ballot, after little discussion. Both jurors refused to identify themselves.

John J. Sutter, the defense lawyer, said: "This is one of the few cases where I can say unequivocally I wouldn't have changed anything, "and I'm sure that goes for Tony."

Mr. Ulasewicz nodded.

Defendant Breaks Down

The private investigator, who had been jovial and confident throughout the four-day trial, broke down as he was leaving Federal Courthouse in Brooklyn, when asked if he had told his wife

"I called and gave her the bad news," he said. "I get very emotional only because of my wife. She was very hurt and choked up."

Two Justice Department attorneys, Frank Murray and Chris Todd, who prosecuted the case, had charged that Mr. Ulasewicz had not reported \$20,000 he received in cash on Sept. 28, 1971, on his income-tax return for the year. They also charged that he had not reported on his 1972 return income of \$20,000 on a payment of \$25,000 he received in cash.

Both payments were made by Herbert W. Kalmbach, former private counsel to President Richard M. Nixon, through John Caulfield, a White House aide.

Mr. Ulasewicz had admitted receiving the money. But he had told an Internal Revenue Service agent that he had not reported the first \$20,000 because he had believed it was a payment for services to be rendered in the future and that he had intended to report the income as he earned it.

'Loyal' to Nixon

As for the \$25,000 he received in February or March of 1972, Mr. Ulasewicz had told the agent that he planned to report the income, but that the outbreak of the Watergate scandal had involved him indirectly.

The agent, Leo Libowitz, testified:

"He told us the \$45,000 would come to attention of the Watergate conspirators and investigators. It might cause the conspirators to involve him more deeply or to use the information against President Nixon, to whom he was loyal."

Mr. Libowitz also testified that Mr. Ulasewicz had feared that the conspirators might use the information to involve him more deeply.

In his summation yesterday, the prosecutor emphasized the importance of the Watergate scandal in the case. Before the Watergate cover-up became known, he said, only three persons were aware of what Mr. Ulasewicz had been doing and what he had been getting paid. After the Congressional committee sessions, the whole world knew what he was doing, Mr. Todd said.

Amended Return Filed

It was because he feared the disclosure of his role and his pay, Mr. Todd added, that Mr. Ulasewicz decided to file an amended tax return in July 1973, listing the \$45,000 as income and paying all taxes and penalties owed.

In summing up for the defense, Mr. Sutter asked:

"Why Tony? Why, out of all of the fat cats including our former President, does he end up getting indicted for willfully and knowingly filing a fraudulent tax return, and those fellows who come here with beautiful suntans, such as Caulfield [who appeared but did not testify] and Dean, and the President languishes at a beautiful estate? Why this little fish in a very, very big pond?"

Mr. Sutter said he would appeal. If the conviction stands, Mr. Ulasewicz faces up to six years in jail and up to \$10,000 in fines. Pending the appeal he is free on a personal recognizance bond.