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INVESTIGATION

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PENDING LITIGATION

See also Nds.

210, 129, 148, 167, 296

249

104

115

277B

277A

167

(Mount Clipping in Space Below)

# Sirhan Jury Reached Verdict on 4th Ballot 2 Held Out For Life At First

Jurors handed down a verdict of death for Sirhan Bishara Sirhan because they considered his June 5 murder of Sen. Robert F. Kennedy a "heinous, cold-blooded act."

Juror No. 1, George Stitzel, 57, press room foreman for a Los Angeles newspaper, said the jurors cast four ballots before they reached their unanimous verdict which was announced in the Hall of Justice courtroom at 11:35 a.m. yesterday.

The first vote, taken Monday afternoon, was eight for death, two for life and two undecided, he said. The second ballot Tuesday was 10 for death, two for life. A third ballot yesterday morning was 11-1 and was quickly followed by the unanimous vote for death.

Stitzel said the same two jurors who argued for the life sentence also held out last week for a verdict of second-degree murder.

The jury, poring over more than 200 pieces of evidence and reams of their own notes which they took diligently throughout the 15-week trial, deliberated 16 hours and 44 minutes before handing down the verdict of first-degree murder last Thursday.

They debated the penalty verdict 11 hours and 45 minutes, see-sawing between life and death.

He said they considered Sirhan mentally ill but to an insufficient degree for a second-degree murder verdict.

"As long as California has capital punishment, this man deserved death," Stitzel said. "I think he was a cold-blooded murderer."

Stitzel replaced juror Ronald Evans April 14 after Evans left the trial to attend his father's funeral in Alton, Ill.

The jury, which has been sequestered in the Biltmore Hotel since Feb. 12, gathered for a final time in their recreation room in the hotel yesterday following their court announcement.

They sent out for coffee and

sandwiches and took their time to pack and depart.

Juror Gilbert F. Grace, greeted by his wife, Theresa, echoed Stitzel's comment that there was no doubt in his mind that Sirhan deserved the death penalty on the basis of the evidence presented.

"It was a real ordeal," he said. "I'm glad to be going home."

Chief reason for the death decision, Stitzel reiterated, was, "the gravity of the crime. The cold-blooded murder of an individual. A planned murder."

(Indicate page, name of newspaper, city and state.)

A-3

Herald-Examiner  
Los Angeles,  
Calif.

Date: 4-24-69  
Edition: Night Final  
Author:  
Editor: Donald Goodenow  
Title: Kensalt

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or

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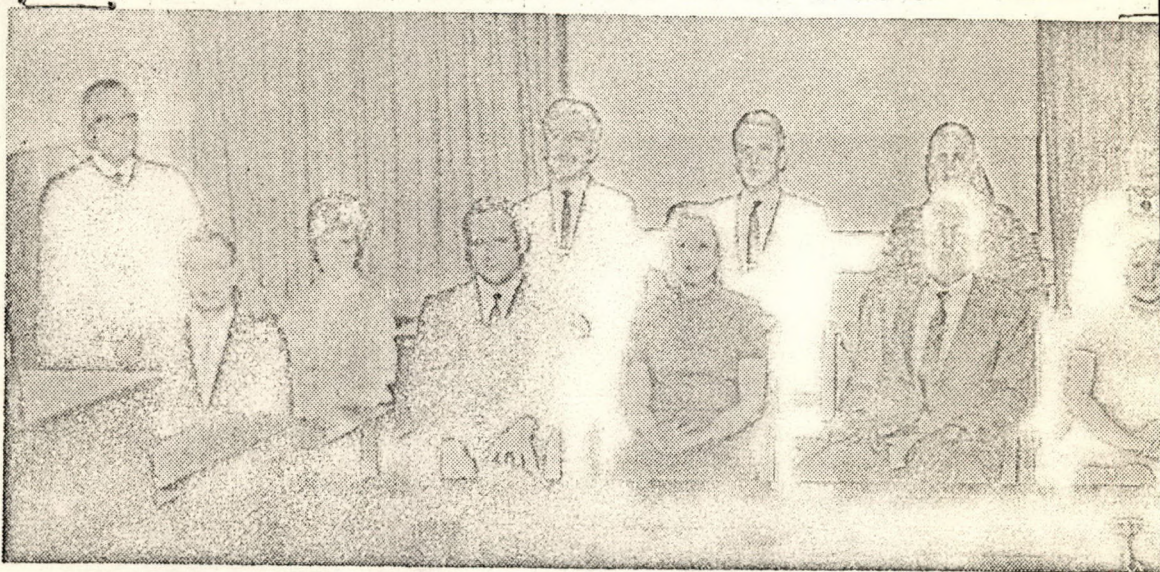




Herald-Examiner Photo

**JUROR GEORGE STITZEL TALKS OF DECISIONS**  
~~He and others ended assignment with death verdict~~

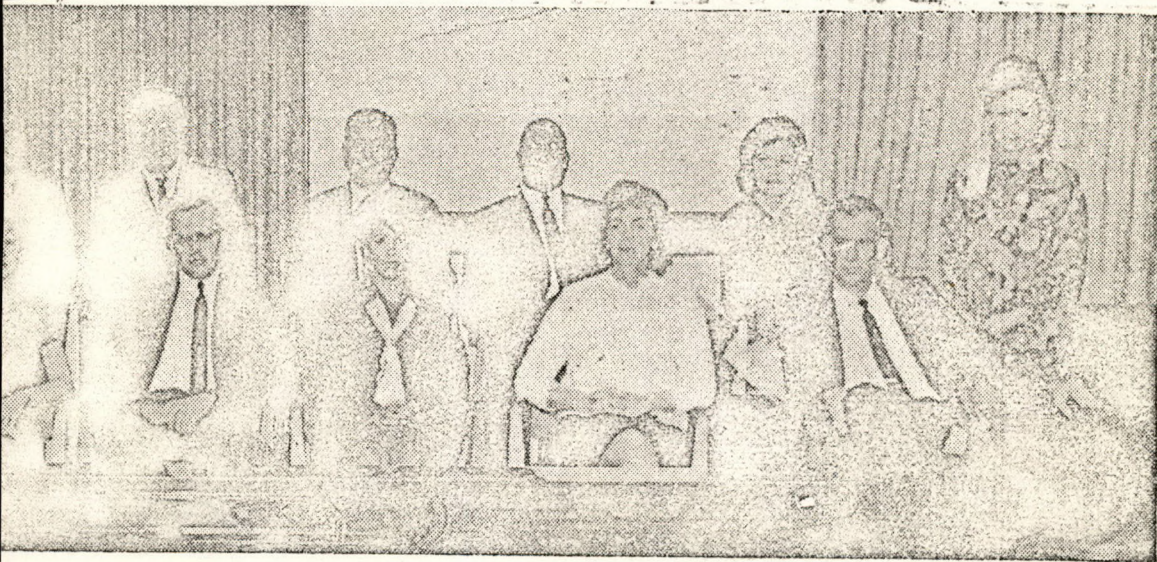




**THESE ARE THE JURORS** who heard the Sirhan Bishara Sirhan case. From left, front row: George Stitzel, alternate; Ronald Eyans, replaced by Stitzer when Evans'

father died; Susan Brumm, Albert Frerericco, Mary Lou Busby, Lawrence Morgan, replaced due to illness; Irma Martinez, Eleanor Landgreen, alternate; Clarence Yaw, al-





ternate. Rear row: Ruth Stillman, alternate who replaced Morgan; Alphonsi Galindo, Bruce Elliott, foreman; Neil Bortells, Benjamin Glick, Gilbert Grace, George

is, John Johnson, alternate; and Gloria Haffey, alternate. Judge Herbert Walker is at far left, Court Clerk Alice Nishikawa is

2025 RELEASE UNDER E.O. 14176

(Mount Clipping in Space Below)

# INVESTIGATION, TRIAL COST \$1 MILLION

~~Costs of condemned assassin~~ Since Dec. 15, Pasadena has Sirhan Bishara Sirhan's arrest, spent approximately \$1000 main- subsequent investigation, securi- taining a special patrol service ty, trial and conviction for the near the family home and an murder of Sen. Robert F. Ken- estimated \$100 keeping a "hot nedy have soared to nearly \$1 line" telephone to police head- million. quarters from the Sirhan home.

By the time the Superior Pasadena also estimates the Court jury arrived at its death city spent almost \$3500 in inves- verdict to end the penalty phase tigations of the Sirhan family of the trial yesterday, more than and the convicted killer. \$900,000 had been spent by the Pasadena police claim an ex- City and County of Los Angeles penditure of \$3025 in transporta- tion costs to drive the Sirhan and The city of Pasadena since family to consultations with de- Sirhan's arrest last June 5. fense attorneys and to court activities involving Sirhan.

Costs continued to mount to- day as Sirhan's attorneys pre- pared to appeal the first-degree murder conviction and the death penalty verdict. Kennedy's autopsy cost the county coroner's office \$2760.

An entire wing of the Hall of Justice jail was remodeled for Sirhan, as was a courtroom. Total cost for the two projects was \$59,845. From June through the penal- ty trial's conclusion yesterday, the district attorney's office spent approximately \$140,000 in salaries and special investiga- tions.

More than \$25,000 has been spent for room and board for the jury at the Biltmore Hotel, jury salaries (\$5 a day for each juror) and guards for the jury. Transcription of the trial has cost more than \$15,000. Los Angeles police investigation of the case cost an additional \$208,823 as of Feb. 18, according to Police Chief Tom Reddin.

Pasadena Police, upon learn- ing Sirhan's identity, immedi- ately established a 24-hour guard on Sirhan's family resi- dence. This safeguard for his family was maintained until last Dec. 15 at a cost of \$27,803.

An additional \$2500 is the esti- mated cost of supervision of the on-duty guards.

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

# Sirhan's First Day in Sun May Be His Last

By MYRNA OLIVER

Herald-Examiner Staff Writer

Pallid and drawn, Sirhan Bishara Sirhan has not seen the sun for 10 months.

He soon will—on his way to the California Medical Facility at Vacaville or to death row at San Quentin prison.

A jury of seven men and five women yesterday decreed that the 110-pound murderer of Sen. Robert F. Kennedy should die.

After he is formally sentenced by Superior Court Judge Herbert V. Walker, who presided over his 16-week trial, Sirhan will probably be taken to San Quentin from his isolated cell on the 13th floor of Los Angeles' Hall of Justice. Judge Walker could reduce Sirhan's sentence to one of life imprisonment, which the diminutive gunman would serve in Vacaville.

Even if the ultimate sentence is death, Sirhan may still spend but a short time in San Quentin where he would be scheduled to die in the state's apple-green gas chamber.

A bill now pending in the California State Legislature would allow Sirhan to await his death in a special three-room suite already constructed for him at Vacaville.

The three cells, constructed for Sirhan at a cost of \$2700, include living quarters, a visitors' room, and a shower room with hot and cold running water. They were built to provide maximum security for him if he had been given a sentence of life imprisonment.

Philip D. Guthrie, spokesman for the State Department of Corrections, indicated the department hopes the legislature grants permission to house Sirhan at Vacaville while he awaits the death penalty.

if he goes to Vacaville," he said. basin, three steel shelves, a table and a stool. All are unmovable.

Special protection is needed for Sirhan because authorities say it is dangerous for him to be mixed with hardened prisoners who have violent feelings about the assassination of the New York senator.

Guthrie, who said many prisoners—including informers, homosexuals and former police officers—remain in protective custody at all times, added in an understatement:

"The prison population is probably more inclined toward violence than the general population."

He said the "really unprecedented notoriety" of Sirhan's case had caused the state to seek special protection for him.

View from the three-cell incubator includes a parking lot, a green field and a distant coastal range of mountains.

Sections of the suite on the third floor of the maximum security facility half-way between San Francisco and Sacramento are nine feet by six feet and each contains a cement slab bed and a combination sink-commode.

If the legislature refuses to approve the special incarceration of Sirhan and if his death sentence stands, he will soon move to a much grimmer habitat on "Death Row Number One" at San Quentin.

Associate Warden James Park said Sirhan would be assigned a cell on the sixth floor of the maximum security prison near San Francisco.

That cell, 11 feet long, 4½ feet wide and seven feet high, contains a simple bed, toilet, wash

basin, three steel shelves, a table and a stool. All are unmovable.

"We'll treat him exactly like every other convicted murderer," said Park. "We have the ability to keep him securely. We don't get too fussed about these things."

The cell, illuminated by natural light from a tiny barred window too high to see out of, is a scant 125 feet from the octagonal room where Sirhan may one day inhale deadly cyanide fumes.

Seventy-nine men are now on Death Row at San Quentin awaiting death. One woman, also sentenced to die, is in the Woman's Reformatory at Corona.

California last executed a convicted murderer in 1967—Aaron Mitchell, who killed a policeman. The last execution before that was in 1963.

Even if he is sent to San Quentin, Sirhan's new quarters will be less grim than the cell in which he has lived since his indictment for murder in the grey, aging Hall of Justice in the middle of Los Angeles Civic Center.

No light filtered in from any windows. He exercised in a heavily-guarded hallway.

Sirhan stood in that colorless cell yesterday, clad in T-shirt and shorts, staring into a mirror, combing his hair.

Deputy Frederick Davis, who has walked each of 66 days from the cell to the courtroom with Sirhan, interrupted him to tell him his jury had reached a verdict.

Sirhan said he had dressed and went to court.

(Indicate page, name of newspaper, city and state.)

A-3

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# SIRHAN: A LONG WAIT FOR DEATH?

**JURORS' REPORT**—How they stood on ballots:  
Page 3.

**MILLION DOLLAR TRIAL**—How the costs  
mounted: Page 3.

**"BIG Q" OR VACAVILLE?**—The cell awaits:  
Page 3.

**BY JOHN DOUGLAS**

Herald-Examiner Staff Writer

Sirhan Bishara Sirhan, convicted murderer of Sen. Robert F. Kennedy, today awaits a date with death, but appeals and legal maneuvers will keep the young Arab from the gas chamber for months and even years—and in the end he may never be executed.

Sirhan's jury of seven men and five women doomed the 25-year-old slayer to San Quentin's apple-green gas chamber yesterday, because, one of them disclosed, they viewed the June 5, 1968 Ambassador Hotel slaying as a "heinous and cold-blooded act."

Throughout its 11-hour, 45-minute deliberation, Juror George Stitzel said, a majority of the 12 stood for death. First vote was eight for the gas chamber, two for life imprison-

ment and two undecided. The undecided were quickly converted to the death view and full agreement came shortly before 11 a.m. yesterday. The holdouts had voted for life, Stitzel said, "because they thought it was a greater punishment than death."

Sirhan calmly chewed gum as his fate was read to him by Mrs. Alice Nishikawa, clerk in the court of Superior Judge Her-

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bert V. Walker, where his 16-week trial took place.

Then Judge Walker quickly ordered him sent back to the Hall of Justice isolation cell where he has been held since shortly following his indictment June 7, 1968.

Sirhan's next date in court is May 14. Judge Walker will formally sentence him to death then and also hear his chief defense counsel, Grant B. Cooper, argue for a new trial in the case.

Cooper announced shortly after the verdict that he would seek the new trial on the basis of errors he claims the judge made during the lengthy trial.

Two of these, the grizzled defense lawyer said, were:

- The judge's refusal to dismiss the indictment against Sirhan after Cooper charged that the grand jury which returned it was unrepresentative.

- Walker's denial of defense attempts to let the jury know that Dist. Atty. Evelle J. Younger had once agreed to let the young Arab plead guilty to first-degree murder in consideration of a guaranteed life sentence.

This will be but the first of a long series of moves on Sirhan's behalf. Under the law, the California Supreme Court must automatically review the death sentence. There is also every indication that Cooper and his associate, Russell E. Parsons, will carry the case to the U.S. Supreme Court.

Appeal time could easily run several years and be further lengthened by stays of execution.

Judge Walker also has the power to reduce the jury's verdict to life imprisonment. This is considered unlikely. Walker has handled 19 death penalty cases in his more than 16 years on the bench. In only one of these cases has he reduced the verdict.

Cooper made it clear yesterday he would spearhead the fight to save the life of the convicted slayer. He said:

"No matter what happens I've got to go forward."

Sirhan was taking his doom well, Cooper said.

"He did not seem near tears. Tears were in the eyes of Michael McCowan (chief defense investigator) and me. He — Sirhan — had to reassure us."

Another of Sirhan's advisors, Arab Attorney Issa Nakhleh, forecast international repercussion from the death verdict.

He said: "I think there will be serious repercussions in the Arab countries."

"I myself am very disappointed. I think the judge was fair. I think the trial was fair. I do not think the jury was fair."

Nakhleh is director of the unofficial Palestinian-Arab delegation to the United Nations. He was joined to the defense staff in mid-case at Sirhan's request. He is a member of the British bar.

Adel Sirhan was the only member of the defendant's family present in court when the

verdict was read. The 30-year-old brother of the convicted murderer was ashen-faced following the verdict.

"Nothing . . . nothing," he murmured to the newsmen who crowded around him.

At the Sirhan family home on Pasadena's tree-lined East Howard Street, Mrs. Mary Sirhan, the defendant's mother, learned of the death verdict from another son — Munir, 21.

She went into seclusion. Munir said the family would have no comment.

Defense and prosecution lawyers agreed the death verdict was in part a reaction to this nation's current climate of violence.

Chief Dist. Atty. Lynn D. Compton, who headed the prosecution, commented.

"This puts people on notice that we simply cannot tolerate this kind of solution (assassination) to political and social problems."

Cooper concurred:

"There is an underlying and overriding feeling in the community and in the whole United States on law and order.

"The jurors felt it was up to them to do their duty to uphold the law fully."

But Cooper disagreed violently with Compton's claim that death for Sirhan would be a deterrent to other potential political assassins.

His voice filled with anguish, he cried out to newsmen:

"Do any of you or any of you who will hear my voice think this will act as a deterrent to the kind of crazy mind that assassinates public figures? Assassination has happened before. It will happen again . . . but only from those who have warped and diseased minds.

"I had hoped this circle of violence would end here. It didn't."

Sirhan's defense had been that he was of such impaired mental capacity he could not have "meaningfully and maturely premeditated and carried out" the murder.

A battery of psychiatrists and psychologists testified on the young Arab's behalf. But Stitzel revealed that much of their testimony was disbelieved by the jury.

He also disclosed that the jurors believed Sirhan lied when

he took the witness box on his own behalf and claimed he could not remember the shooting, nor writing threats against Sen. Kennedy in diaries seized at his Pasadena home following the shooting.

The defendant himself, Cooper disclosed, was satisfied with his defense. The lawyer said Sirhan told him:

"Even Jesus Christ couldn't have saved me."

The verdict brought to an end a murder without mystery in which Sen. Kennedy was fatally shot at 12:05 a.m. June 5, 1968 as he greeted well wishers in a pantry off the Ambassador Hotel's Embassy Ballroom. The shooting followed hard on the heels of the New York Senator's victory in the California presidential primary.

Sirhan lay in wait for his victim and shot him as he leaned forward to shake hands with a hotel employee.

Using a bargain-basement pistol, the young Arab shot Kennedy at almost point blank range. In the melee that followed, five other persons were also shot. Sirhan was tried and convicted of assault with a deadly weapon with intent to commit murder in those cases.

His other victims were:

Mrs. Elizabeth Evans, Saugus housewife; Paul Schrade, United Auto Workers Union official; Washington newsman William Weisel; Ira Goldstein, a local radio news reporter, and teenager Irwin Stroll, a Kennedy campaign worker.

They all recovered, but Kennedy never had a chance.

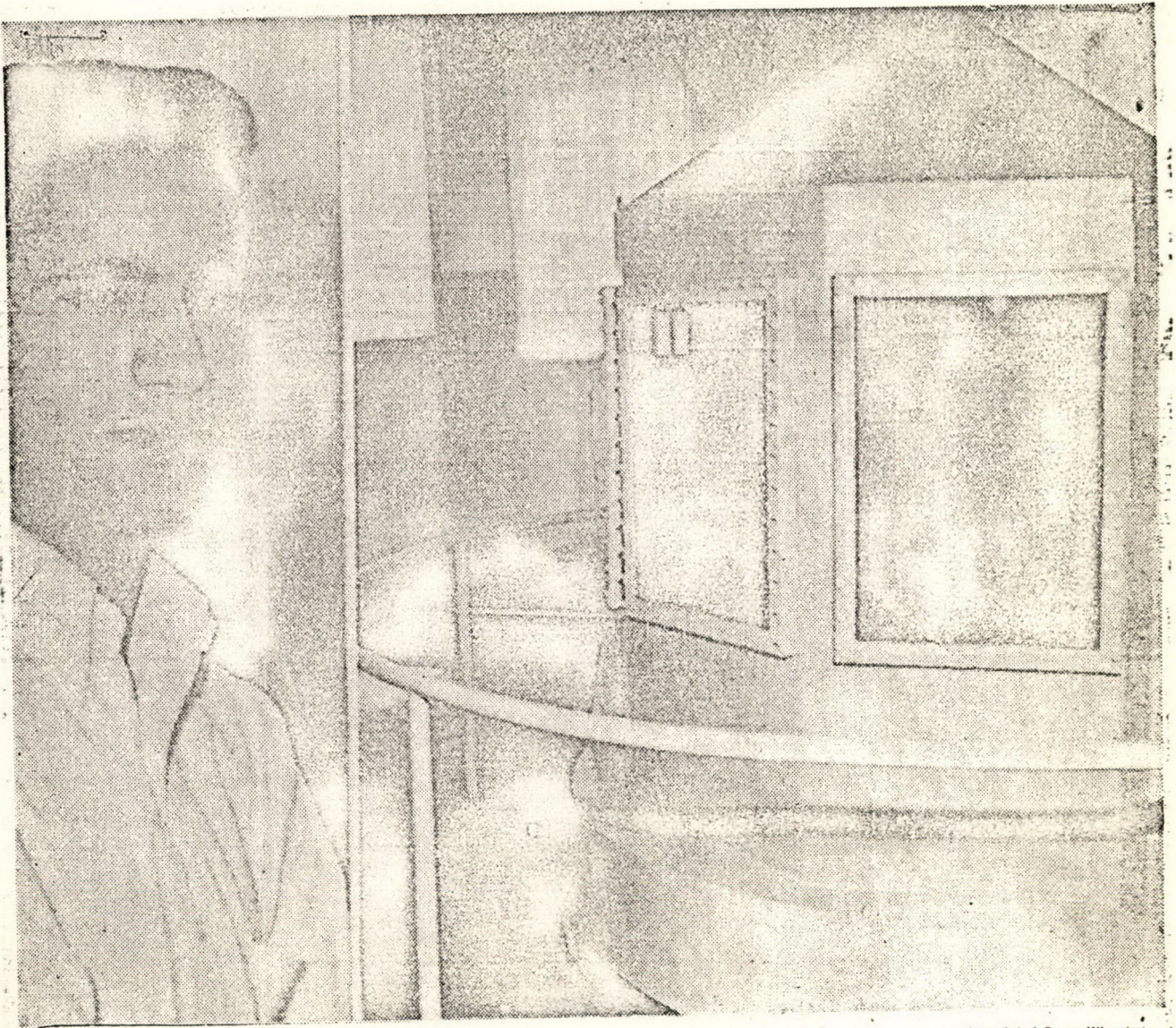
Sirhan had shot him at almost point-blank range firing a .22 calibre soft nosed bullet into his right ear. The slug lodged in the Senator's brain.

Kennedy was rushed to Central Receiving Hospital and then transferred to Good Samaritan Hospital where he underwent lengthy and futile brain surgery. At 1:44 a.m. June 6, 1968 he died.

Sirhan was captured at the scene. A phalanx of Kennedy campaign workers wrestled him to the ground and held him until police arrived.

When first arrested, Sirhan refused to give so much as his name to interrogators. He was arraigned as John Doe until identified by his brothers.





—Associated Press Wirephoto

**APPEALS EXPECTED TO DELAY SIRHAN TRIP TO SAN QUENTIN'S GAS CHAMBER**  
No one has been executed in U.S. since 1967 and under state law legal steps could delay or alter sentence



(Mount Clipping in Space Below)

# Man Struck by Sirhan Bullet Deplores Verdict

## Says Death Penalty Ruling Is Similar to Slayer's Own Act; Unruh Also Regretful

Paul Schrade, most seriously wounded of five persons cut down in the gunfire that killed Sen. Robert F. Kennedy last June, was sharply critical of the death verdict returned Wednesday against convicted assassin Sirhan Bishara Sirhan.

Schrade, United Auto Workers' western director and one of Kennedy's campaign workers, suffered a skull fracture in the shooting and spent months recovering.

Informed of the jury's death verdict, Schrade issued this statement: "The death penalty for Sirhan Sirhan is deplorable, and will not bring back Bob Kennedy. The jury's decision, deliberately and consciously made, rivals Sir-

han's own terrible decision.

"There's enough killing and violence in America today, and to execute Sirhan in the name of the people of California is inhuman and unnecessary when a life sentence in prison is available."

Schrade's reaction was echoed by Assembly Democratic leader Jess Unruh, another Kennedy supporter, who witnessed the slaying but was not injured.

"The great memory of Robert F. Kennedy—his concern for the poor, the afflicted, his identification with the less fortunate, and his deep love for all people—will not be served by yet another violent death," Unruh said.

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**HER SON SENTENCED**—Mrs. Mary Sirhan meets newsmen outside the hearing room where her son,

Sirhan Bishara Sirhan, was sentenced to death. At the left, in dark glasses, is another son, Munir.  
Times photo by John Malmn

(Mount Clipping in Space Below)

## MANY APPEAL ROUTES OPEN

## Sirhan Date With Death Distant--if Ever

BY DAVE SMITH

Times Staff Writer

If condemned assassin Sirhan Bishara Sirhan ever keeps his rendezvous with death in the apple-green gas chamber of San Quentin Prison, it won't be for a long time.

A multitude of legal avenues are open to Sirhan's defense which could ultimately prevent the death penalty, and which surely will postpone it.

The first will be taken at a hearing May 14 when defense attorney Grant B. Cooper argues for a new trial for the convicted killer of Sen. Robert F. Kennedy.

If the new trial is denied, Superior Judge Herbert V. Walker will then formally impose sentence on the 25-year-old Palestinian Arab. Judge Walker, at his own discretion, could reduce the jury's verdict from death to life imprisonment, but he has done so only once in 19 previous first-degree murder convictions.

Cooper's motion for a new trial will be based, he said, on three grounds:

1--That Judge Walker committed judicial error in rejecting a defense-prosecution agreement on a guilty plea with life imprisonment.

2--That the grand jury which indicted Sirhan was unconstitutional by virtue of its ethnic and racial imbalance.

3--That the seizure of Sirhan's personal notebook and its introduction into evidence was "a grave error of constitutional dimensions."

If Judge Walker rules against these arguments, they can nonetheless serve, along with other motions that Cooper has indicated

he might introduce, as the basis of further appeals.

Under California law, all death penalty verdicts are subject to automatic appeal before the California Supreme Court. Cooper has said it would be at least a year before this appeal would be resolved by the state's high court, and even in the course of this appeal, arguments will

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I-1

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be introduced which will serve as the basis for appeal of any adverse ruling. The most likely argument, expected to be joined in by the American Civil Liberties Union as a friend of the court, is the increasingly frequent contention that the death penalty itself is unconstitutional — a violation of the 14th Amendment, which prohibits "cruel and unusual punishment."

If the California Supreme Court is persuaded to the defense view, it cannot reduce the death penalty to life imprisonment, but it may reduce the first-degree verdict to second-degree murder, which then carries a prison term of five years to life.

If, on the other hand, the Supreme Court upholds the jury's verdict, two roads are then open to Cooper.

Any appeal based on constitutional grounds would be pursued through the federal court system, from district court to appellate court to the U.S. Supreme Court.

Any appeal based on a contention of judicial error could still be pursued through the state appeal courts system and back to the California Supreme Court on different grounds.

#### Chessman Cited

This process could preserve Sirhan's life for at least a decade. Executed rapist Caryl Chessman was able to forestall his execution for 12 years by exercising all possible appeals through all possible courts. He lost his battle and died in the gas chamber in May, 1960.

Efforts on Sirhan's behalf will be taking place in a climate of growing opposition nationwide to imposition of the death penalty.

Executions have markedly decreased in recent years and are virtually nonexistent now in 13 states. Alaska, Hawaii, Iowa, Maine, Michigan, Minnesota, Oregon, Wisconsin and West Virginia have abolished the death penalty altogether, and New York, North Dakota, Rhode Island and Vermont have so severely restricted its use that it is all but gone.

The last execution in the United States was that of Luis Jose Monge in Colorado on June 2, 1967.

In California, which now has 81 men in San Quentin's death row, the last man to die in the gas

chamber was Aaron Mitchell of Sacramento, on April 12, 1967.

It is not known what effect the current climate of U.S. political life — marked by student unrest at universities, urban rioting, the swing of the electorate toward conservatism and a growing concern over "law and order"—has had on public opinion on the death penalty. A few years ago, opposition to capital punishment had grown to the point where polls showed more than half the population disapproving of it.

#### Other Factor

One additional factor could serve to shorten the lengthy appeal process open to Sirhan—and thus shorten his life.

His three-man defense team represented him without fee throughout his 3½-month trial, and Cooper has said he will go forward with the case.

But how long can Cooper afford to do so? If no one underwrites the cost of Sirhan's defense or steps in to assist Cooper in an admittedly unpopular case, he could conceivably exhaust his own resources defending his unremorseful client.

(Mount Clipping in Space Below)

# Justice and the Sirhan Trial

**ISSUE:** *The long and costly legal case has now come to an end. Were the rights of the defendant and society properly served?*

The jury that convicted Sirhan Sirhan of the willful and premeditated murder of Sen. Robert Kennedy has now determined that he should be executed for his crime. This is not, to be sure, the final word on the case. The law provides for an extensive appeals process, and at some point higher authority may commute Sirhan's sentence to something other than death in the gas chamber.

The long, costly and thorough trial which has just ended can properly be regarded as justice exercised as it should be.

Within our legal system this is not something that should cause special comment. Yet, in view of how other cases involving notorious political murders have recently been handled—one thinks of the Oswald-Ruby circus in Dallas and the abortive James Earl Ray trial in Memphis—the conduct of the Sirhan case is a source of some satisfaction.

Judge Herbert Walker's decision early in the proceedings not to permit Sirhan to plead guilty and thereby obviate a full trial was sound. The defense and prosecution had agreed on a plea of guilty to first degree murder, with an understanding that a life sentence would be imposed.

But Judge Walker said no. He wanted a full trial, with all evidence presented and all witnesses heard.

Sirhan thus had his day in court, and the requirements of justice were served. No grounds were provided for any charges of conspiracy or coverup that would predictably have resulted if the trial had been ended abruptly. Sirhan's rights were fully and scrupulously heeded.

Of equal importance, so were the rights of the People.

The jury's finding of first degree murder was based on overwhelming evidence of premeditation, and its imposition of the death penalty was in keeping with the law. In California the alternative penalty, life imprisonment, really is not that at all. Parole is possible within as few as seven years. Sirhan is not the sort of man most persons would want free in society again.

During the trial questions were raised, and remain, about Sirhan's mental state. The contradictory testimony of expert psychiatric witnesses did little to resolve these questions. What did emerge clearly is that Sirhan is a wretched and ultimately pathetic little man, who would have remained deservedly obscure except for the tragedy he caused. That tragedy cannot be erased.

One can only pray that others like it can be prevented.

(Indicate page, name of newspaper, city and state.)

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(Mount Clipping in Space Below)

# Sirhan Wins Delay on Date to Appear for Plea, Sentencing

BY RON EINSTOSS  
Times Staff Writer

Sirhan B. Sirhan was in a seemingly good mood Friday as he appeared in court for the first time since a jury voted the death penalty for him.

Sirhan was taken before Superior Judge Herbert V. Walker to hear one of his attorneys, Grant B. Cooper, ask that the date set for arguments on a series of defense motions and formal sentencing be continued from May 14 to May 21. The request was granted.

The brief session in a makeshift courtroom on the 13th floor of the Hall of Justice—the same place many pretrial matters were heard—lasted only five minutes.

Sirhan was smiling much of the time. He grinned at the 40 spectators, about evenly divided between newsmen and security officers, and acknowledged his brother, Munir, the only member of his family present, by lip-speaking to him.

## Both Counsel Visit Slayer

Both before and after court, Cooper and co-counsel Russell E. Parsons visited with the 25-year-old convicted slayer of Sen. Robert F. Kennedy.

Parsons told newsmen that Sirhan "feels pretty good" and that he is hopeful Judge Walker will either grant him a new trial or reduce his penalty to life in prison.

Cooper said, "He (Sirhan) is still holding up like a man" and said Sirhan objected to Dep. Dist. Atty. John E. Howard's penalty argument in which the prosecutor said he showed no remorse over his act.

According to Cooper, Sirhan said he "broke down and cried like a baby when he heard Kennedy had died."

None of the members of Sirhan's family have visited with him since the death verdict, but Parsons said he would arrange for Mrs. Mary Sirhan, his mother, to see her son on Monday "if she wants to come."

He said she was "stunned" at the verdict.

Cooper said he asked for the postponement because of a conflict in his calendar. The prosecution, represented by Dep. Dist. Atty. David N. Fitts, did not oppose the request.

(Indicate page, name of newspaper, city and state.)

II-1 Los Angeles Times  
Los Angeles, Calif.

Date: 4/26/69  
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Author: Ron Einstoss  
Editor: Nick P. Williams  
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# The Sirhan Verdict: One Reader Discusses the Abortive 'Deal'

Your report (April 24) of the reaction by members of the Sirhan jury on learning that there was a life sentence deal between prosecution and defense and which was rejected by the judge prompts this letter.

While deals and compromises are clearly inadmissible in civil cases and on the question of guilt in criminal cases, I have the gut feeling that the California Supreme Court, and if not, the U.S. Supreme Court, will hold that it is a relevant admissible fact in the separate penalty trial.

And why not? If the jury can consider sympathy in the penalty trial although not in the primary trial, why can't the jury consider that the prosecution had agreed that there was sufficient doubt of the defendant's capacity to warrant only a life sentence and that the judge ruled that the jury should decide? Why should not the same question be left to the jury in the penalty trial? It did not have to agree, but it should have had the opportunity.

In this country, even a political assassin's life should not be taken by a ruling which does not give the defendant the benefit of the doubt and may make the difference between life and death.

BERNARD REICH  
Beverly Hills

Congratulations to the Sirhan jury. It is hard to stand and be counted but they did it. Wouldn't it be great if our authorities would show the same courage? It might stop riots, destruction and chaos.

MYRA BYRNE  
North Hollywood

Re: the Sirhan verdict: When are we going to stop using murder to fight murder?

SUSAN FORTHMAN  
Northridge

the amount which the city administrative officer, the city controller and I have agreed upon as about the minimum reserve which it is prudent for us to maintain.

SAM YORTY  
Mayor, Los Angeles

*The Times editorial correctly noted that Mayor Yorty said in 1962 that the reserve fund should not be allowed to drop below 10% of the controllable expenditures. By that yardstick, the 1969-70 reserve fund would total \$34.8 million, rather than the proposed \$17.3 million.—Ed.*

(Indicate page, name of newspaper, city and state.)

II-8 LA Times  
Los Angeles,  
Calif.

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# Rumors of Prison Retaliation Against Sirhan Disclosed

"He will be totally isolated," Guthrie said.

Guthrie noted that the 79 prisoners now on death row must walk across an open prison "yard"—a huge area where inmates get exercise—in full view of other inmates.

"It is right through the main compound — right through the entire population," Wilson said. He said Sirhan would be escorted "fore and aft"—in front and to the rear—by security guards and have special guards in his cell block.

SACRAMENTO (UPI) — An official of California's prison system has disclosed what he called "rumors" of possible prison retaliation against Sirhan Bishara Sirhan.

Lawrence E. Wilson, deputy director of the State Department of Corrections, told newsmen the hints were "nothing that you could put your finger on."

The prison official spoke with newsmen, yesterday after State Assemblyman Carlos J. Moorhead, Glendale Republican, dropped his bill to allow the state to put Sirhan in a special high security cell at Vacaville State Prison.

Sirhan, a Jordanian immigrant, was condemned to the San Quentin gas chamber last Wednesday in the assassination of Sen. Robert F. Kennedy, gunned down as he celebrated victory in California's 1968 primary election.

Philip D. Guthrie, spokesman for the Department of Corrections, told newsmen Sirhan would be confined at San Quentin.

At San Quentin, the state's maximum security prison north of San Francisco, the state plans to establish what Wilson called a "buffer zone" for Sirhan that would place him in the middle cell of three and keep the two on either side empty.

(Indicate page, name of newspaper, city and state.)

C-12 Herald Examiner  
Los Angeles, Calif.

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Editor: Donald Goodenow  
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(Mount Clipping in Space Below)

# Sirhan Retains Cooper, Parsons as His Attorneys

Sirhan Bishara Sirhan said Monday he will stick with attorneys Grant B. Cooper and Russell Parsons "and none other" to fight his conviction and death sentence for the murder of Sen. Robert F. Kennedy.

It was the first word from Sirhan himself in response to stories that celebrated San Francisco attorney Melvin Belli would handle Sirhan's appeal.

Belli was quoted Friday in Tucson as saying Sirhan's family had contacted him and, "They want me to do the appeal."

In a statement Monday released through Cooper, the convicted assassin said:

"I, Sirhan Sirhan, having full confidence in my present attorneys, Grant B. Cooper and Russell Parsons, members of the California State Bar, hereby engage them and none other to handle my appeal to the Supreme Court of the State of California and, if necessary, to the Supreme Court of the United States."

## Witnessed by Adviser

The statement was signed by Sirhan and witnessed by Sheriff's Lt. Rudolph Berteaux and Baron Sarkces Nahas, an Arab who served as unofficial adviser to Sirhan's defense throughout his 15-week trial.

Sirhan's brother, Adel, 30, said Monday he and his mother, Mary, 56, had met with Belli once, but that the meeting had been indecisive. He said Belli had not been engaged either to assist or replace Sirhan's present attorneys.

Asked if the family was dissatisfied with Sirhan's defense, in view of his conviction, Adel Sirhan said, "No, we are not—not in any way."

He said it was his understanding that Belli's involvement in the case probably would be in filing a friend of the court brief. Belli himself was quoted earlier as saying he did not expect to participate personally in any further court sessions, but would probably restrict his efforts to a written appeal.

Belli was not immediately available for comment Monday.

(Indicate page, name of newspaper, city and state.)

II-1 Los Angeles Times  
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(Mount Clipping in Space Below)

# ACLU Seeks to Enter Sirhan Case, Challenge Death Penalty

Attorneys for the American Civil Liberties Union asked Wednesday for permission to enter the Sirhan Bishara Sirhan case as friends of the court so they again can challenge the constitutionality of the death penalty.

In their request, A. L. Wirin, Fred Okrand and Laurence R. Sperber said they want to appear in the case, not out of concern for the life of Sirhan, but out of concern for "life" itself.

They noted they have appeared in court "frequently and consistently" in many cases, "no matter who the defendant or the nature of the offense for which he was convicted."

The ACLU attorneys contend that the death penalty is unconstitutional because it constitutes cruel and unusual punishment, because jurors are not given any guidelines upon which to base their verdict and because prospective jurors who op-

pose capital punishment are excluded from serving.

Sirhan is scheduled to appear before Superior Judge Herbert V. Walker for new trial arguments and sentencing next Wednesday.

The jury which heard his lengthy trial voted that Sirhan be given the death penalty.

Defense attorneys Grant B. Cooper and Russell Parsons also filed legal briefs Wednesday in support of their motion for a new trial.

Cooper has indicated he will seek a new trial on grounds that the grand jury that indicted Sirhan was unconstitutional and that Judge Walker committed judicial error in admitting into evidence the notebooks in which Sirhan wrote of his intent to kill Sen. Robert F. Kennedy.

The defense claims Sirhan's notebooks were improperly seized by police officers.

(Indicate page, name of newspaper, city and state.)

I-3 Los Angeles Times  
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(Mount Clipping in Space Below)

# Sirhan

## Aided By

### ACLU

Sirhan Bishara Sirhan, condemned murderer of Sen. Robert F. Kennedy, has received unsolicited help from the American Civil Liberties union which hopes to save him from the gas chamber.

The Southern California branch of the ACLU yesterday filed a friend-of-the-court brief with Judge Herbert V. Walker, who presided over Sirhan's 16-week trial, challenging the constitutionality of capital punishment.

ACLU attorneys said neither Sirhan nor his attorneys, Grant B. Cooper and Russell Parsons, had requested them to enter the case.

Sirhan's counsel have in the past resisted attempts of organizations to assist them in their fight for Sirhan's life.

Parsons said yesterday, however, "I would welcome their help. I feel their efforts are sincere."

"The ACLU has taken an active part in the death penalty fight right along," he told The Herald-Examiner. "I see no reason why they should be ruled out in this case."

Sirhan was condemned to death April 23 by a jury but has not yet been formally sentenced.

"Our present appearance," the ACLU document stated, "is prompted not out of concern for the life, as such, of this particular defendant; it is a concern for life itself."

The ACLU said "imposition of the death penalty for any crime is a denial of civil liberties."

"We believe that contemporary ideas of the significance of human life make imposition of the death penalty cruel and unusual punishment, which is prohibited by the constitution."

(Indicate page, name of newspaper, city and state.)

A-3 Herald-Examiner  
Los Angeles, Calif.

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# Sirhan in Court For Sentencing

By MYRNA OLIVER  
Herald-Examiner Staff Writer

Sirhan Bishara Sirhan today faces formal sentencing for his murder of Sen. Robert F. Kennedy, in the final round of his Los Angeles County fight for his life.

A jury of seven men and five women brought in a death penalty verdict April 23, after finding Sirhan guilty of the first degree murder of Sen. Kennedy last June 5 in the Ambassador Hotel.

Judge Herbert V. Walker, who will pronounce sentence, has the authority to reduce the death penalty to life imprisonment, but is not expected to do so.

In his 16 years on the bench, the beetle-browed jurist has altered only one death penalty.

Future court battles will be fought at the state or national level.

Once the sentence of death has been pronounced, Sirhan will be moved to Death Row in San Quentin prison to await his death in the gas chamber.

The state legislature earlier refused special legislation which would have allowed Sirhan to await death in a three-cell compartment specially constructed for him at the Vacaville medical prison facility near Sacramento.

The cell was prepared for Sirhan in the event he received a life sentence.

Sirhan would under law be given an automatic appeal of the death sentence before the California Supreme Court.

Judge Walker, who presided

over the 16-week trial of the 25-year-old Arab immigrant, was expected to refuse request for a new trial for Sirhan offered by chief defense counsel Grant B. Cooper.

Cooper has said he would base the move for a new trial on grounds that Judge Walker erred in rejecting an agreement between defense and prosecution that Sirhan would plead guilty in return for a life sentence; that the Grand Jury which indicted Sirhan was not a true cross section of the community and therefore was unconstitutional; and that seizure of Sirhan's diary-notebooks from his Pasadena home and their introduction as evidence was unconstitutional.

Strongest ground appeared to be admission of the notebooks into evidence. Contained in the writings were threats against Kennedy's life.

Cooper contends the diaries were seized illegally because police officers did not have a search warrant and did not receive proper permission. Authorities said Sirhan's brother, Adel, told them they could search the house.

Judge Walker, however, ruled the notebooks could be used as evidence in the lengthy trial.

Cooper, prepared for denial of the new trial motion since the end of the trial a month ago, has vowed to carry Sirhan's appeals as far as the United States Supreme Court.

Attorney Russell E. Parsons has pledged his help, but Sirhan's third defense attorney, Emile Zola Berman of New York, bowed out of the case last month.

If Judge Walker sentences Sirhan to death today, it will still be months before the diminutive Arab is put to death. Appeals could take months or years.

(Indicate page, name of newspaper, city and state.)

A-2 Herald-Examiner  
Los Angeles, Calif.

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# Judge Expected to Order Sirhan Death

BY RON EINSTOSS  
Times Staff Writer

Superior Judge Herbert V. Walker is expected to follow a jury recommendation today and sentence Sirhan Bishara Sirhan to death for the assassination of Sen. Robert F. Kennedy.

Before imposing judgment, however, the court will hear arguments on defense motions to grant Sirhan a new trial and reduce his penalty to life in prison. It is unlikely that either request will be granted.

The 25-year-old Palestinian immigrant's attorneys, Grant B. Cooper and Russell E. Parsons, indicated their arguments will consume most of the day. Emile Zola Berman, a third lawyer who defended Sirhan, will remain in New York and not be present for the proceedings.

The three prosecutors—Dep. Dist. Atty. Lynn D. Compton, John E. Howard and David N. Fitts—said they will offer short replies in opposition to the defense motions.

Judge Walker is expected to allow A. L. Wirin, chief counsel for the Southern California Chapter of the American Civil Liberties Union, to appear as a friend of the court for the purpose of arguing against the imposition of the death penalty on the ground it is cruel and unusual punishment and violates Sirhan's constitutional right to due process of law.

Wirin said he will also join Cooper and Parsons in their contention that Judge Walker erred in excluding from the jury persons who are unalterably opposed to capital punishment.

In a brief filed with the court, Cooper and Parsons said they will seek a new trial on several grounds, all of them dealing with court rulings adverse to the defense.

They claim that Judge Walker erred in permitting the use of Sirhan's notebooks as evidence, in not quashing the grand jury indictment, in not granting a mistrial when reports that the defense was negotiating for a plea to murder with life imprisonment were made public and in not ordering the impaneling of a separate jury to hear the penalty phase of the trial.

Judge Walker could reduce the jury's recommendation of the death penalty to life, but that is rarely done.

In 19 other such cases which have come before him, the veteran jurist has altered the jury's verdict only once and that was at the suggestion of state penal authorities.

Sirhan was found guilty

April 17 of first-degree murder and of five counts of assault with intent to commit murder.

The assault victims were persons wounded in the barrage of gunfire last June 5 at the Ambassador which claimed the life of Sen. Kennedy.

The same jury of seven men and five women on April 23 voted that Sirhan should die.

Most of the arguments advanced by the defense today will be for the purpose of compiling a record for use in Sirhan's automatic appeal to the State Supreme Court.

The proceedings will be held in the same heavily guarded Hall of Justice courtroom where the trial was conducted.

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II-1 Los Angeles Times  
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## SENATOR ASKS MERCY FOR ASSASSIN

## Sirhan Gets Death Despite Kennedy Plea

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan Wednesday was formally sentenced to death in San Quentin's gas chamber despite a last-minute plea by Sen. Edward M. Kennedy that the life of his brother's assassin be spared.

Superior Judge Herbert V. Walker, brushing aside both the dramatic letter and an impassioned entreaty by defense attorney Grant B. Cooper, read solemnly from a previously prepared summary of the case:

"This is the time for judgment and sentence . . . It is the judgment and sentence of this court that for the crime of murder in the first degree . . . you should suffer the penalty of death within the walls of San Quentin Prison in the manner prescribed by law."

He ordered the diminutive assassin taken to San Quentin's Death Row within 10 days.

Sirhan, standing with his hands on his hips and staring without visible emotion as the judge sternly pronounced sentence, turned and smiled at defense investigator Michael McCowan. "Well, now the real battle begins," he murmured to McCowan.

Mrs. Mary Sirhan, seated in the second row of the small courtroom, cried softly and dabbed at her eyes as she waited for court to adjourn, signaling the moment when she could visit her condemned son in his 13th-floor cell.

She also had written to Judge Walker, citing Biblical references in her plea for mercy for Sirhan. Her letter, delivered to the 69-year-old

jurist Wednesday morning, was not mentioned in open court.

Sen. Kennedy, in a letter to Dist. Atty. Evelle J. Younger, invoked Robert F. Kennedy's own plea for "love and wisdom and compassion towards one another" in the sentencing of Sirhan.

Kennedy wrote:

" . . . if the kind of man my brother was is pertinent, we believe it should be weighed in the balance on the side of compassion, mercy and God's gift of life itself."

The letter, dated May 18, was introduced by Younger as defense motions for a new trial were being heard by Judge Walker.

Younger revealed that the prosecution had twice during the trial sought the Kennedy family's recommendations on conduct of the prosecution.

The family declined to express any opinion while the trial was in progress, Younger said, but contacted him through their attorney last week.

In his subsequent letter to Younger, the Massachusetts senator said he now understood "that the trial judge will be called upon to exercise his discretion concerning the penalty. Since this is now a question of clemency and the trial proceedings have been concluded, I feel I can appropriately convey to you, for whatever consideration you believe to be proper, how we feel."

Brother a 'Man of Love'

Thus, evidently speaking for other members of the murdered senator's family, Sen. Kennedy continued:

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"My brother was a man of love and sentiment and compassion. He jury would not have wanted his death to be a cause for the taking of another life. You may recall his pleas when he learned of the death of Martin Luther King.

"He said that 'what we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness, but love and wisdom and compassion towards one another.'

"Moreover he was a young man totally committed to life and living. He stood against injustice, poverty and discrimination for those evils lessened life. He grew to despise war for war denies the sacredness of life. And he had a special affection for children for they held the promise of life."

#### Arguments for New Trial

Cooper cited 13 grounds for his motion for a new trial for Sirhan, arguing at length on two points.

He devoted his major effort to a contention that the defense had been misled by the prosecution last February, when the possibility of a change of pleas was being discussed.

At that time, Cooper said, both defense and prosecution agreed that Sirhan could plead guilty to first-degree murder with an understanding that he would be sentenced to life imprisonment.

But Judge Walker rejected this deal, insisting that if Sirhan did change his plea, the question of

penalty must still be left up to the defense was misled, also charged Judge Walker with judicial error in not accepting the plea change. He further charged the jurist with error in his refusal to bar from evidence the controversial notebooks in which Sirhan wrote of his intention to kill Kennedy.

Asked what the prosecution would do if Sirhan decided against the plea change and went ahead with the trial, Cooper said, the prosecution stated it would make no recommendation, either for a death penalty or a life sentence.

At that time, Cooper said, Younger told the defense that the prosecution was "in a position where we can't conscientiously urge the death penalty."

#### Says Defense Was Misled

It was on this understanding, Cooper said, that the defense finally advised Sirhan to go ahead with the trial and not risk a jury decision for death despite the prosecution's reported willingness not to press for it.

It was here, Cooper said, that they were misled because the prosecution "didn't keep its word" when Dep. Dist. Atty. John H. Howard made his final argument to the jury in the penalty phase of the trial, after Sirhan had already been convicted of first-degree murder.

Although Howard never specifically mentioned the death penalty, he did urge the jury to return "the only proper penalty for political assassination in the United States of America."

Cooper, in addition to claiming the defense was misled, also charged Judge Walker with judicial error in not accepting the plea change.

He further charged the jurist with error in his refusal to bar from evidence the controversial notebooks in which Sirhan wrote of his intention to kill Kennedy.

Although Sirhan's writings later became a major bulwark of his defense of diminished mental capacity, Cooper contended that the notebooks were illegally seized to begin with.

Cooper's final plea for a reduction of Sirhan's death penalty hinged principally on Younger's earlier willingness to accept a life sentence because of psychiatric reports indicating that Sirhan was mentally ill.

Cooper's motion was supported by a friend-of-the-court brief offered by attorneys A. L. Wirin and Fred Okrand of the American Civil Liberties Union.



(Mount Clipping in Space Below)

# SECRECY SURROUNDS SIRHAN TRANSFER

By MYRNA OLIVER

Herald-Examiner Staff Writer

Secrecy surrounds the imminent transfer of Sirhan Bishara Sirhan, doomed murderer of Sen. Robert F. Kennedy, from Los Angeles to San Quentin's Death Row.

Judge Herbert V. Walker yesterday ordered Sirhan sent to the prison "within 10 days" after he upheld a jury's April 23 verdict and formally sentenced Sirhan to death.

Sheriff's Department authorities, continuing their maximum protection of Sirhan that with his trial has cost the county almost \$1 million, refused to say when or how Sirhan will be taken to the prison north of San Francisco.

In refusing to use his constitutional power to reduce Sirhan's sentence to life imprisonment, Judge Walker ignored an eleventh-hour plea for leniency made by the victim's brother, Sen. Edward M. Kennedy, D-Mass.

District Attorney Evelle J. Younger, in his first court appearance in the Sirhan trial which began Jan. 7, offered Kennedy's hand-written letter to Judge Walker at the start of yesterday's court session.

"If the kind of man my brother was is pertinent," the letter said, "we believe it should be weighed in the balance on the side of compassion, mercy and God's gift of life itself."

"My brother was a man of love and sentiment and compassion," the senator wrote, on behalf of the Kennedy family. "He would not have wanted his death to be a cause for the taking of another life."

Sirhan's attorneys said the 25-

year-old Arab showed little emotion when he saw a copy of the letter.

His mother, Mrs. Mary Sirhan, however, wept when friends read her a part of the letter.

"They're good people," she said of the Kennedy's.

Chief defense counsel Grant B. Cooper, who said he did not know about the Kennedy letter until yesterday morning when it was handed to Judge Walker, used it in his final plea for Sirhan's life.

Cooper said he had tried to contact Sen. Kennedy after the jury returned a verdict of first-degree murder, in an attempt to get him or his representative to testify at the penalty phase of the trial. He said he was informed through a Kennedy attorney, however, that the Kennedys considered such action "inappropriate."

He said the letter was "entirely unsolicited."

"Had the jury known at the time they were considering the question of life and death the attitude of the Kennedy family," Cooper said, "I feel their verdict would have been entirely different."

Cooper also asked the judge to reduce the sentence on the basis that Sirhan is mentally ill and that he "has never been in difficulty with the law before, and has a completely clean record."

The veteran attorney, who never before had a client convicted of first-degree murder or sentenced to death, also read editorials from news media, requesting a reduction of the sentence of life imprisonment.

Mrs. Irma Martinez, one of the jurors who convicted and doomed Sirhan, and Mrs. Eleanor Landgreen, an alternate who also sat through the 16 weeks of testimony, returned as courtroom spectators to hear Judge Walker's upholding of the verdict. They appeared unmoved by Sen. Kennedy's plea for Sirhan's life.

In issuing the sentence, Judge Walker also denied Cooper's 13-point motion for a new trial.

"It is disappointing," Cooper said after the judge's decision, "but that is that."

Sirhan will have an automatic appeal of the death sentence before the California State Supreme Court. Cooper said yesterday, however, he planned to file a separate appeal either Monday or Tuesday.

Cooper and defense attorney Russell E. Parsons have vowed to carry Sirhan's case as far as the United States Supreme Court. Sirhan's third counsel, New York attorney Emile Zola Berman bowed out of the case at the end of presentation of testimony and closing arguments.

Main points in Cooper's argument for a new trial were that diaries in which Sirhan threatened to kill Kennedy were illegally seized from his Pasadena home and should not have been entered in evidence and that the district attorney's office "misrepresented" its position in the case.

"In the minds of all defense counsel these notebooks were extremely damaging," Cooper said.

The diaries were used by the prosecution to show that Sirhan premeditated the murder and by the defense as evidence of Sirhan's mental illness.

(Indicate page, name of newspaper, city and state.)

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Assistant District Attorney David N. Fitts countered Cooper's arguments, saying other evidence would have proved the premeditation without the notebooks and that the defense needed them to prove its defense of "diminished capacity."

"Apparently the defendant is trying to eat his cake and have it, too," said Fitts.

He repeated the prosecution's contention, challenged by Cooper, that immediate search of the Sirhan home was necessary in case evidence of a conspiracy existed.

Cooper said the prosecution "misrepresented" its attitude in the case early in February when Judge Walker refused a Sirhan plea of guilty of murder in the first degree in return for a recommendation of a life sentence.

Cooper said he was told that if the case did go to trial, the prosecution would not recommend either death or life but leave the penalty up to the jury—which he said it did not do.

He quoted Younger as telling him in February, "We can't conscientiously urge the death penalty."

Yet Assistant District Attorney John Howard Cooper said, in his closing argument, "wound up asking, 'Return the only proper penalty you can for a political assassination.'"

"Taking his argument by its four corners . . . that was a demand for the death penalty," Cooper said.

He said had he known the prosecution's position earlier, he would have advised his client to plead differently.

Howard argued, "There was no demand for or request for either punishment. I submit to

the court this was not a breach of confidence or faith."

He said the earlier statement by the district attorney had been made before the prosecutors knew the evidence in the case, particularly reports from psychiatrists.

Sirhan, alternately bored and explosive during his 16-week trial, was calm throughout yesterday's session. Dressed in his customary courtroom uniform of rumpled blue shirt and black trousers, he chewed on a cellophane-wrapped cigar.

He stood politely at the command of Judge Walker to hear his sentence.

In a dispassionate voice, the beetle-browed jurist ticked off Sirhan's days in court from his arraignment June 7, 1968, until his move for a new trial yesterday.

Judge Walker then sentenced Sirhan to be put to death "in the manner prescribed by law" in San Quentin's apple-green gas chamber and further sentenced him to serve concurrent sentences of 1-14 years on each of five counts of assault with a deadly weapon with the intent to commit murder.

The redundant sentences were in punishment for Sirhan's shooting of five other persons June 5. All of the wounded victims recovered.

"I feel that the jury was right," Judge Walker intro-

duced his opinion. "I have no reason to change that now."

"It is the judgment and sentence of this court," the judge read his decision. "that for the crime of murder in the first degree, of which you Sirhan Bishara Sirhan have been convicted by jury, . . . that you should suffer the penalty of death . . . at San Quentin in the manner prescribed by law at a time to be fixed by this court . . ."

Ira Goldstein, 20, 4077 Hayvenhurst Drive, Encino, has filed a \$500,000 damage suit against Sirhan and the Ambassador Hotel for injuries received at the time of the Kennedy assassination.

Goldstein's suit, filed scant hours after Sirhan's sentencing, is the third civil action filed since the shooting.

Goldstein alleges he was assaulted and beaten as well as shot during the assassination fracas. He named the hotel co-defendant on grounds its management was negligent in failing to provide for the safety of patrons.



(Mount Clipping in Space Below)

## SIRHAN'S YOUNGER BROTHER WRITES KENNEDY LETTER

Munir Sirhan, 21, younger brother of Sirhan Bishara Sirhan, released a letter Wednesday addressed to Sen. Edward M. Kennedy. The letter read in part:

"Dear Sen. Kennedy:

"How can words tell you what we feel? Your letter was good and full of the compassion our Lord tried so desperately to teach us.

"The terrible circumstances that created this tragedy must be examined by the conscience of the world."

Sirhan continued the letter by drawing comparisons between his brother and Sen. Kennedy's.

Before closing the letter with a Bible quotation, he wrote:

"This is a terrible double tragedy for your family and for mine. Our family grieves as much for Sen. Kennedy as for Sirhan. Both had dreams of a better world. What a cruel paradox. I want the world to ask, as we do: why?"

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# Sirhan's Address: Cell 33, San Quentin

SAN QUENTIN (UPI) —The "Sirhan Area" is ready on San Quentin Prison's death row for the killer of Sen. Robert F. Kennedy.

The address: Cell 33, South Side, Condemned Unit 1. Sirhan Bishara Sirhan, if he is treated as other convicted California men for whom death in the gas chamber is decreed, will eventually come here to await his fate.

Life on death row is one of steel bars and mesh, clanging doors, buzzer signals, locks, guards and guns. It is a place where the clock and the calendar are the enemies.

"Sirhan will be granted no special privileges," said Associate Warden Jim Park as a massive bolt shot back and he shoved against a steel mesh door.

The door opened on a bare "no-man's-land" in front of three locked and vacant cells, doubles of each of the cubicles farther down which caged the 25 condemned men of the south side tier.

It was the route the Jordanian Arab would take after checking, in past the main gate of the squat yellow fortress 15 miles north of San Francisco.

Four strides over the bare pavement, and another meshed door blocked the way. Another bolt shot open, and the door was opened.

This was the probable future home, and universe, of the slight man who raised a pistol June 5, 1968, in a kitchen area of the Ambassador Hotel in Los Angeles.

Directly past the door is the Sirhan exercise area—a 10-by-15-foot slab of pavement which is the "front yard" of Cell 33.

Locked and vacant cells flank either side of 33. They will remain that way. Like other prisoners on death row Sirhan will have a television set to watch through the bars of his cell. Sound is through a headset, which can also be plugged into a two-station outlet for radio at the rear of the cell.

The Sirhan cell is like all the rest—4½ feet wide, 7 feet high and 11 feet deep. Appointments are a toilet, wash basin, two steel shelves, a tiny table, a flat-spring cot with a hard tick mattress and a pair of woolen blankets. Light is from a large, bare overhead bulb which can be operated in the cell.

Like the other death row inmates, Sirhan would be let out of his cell into his exercise area for 3½ hours a day starting at 10:30 a.m.

"He'll be able to talk to the other men," said Park.

Another thing Sirhan would be able to do outside his cell is see a patch of blue sky through a couple of windows above the bars.

But never, Park added, will

any inmate, even the mainline prison trustees who feed death row, be permitted to get close to Sirhan. He will be fed by a guard.

The idea, he said, is the same as in Los Angeles where Sirhan has been held since the shooting—to keep the prisoner segregated from men who might want to get into the history books as the killer of an important assassin.

"I'm sure someone would like to kill him," said Capt. Don Weber.

Since 1938, after hanging was stopped in California, 194 persons, including four women, have been gassed in the split-second ritual prescribed by law.

The question of the constitutionality of the death penalty is now pending before the U.S. Supreme Court.

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—UPI Telephoto

THIS IS THE GAS CHAMBER AT SAN QUENTIN  
Since 1938, 194 persons, including four women, have died here



(Mount Clipping in Space Below)

## Sirhan Transferred to San Quentin in Secret Night Flight

Sirhan Bishara Sirhan, condemned assassin of Robert F. Kennedy, was whisked to San Quentin Prison's Death Row early Friday in a secret 3 a.m. flight from Los Angeles.

The tiny Palestinian Arab was taken from his heavily guarded cell on the 13th floor of the Hall of Justice, where he had been confined since last summer, and flown by a Sheriff's Department helicopter to Van Nuys.

There a two-engine state plane flew Sirhan and his armed escort to Hamilton Air Force Base, nine miles from the prison.

Twenty minutes after the plane touched down at 5:30 a.m., Sirhan was locked into Cell 33—a 4½ by 11-foot cubicle flanked on either side by locked, empty cells.

### Without Incident

Sheriff Peter J. Pitchess, who announced the transfer only after Sirhan was locked in his Death Row cell, said the trip went off without incident.

Pitchess said state prison authorities had requested the super-secret early-morning transfer.

The plane was met by a six-car security convoy from San Quentin. Capt. Don Weber, chief of security, said Sirhan "appeared alert and interested and asked a good many questions about the institution during the car trip."

Sirhan joined 77 other San Quentin inmates sentenced to death.

The cell where he will await execution—or the outcome of the automatic appeal before the California Supreme Court—is no different from the cells of other condemned men, except for the empty cells on either side.

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# SIRHAN ON DEATH ROW

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# Secret Switch To Quentin

Sirhan Bishara Sirhan, doomed slayer of Sen. Robert F. Kennedy, was transferred amid tight secrecy at 3 a.m. today from Los Angeles to San Quentin's Death Row.

Sheriff's department officials said Sirhan was taken by sheriff's helicopter from his cell in the Hall of Justice and flown to Van Nuys Airport.

Sirhan was placed aboard a state airplane at the request of California State Prison Authorities and delivered to authorities at San Quentin at 5:30 a.m.

Sheriff Peter J. Pritchess said "the early morning departure was at the request of state authorities."

Judge Herbert V. Walker Wednesday ordered Sirhan sent to the prison "within 10 days" after he upheld a jury's April 23 verdict and formally sentenced Sirhan to death.



(Mount Clipping in Space Below)

'Just One of 3639 Men'

# Death Row Cell for Sirhan

Sirhan Bishara Sirhan today was "fitting into routine" at his new home in Cell 33 of Death Row, according to San Quentin Warden Louis Nelson.

Nelson assumed responsibility of the doomed murderer of Sen. Robert F. Kennedy at 5:30 a.m. yesterday after Sirhan was secretly flown to San Quentin from his heavily guarded cell in the Los Angeles Hall of Justice.

Capt. Don Weber, in charge of Sirhan's security at San Quentin, ushered him into the 117-year-old prison.

Weber said Sirhan chattered, commented that the buildings were old, and asked, "Where am I going to live?"

He was shown to the isolated cubicle.

Warden Nelson said Sirhan was given a physical examination yesterday and was interviewed by clinical personnel.

"There was nothing noteworthy about it," the warden said. "He is just one of 3639 men here."

Sirhan is one of 77 men awaiting death at San Quentin.

One of the young Arab's doomed neighbors told a guard yesterday, "He's one of us now. He won't be bothered."

Warden Nelson, however, is cautious. "There is some underlying concern for the fellow," he said. "Many here would want to be known as the assassin of the assassin."

"We have to protect him until that time when the law says we must take his life."

Sirhan has a private exercise area, and can converse with other Death Row inmates only across a 15-foot-wide no-man's land.

His meals will be served to him by guards rather than the trustees who serve other prisoners.

Sirhan, 25, is not the youngest of the 77 awaiting death. Also on Death Row is Thomas E. Braun, 19, of Ritzville, Wash., sentenced for killing a youth and kidnaping a girl during an aimless robbery tour.

Sirhan, now Prisoner B21014, was sentenced to death Wednesday by Los Angeles Superior Court Judge Herbert V. Walker. Earlier a jury had convicted Sirhan of first degree murder and ordered him to die, following a 16-week trial.

Prosecution and care of Sirhan since the June 5 slaying of Kennedy in the Ambassador Hotel cost Los Angeles County about \$1 million.

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AP Wirephoto

**SIRHAN SIRHAN**  
**Death Row photograph**

(Mount Clipping in Space Below)

**ARRIVAL IGNORED****Sirhan Rushed Quietly to San Quentin Cell**

Sirhan Bishara Sirhan, condemned assassin of Robert F. Kennedy, was whisked to San Quentin Prison's Death Row early Friday in a secret 3 a.m. flight from Los Angeles.

The tiny Palestinian Arab was taken from his heavily guarded cell on the 13th floor of the Hall of Justice, where he had been confined since last June 5, and flown by a Sheriff's Department helicopter to Van Nuys.

There a two-engine state plane flew Sirhan and his armed escort to Hamilton Air Force Base, nine miles from the prison.

Twenty minutes after the plane touched down at 5:30 a.m., Sirhan was locked into Cell 33—a 4½ by 11-foot cubicle flanked on either side by locked, empty cells.

The plane was met by a six-car security convoy from San Quentin. Capt. Don Weber, chief of security, said Sirhan "appeared alert and interested and asked a good many questions about the institution during the car trip."

Sirhan joined 77 other San Quentin inmates sentenced to death. The cell where he will await execution—or the outcome of the automatic appeal before the California Supreme Court—is no different from the cells of other condemned men, except for the empty cells on either side.

No other prisoners, including even prison trustees who serve the meals to Death Row, will be permitted

near Sirhan. Prison officials have said there are undoubtedly men in the prison, particularly condemned men who feel they have nothing to lose, who might want to be remembered as the killer of Kennedy's assassin.

Associate Warden James Park said other Death Row inmates, however, "paid no particular attention to Sirhan" when he arrived. "They like to think they've got a lot of class and don't get excited about this sort of thing," Park said.

Sirhan was formally sentenced to death by Superior Judge Herbert V. Walker on Wednesday. At that time, Judge Walker ordered that Sirhan be taken to San Quentin within 10 days.

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# No Evidence of Plot Found in Kennedy Slaying

Conclusion Disclosed by Younger After Intense Inquiry by Authorities

BY RON EINSTOSS

Times Staff Writer

There is no credible evidence to support a conspiracy theory in the assassination of Sen. Robert F. Kennedy, Dist. Atty. Evelle J. Younger said Wednesday.

He also labeled as "absurd" defense charges that his office reneged on an agreement not to seek the death penalty for Sirhan B. Sirhan and he described as "over-kill" defense psychiatric testimony during the trial.

Law enforcement agencies, including the Los Angeles police, FBI and his office, reached the conclusion that there was no conspiracy on the basis of more than 4,000 interviews of possible witnesses to any of the events which might have had some bearing on the slaying, Younger explained.

Younger made the statement at the first formal press conference he has held on the matter since shortly after Sen. Kennedy was shot June 5 by Sirhan. He said he could not comment on the case until now because of a court-imposed "gag" order.

## Possibility Studied Immediately

Sirhan was sentenced to death a week ago today by Superior Judge Herbert V. Walker.

Younger said the possibility that Sirhan was "a member of a conspiracy whose objectives were not satisfied by the elimination of one political leader" became a concern immediately following the shooting of Sen. Kennedy.

No possible avenue of information, he said, was considered unworthy of investigation. Every allegation of a possible conspiracy was investigated in depth and will continue to be as they arise in the future, Younger added.

He noted that the information presented during the trial by both the prosecution and defense did not exceed 2% of the combined work product of the police and FBI investigators.

So that any doubting members of the public can satisfy themselves with the finding that Sirhan acted alone. A full disclosure of the results of the investigation will be made available "now that the constitutional rights of (Sirhan)" cannot be jeopardized by publicity, Younger said.

Duplicate copies of all documentary and photographic evidence will be available in the county clerk's criminal division located in the Hall of Justice, he revealed.

Police Chief Roger Murdock, according to Younger, also has agreed that "the interest of the public in law enforcement" can best be served by a full disclosure of all aspects of the investigation conducted by a special task force of police detectives.

## Plea Bargaining Explained

The Los Angeles Police Department, he said, has "literally tons of information" in its files, all of which will be available for public review "to the fullest extent that security precautions and administrative resources will permit."

Commenting on the prosecution of Sirhan, Younger said, "It proved that our system of justice works."

The prosecution was willing to enter into so-called plea-bargaining negotiations early in the case, Younger explained, because at that time "it was my opinion and that of highly competent men on my staff" that the jury would not render a death verdict.

This, he said, was based primarily on the findings of the prosecution psychiatrist.

They did not at the time have the complete reports of defense psychiatrists and had no way of knowing then that defense psychiatric testi-

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mony—which he said included "far-reaching and absurd propositions"—would turn out to be as disastrous as it was, he said.

Younger said the jury arrived at the proper verdict and he committed his office to doing all it could to sustain the death penalty in the case.

It was not unusual for the prosecution to contact the Kennedy family regarding the handling of the case, Younger said, because his deputies often consult with interested parties, particularly the families of victims, to determine how they will react to proposed dispositions.

He said he believed it is a good policy to allow members of a victim's family to express their opinion on the outcome of any case in which they have an interest.

Asked if he thought Sirhan would ever be executed, Younger replied, "You know the track record on that as well as I do."

He said, however, that he did not anticipate that the appellate courts would find any deficiency in either the trial or the conviction of Sirhan.

In answer to a question regarding the role of former Coroner Thomas Noguchi in the case, Younger said he is satisfied that the autopsy on Sen. Kennedy was conducted in a proper manner.

The problems and pressures incident to the successful prosecution of Sirhan in many respects were without parallel in the history of American jurisprudence, according to Younger.

(Mount Clipping in Space Below)

## Retained By Sirhan, Belli Says

San Francisco attorney Melvin Belli said he has been retained by Sirhan Bishara Sirhan, although the convicted assassin of Sen. Robert Kennedy has signed a paper stating he wants no lawyer other than his original two attorneys.

Belli said yesterday he would seek a court order permitting him to see Sirhan.

He said the Sirhan family asked him to assist attorneys Grant B. Cooper and Russell E. Parsons in appealing Sirhan's death sentence. This was confirmed by Sirhan's brother Munir, 22.

Belli tried Sunday to visit the 25-year-old Jordanian immigrant on Death Row, he said, but San Quentin officials turned him away. They said Sirhan did not want to see him.

"That's a lie," said Belli, who defended Jack Ruby in the slaying of Lee Harvey Oswald—assassin of President John F. Kennedy.

Parsons said that to his knowledge Belli is not involved in the case, and he doubts Sirhan has requested his help.

"I was at San Quentin last Saturday and he never mentioned Belli," Parsons said.

Belli said Sirhan has requested his visit in a letter to him.

Shortly before his sentencing, Sirhan wrote he preferred to keep his two lawyers and "no other."

Cooper has already filed an appeal of the conviction with the State Supreme Court.

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(Mount Clipping in Space Below)

# Sirhan: I Wanted RFK to be President

Sirhan B. Sirhan, condemned killer of Sen. Robert F. Kennedy, wishes his victim could have lived to become President of the United States but justifies the assassination because it brought attention to the Arab plight.

In the only interview with a newsman since the assassination nearly a year ago, the 25-year-old Arab immigrant emphasized that he acted alone when he killed Kennedy.

The interview, filmed shortly before Sirhan was taken to San Quentin prison's Death Row, will be shown tonight on the National Broadcasting Company's "First Tuesday" television program.

Of his victim, Sirhan said, "I thought he was a prince, sir... I thought he was an heir apparent to President Kennedy, and I wish the hell that he could have made it."

Sirhan insisted that despite jottings in his notebooks that he would kill the senator, he did not plan to actually do it.

"I don't have the guts to do anything like that," he said.

He said he went to a Kennedy appearance at the Ambassador Hotel two days before the assassination, not to plot the slaying, but merely to see the senator.

"I know this sounds unbelievable but I went there just to see Sen. Kennedy," Sirhan said.

"I feel hated and I feel despised or something but I—I honestly, sir, don't understand why," Sirhan said. "I know that I—I'm infamous. I'm hated. I understand the reason for being hated but I really have no appreciation myself, sir, for being so."

Sirhan said, though, that he thought the world should know of the 20 years of suffering and injustice undergone by the Palestinian Arabs and that the assassination had brought this attention.

"I think whatever little attention it has brought, sir, is worth it — my life and regretably that of Mr. Kennedy's," Sirhan told NBC interviewer Jack Perkins, who conducted the interview in Sirhan's jail cell here shortly before he was transferred to San Quentin.

The interview was the only one with Sirhan since he was taken into custody early June 5, 1968, after the New York senator was shot down in a pantry of the Ambassador Hotel.

Sirhan said he loved Kennedy because "he was the hope of all the poor people of this country."

Asked whether he considered himself a poor person, Sirhan replied:

"Yes, sir, I do. I'm not rich, otherwise I wouldn't be here on this program."

Sirhan said, however, that he became enraged after Kennedy advocated aiding Israel in its conflict with the Arab world.

The young Arab said he felt more of an alien in the United States after the Arab-Israeli war "because everybody in America loved a winner and the Israelis won, sir. But I was a loser and I did not like it one bit."

In his sometimes contradictory replies, Sirhan said he did not remember writing in his notebooks, "My determination to kill RFK is becoming more and more an obsession."

"They are the writings of a madman," Sirhan said.

Asked what he would write in the notebooks if Kennedy were still alive, Sirhan replied, "To me, sir, he's still alive... I don't believe that he's dead, sir. I mean I have no realization still that I had killed him, that he's in his grave and all that. I don't believe it, sir. To me, he's not."

But later, when pressed, Sirhan admitted he knew Kennedy was dead and was asked,

"You know that you killed him?"

"Yes, sir," Sirhan replied.

"Do you wish he were alive again?"

"Very much so, sir," Sirhan replied. "Every morning when I get up, sir, I say I wish that son-of-a-gun were alive, then I wouldn't have to be here now."

Sirhan said he did not believe he was mentally ill to the extent that psychiatric testimony at his trial indicated.

"I'm not mentally ill, but I'm not perfect either," he said.

Sirhan said he was very bothered when, sometime after the slaying, he learned that Kennedy had 10 children (an 11th was born six months after the senator died.)

Sirhan said he remembered little about the assassination itself, insisting that he recalled nothing after getting a cup of coffee for a pretty girl until he was choked and pummeled by Kennedy supporters after the shooting.

"To me my whole life stopped on June 5... from June 5 of '68 on is unreal to me, sir," he said. "I still don't believe what has happened."

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Sirhan stated emphatically he was the only one responsible for the assassination:

"I'm the only one that is responsible for what happened to Robert Kennedy," he said.

Sirhan was asked if he could make three wishes what they would be.

"The first wish, I wish that Sen. Kennedy was still alive. I wish that every day I've been here. The second one, that there should be peace in the Middle East."

He gave no third wish.

Sirhan said he thought his family felt more sorrow for Kennedy than they did for him.

"I think that they're more sorry for President Kennedy—for Sen. Kennedy than they are for me, to tell you the truth."

(Mount Clipping in Space Below)

# A Year Later: Lives of Sirhan Victims Change

Wounds Have Healed but  
Tragic Event Leaves  
Lasting Imprint on Five

BY DAVE SMITH  
Times Staff Writer

Sometimes when Elizabeth Evans brushes her hair she forgets, and the bristles saw roughly across the Z-shaped scar at her hairline. The pain is fierce, but brief.

Sometimes she pushes back her bangs and stares at it in her mirror. That way, the Z looks like an S, and then she thinks of the man who put it there.

Ira Goldstein has recurring pains in his left leg, and it goes numb if he walks far. Dancing is out, of course, and even the drive to work causes it to stiffen, so he limps a few minutes after getting out of his car. As he limps along, he thinks of the man who did this to him.

Irwin Stroll has a bum left leg, too. It freezes up on him sometimes when he's walking and he has to stamp it to restore feeling and movement. Once he nearly fell downstairs when it went numb.

## Knows When It's Going to Rain

"I can tell you now when it's going to rain," he offers cheerfully. And whenever a rain is brewing, he thinks about the man who turned his leg into a barometer.

William Weisel has a scar a foot long across his stomach. Everytime he takes his clothes off, the scar reminds him of the stranger who inflicted it.

For Paul Schrade, labor union leader and a prime mover in the New Democratic Coalition, the reminders aren't physical ones. To a man urgently committed to social and political action, the months of convalescence are irretrievably gone, and all he needs is a clock to remind him of what must be done, and how little time there is, and how much time he lost—and inevitably, of the man who cost him that time.

All five are thinking of the same man who, one year ago today, changed not only their lives but the lives of many, many more, in one way or another.

Shortly after midnight on June 5, 1968, Sirhan Bishara Sirhan shot these five. He also fatally wounded Sen. Robert F. Kennedy, moments after Kennedy claimed victory in the California Democratic primary race for the Presidency.

## Change by Death Unknown

Probably, it will never be known precisely to what degree American life was affected by Robert Kennedy's murder.

But for the five who were wounded with him that night in a crowded pantry of the Ambassador, life will never be quite the same again—perhaps physically, perhaps socially, or politically, or emotionally. Small changes, perhaps, and not necessarily for the worse.

None of their injuries had serious, long-lasting effects beyond the scars of bullets. But beneath the scars each has thought long, serious thoughts about how close they came to death last June, and what they want to do with their second chances.

Weisel, 31, Republican and single,

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I've always liked to be where the action is."

Her past experience as a volunteer campaign worker had taught her how to get close to the center of activity, so after Kennedy claimed victory that night, "I got close to him and just hung in there to watch"—right into the pantry.

"At first I didn't even realize I'd been shot," she recalls. "I remember being annoyed at some woman who kept shrieking and shrieking and hadn't even been hit, and I remember losing one shoe in the scramble. Blood was running into my eyes and I could hardly see, but I kept grabbing for the shoe on the floor and everytime I'd get close, someone would kick it away again."

At the hospital later, bleeding heavily but not seriously hurt, she brushed aside medical treatment for a while, telling the orderlies pertly: "Never mind me, I'm all right. Just look after the senator."

Her involvement has caused no particular shift in her political thinking, she explains, "because I've always been active in Democratic politics anyway."

#### Arguments Started

But socially, she says, "it's been sort of a pain in the neck, really. Not among my friends, because when they heard I'd been involved they just figured that was Elizabeth for you and they know me well enough not to keep bringing it up all the time."

"But with people I'd be meeting for the first time, someone might introduce me as the woman who got shot, and then I'd find myself in terrible arguments with these strangers. You know, they'd say things like, 'Why go through this long, drawn-out trial, everyone knows he's guilty,' or that Sirhan should be executed right away."

"Sometimes I'd try to hold my tongue for a while, but I can take just so much of that point of view and I'd have to sound off. I'd explain that everybody is entitled to a full, fair trial, and I have never believed in a death penalty. So I'd wind up defending Sirhan and getting into some really hair-raising arguments."

"The thing is, I hate what Sirhan did, but I don't hate him, and I always wind up defending his right to a fair trial, when strangers expect me to do just the opposite."

#### Emotional Reaction

The most serious effect of the shooting on Mrs. Evans was an emotional one, which accelerated a decision that began to take shape after her near-fatal accident in 1964.

Then, and more intensely after last June 5, she began to feel that her life, twice reprieved, had been going nowhere. She felt that if she could make the rest of her own life happier and more productive, another person's could be, too.

By mutual decision, the Evanses are being divorced.

For Ira Goldstein, 20, an electronics company employee of Encino, the killing of Kennedy has left him disillusioned with the American political process, although he thinks the disillusionment may be only temporary.

"It changed my thinking about politics," he says today, "from good to bad. If I was ever considering running for office to help people, now I probably wouldn't. I think there are enough sick people walking around to ruin it for the others. They can com-

pletely destroy your efforts for anything good."

"Right now I don't seem to care anymore. It's probably something that will pass but I'm sort of disgusted with the whole thing now."

But for Irwin Stroll, 18, of Los Angeles, it's had an opposite effect. Stroll, an art student at Valley Junior College and a Kennedy volunteer worker, says today, "I was kind of out of it after the assassination. People asked me to work later for Humphrey and Cranston and Bradley, and I was for them, in my own mind, but I just couldn't bring myself to go back to work."

But now he's back in harness, he says, working for the Los Angeles County Democratic Central Committee and helping set up the first annual Kennedy Commemorative Dinner, "A Night in Camelot." Stroll says that in the



a news director for ABC television in Washington, was just doing his job in that cramped pantry last June 5 when he was shot in the stomach, a split second after Kennedy fell to the floor.

The bullet plowed around through the fatty tissue of his left side and lodged near his spine, without hitting any vital organs. But Weisel's profuse bleeding caused one medical aide to remark, after a quick glance, "I don't think this one's going to make it."

Weisel, frightened at the words, almost immobilized by shock and unaware that his wound was relatively slight, told a co-worker in a frightened whisper, "Dave, I think I'm going to die."

But he didn't—recovered quickly in fact. And something was different.

"The assassination gave me a new outlook," Weisel says. "At first I thought I was dying. Since then, I have had a different outlook on life—live now, enjoy now, sort of. I was very lucky in a lot of ways, and I've tried to hang onto a lucky outlook on life. Maybe the things I'm doing now are the result of some fate I was unaware of."

#### Aided Socially

Weisel doesn't recall seeing Sirhan that night, but his chance involvement in the tiny Palestinian Arab's moment of glory gave an ironic lift to his own social standing, Weisel finds.

"I'm always introduced now as the person shot with Kennedy—especially among news people," Weisel says. "It's a strange feeling. I have never been in the public eye before, I'm used to being behind the news. But socially, it's kind of improved things. People who wouldn't even glance my way before now speak, and all of a sudden I'm very popular."

Weisel also finds himself popular with legions of letter writers—some old high school and college friends, even a long lost relative in Germany, but mostly people who see religious significance in his narrow escape.

"I have a box full of letters," he says, "from, let's say, strongly religiously inclined people who explained why I was saved while Kennedy died. I have no particular religious inclinations, myself, but to a large number of people, it's the center of their life. A lot of the letters are personal, some of them quite nice. When you're sitting home alone quietly, it can sort of get to you."

#### Fear Develops

And something else got to Weisel that night he was shot: fear.

He didn't recognize it as a new companion until five months later. "It was the election weekend in November," he recalls. "I do ABC's 'Issues and Answers' program, and I went to Atlanta to get Gov. George Wallace on the show. There was a big crowd and it kind of bothered me. And that night, I tried to keep away from Wallace—not get too close. But at one point, the crowd just opened up and he was walking toward me without any Secret Service men around him."

"In the middle of this crowd, we were alone, and he reached out for my hand and said, 'Hello, I'm George Wallace.' My heart just sank."

To Elizabeth Evans, the scalp wound she suffered last June 5 was her second brush with death since an auto accident nearly killed her in 1964.

Both events served not so much to change her as to make her more intensely herself, she believes.

Mrs. Evans is blonde, 43, pretty in a Vera Ellen sort of way, and will become a grandmother this summer.

Last summer she was an activist, outspoken McCarthy Democrat, who went to the Ambassador on election night "because

last year "I've become more aware of the problems the senator was trying to explain. I'm waking up to the fact that you have to change the world because no one else is going to do it. He's gone, but we have to carry on what he was trying to do, which is what I'm going to do for the rest of my life."

"Being close to the senator and knowing him so well makes me want to fulfill his dreams of helping people."

In some ways it was Paul Schrade who lost the most in the shooting last year. He was the most seriously injured, suffering a depressed skull fracture and a lacerated vein.

His recovery took nearly six months.

But for Schrade, 44, western regional director of the United Auto Workers, the worst injury was personal. Alone of the five, he was a close personal friend of Kennedy.

"The worst thing about the assassination was losing Bob," says Schrade. "The country was heading for disaster under President Johnson and we needed a sharp change."

But in losing Robert Kennedy, Schrade found others. "I've got to know Ted," he says. "I didn't before. My association with the family wasn't close, just with Bob, and I'd never met Ethel before that night. I've seen her a couple times since, so that relationship is developing."

Something that is developing even more is Schrade's work in Democratic politics. "The assassination intensified my commitment," he says, adding that much of his time now is devoted to the more radical liberal causes of the Democratic Coalition.

One of his chief concerns is support for the United Farm Workers Organizing Committee of Cesar Chavez, leader of striking workers in California's vineyards and Texas' Rio Grande Valley.

Schrade says he has felt no physical effects of his injury for at least six months, but an emotional effect that lingers is the concern people showed for him when he was recovering.

"People said things during that period that they wouldn't have said earlier," he says, "and this strengthened me and made the recovery easier. And it made me much surer of my friends as well as myself."

Although "it's painful for me to go over and over it again," Schrade admits that his involvement "has made me better known around the whole country as a result. In a way, it's really established me in the radical liberal group in the Democratic Party."

Of the five, only Weisel approves the death penalty that was meted out last month to Sirhan, who is now on Death Row in San Quentin awaiting the gas chamber.

"I thought it was quite fair," he says. "I'm one of

the few people who agree with capital punishment, although I expect California to abolish it. But it's a symbol to all of us of cause and effect. If you do something like this, you should be ready for the punishment."

For varying reasons, the others disagree. All say they basically disapprove of the death penalty on principle. For Goldstein, life imprisonment would be "a far better punishment for him. He should have to think about what he's done."

For Schrade, execution of Sirhan would be "inhuman and unnecessary," and a violation of the beliefs of Sirhan's own victim—Kennedy.

Time passes and the headlines get smaller, except for an occasional legal development, or, like today, an anniversary.

But often throughout the year, each of the five pauses to think a moment, and the terror and tumult of that night is freshly recalled in different ways.

One of the most chilling moments occurred to Weisel. "I was in Honolulu then," he recalls, "doing a program on the recovery of Apollo 8 in the Pacific. I was out on the beach one day in a dune buggy, just riding up and down and enjoying myself. It was Jan. 1, and on the radio they played a recap of the year's biggest events. Somewhere along the way they played a tape made at the time of the shooting in the pantry. I'd never heard it before, and it stopped me cold. The biggest cold chill I ever had went up my back . . . I was there, and it could have been the end. Instead it was just the beginning."



Elizabeth Evans  
Times photo



Paul Schrade



Irwin Stroll  
Times photos



(Mount Clipping in Space Below)

# Psychiatry: A Boon to Law or Mumbo Jumbo?

## Disagreement of Doctors as to Value of Testimony May Change Application

BY HARRY NELSON

Times Medical Writer

"Psychiatric testimony in the courtroom is mostly mumbo jumbo. It doesn't correspond to real life. And besides, it's been shown over and over that juries don't take it seriously."

The man who holds that view is Dr. Karl Menninger, one of the nation's best-known psychiatrists. And he is not alone in his criticism of the role of the psychiatrist in the courtroom.

Dr. Jay Ziskin, a psychologist at Cal State Los Angeles who also is an attorney, says an intelligent layman can judge the mental competence of a defendant to stand trial as well as an expert.

"Everybody thinks there is a scientific body of knowledge that can be used effectively to make this determination. But the scientific literature says they don't know what they pretend to know. We are dealing with an established myth. The scientific literature says this help is not available. It is an illusion to believe it is available."

### Others Join Criticism

Joining in the criticism of the role of psychiatric testimony are the presiding criminal judge in Los Angeles and the chief deputy district attorney. They agree, however, with a prominent defense attorney that the role of such testimony will expand in the future.

Obviously, the critics—who gained fresh ammunition from the testimony of psychiatric witnesses in the recent trial of Sirhan B. Sirhan—are in disagreement with the bulk of American psychiatrists and psychologists who testify in criminal cases.

According to Dr. Herbert E. Thomas, a psychiatrist who is on both the medical and law school faculties at the University of Pittsburgh, more psychiatrists should be willing to testify in court.

"I believe our role is a pedagogical role in the courtroom. We can bring information no one else has access to. If this is done on the basis of careful clinical study, the psychiatrist can provide the courts with something valuable," he said in an interview at the recent meeting of the American Psychiatric Assn.

### Thinks Trend Paying Off

Dr. Thomas said the present trend in American universities to retain psychiatrists in legal work is paying off.

Lawyers and judges, he said, are responding to the efforts by universities to bring together the fields of psychiatry and law so that they can better understand one another's problems and serve the courts better.

Nearly everyone agrees that the professional image of psychiatry and psychology was tarnished by the events of the Sirhan trial.

Critics of psychiatry, especially critics of the Freudian and psychoanalytic school, take delight in recalling the performances of expert witnesses who sought to analyze Sirhan's behavior.

The spectacle of the experts contradicting one another to sup-

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