

suppress evidence was continued until October 22. The defense contention raised at that hearing was that the search of Sirhan's house was illegal. They requested that the search be disallowed. The search was declared to have been reasonable by Judge Walker. Department 107-A was adjourned until December 9, 1968.

On December 3, 1968, Department 107-A was convened to hear a request to allow Attorney Grant Cooper to enter the case for the defense. The motion for a continuance to January 7, 1969, was granted. Cooper advised the court that a third attorney, Emile Zola Berman, would be entering the case but that no further delay would be requested.

On December 18, 1968 the court convened to note the presence of Mr. Berman in the case.

On December 23, 1968 a motion for discovery was made by the defense and after being granted, the items requested were turned over by the prosecution.

On January 6, 1969 the first of many preliminary sessions were held involving the selection of jurors and the trial itself.

## RELATED EVENTS SINCE THE ASSASSINATION

### Sirhan's Family

On June 5, 1968 after the identification of Sirhan as the suspect in the assassination the Pasadena Police Department stationed two uniformed officers at his home at 696 East Howard Street. This detail was suspended on December 13, 1968. No incidents of violence occurred, however, several incidents occurred involving Sirhan's family.

On June 5, 1968 Saidallah Sirhan, Sirhan's oldest brother, reported that two Life Magazine reporters came to his apartment seeking an interview. He refused to give them a photograph but did give them a short interview. At about 11:30 p.m. that night someone allegedly kicked in his front door and struck Saidallah Sirhan and threatened him regarding the photograph he refused to give Life Magazine.

The Pasadena Police Department investigated and it was determined that the two Life reporters were not the alleged suspects in the assault. Saidallah Sirhan subsequently advised the Pasadena Department that he desired the investigation be closed.

On June 20, 1968 the F.B.I. received an anonymous letter which stated, "If Sirhan don't confess, we'll kill all his family. His mother is next in line. We mean business." Security measures for the family home continued.

On June 21, 1968 the gate guard at I.T.T. Cannon Electric Company, Los Angeles, received an anonymous phone call

threatening Sharif Sirhan who worked at the location. The police were called and Sharif Sirhan was provided security when he finished his shift. The gate guard thought he recognized the voice of the caller as being an employee who did not work that night. The employee was contacted and he denied making the call. It was determined that he knew Sharif Sirhan and had lived in the same apartment building with him for a time. He was admonished about the danger of making such calls and the matter was closed.

On July 3, 1968 at 4:45 a.m., Saidallah Sirhan reported to the Pasadena Police Department that he had been shot at while driving on the Pasadena Freeway. He gave an account of how he had been returning from Los Angeles when two vehicles had maneuvered into position along side him and that a man in one of the vehicles had fired two shots at his vehicle.

During the follow-up investigation of the incident several inconsistencies appeared in his account, including the reasons for his being in Los Angeles at that hour of the morning. A polygraph examination determined that Saidallah had been untruthful regarding the incident. Physical evidence tended to indicate that Saidallah Sirhan had not been fired upon by a moving vehicle. Interviews with witnesses revealed that at one time he had possession of a .38 caliber revolver which he reportedly lost on March 31, 1966. Subsequent to that date witnesses reported seeing a gun in his possession.

All evidence collected during the investigation tended to agree on one point; that the shooting incident was a fabrication by

Saidallah Sirhan and that the shots were fired by him at a location other than the freeway.

On July 4, 1968, in connection with the freeway shooting incident Saidallah Sirhan allegedly received a phone call from an unknown person. This person stated, "Hey listen! You were lucky yesterday. We missed you, but we are going to get you all at the trial." The Pasadena Police Department provided Saidallah with extra patrol until he changed his residence.

On August 8, 1968 a letter was received at the White House mailing room which purportedly was mailed from Viet Nam. The letter in effect threatened that Sirhan would be killed if he was freed at his trial. F.B.I. examination of the paper disclosed no positive identification.

On September 2, 1968 a threatening phone call was received by the answering service for Sirhan's attorney, Russell Parsons. The caller identified himself as C. Sirhan. Parsons stated that he did not wish to make a complaint and it was noted that none of the Sirhan family had a name beginning with "C".

On October 25, 1968 a letter was received at the Nixon Headquarters. The letter was a thinly veiled threat against the life of Richard Nixon and was signed Sharif B. Sirhan. Sharif Sirhan denied that he wrote the letter but refused to supply a handwriting exemplar to aid in the investigation. Evidence in the investigation indicated that the letter was not written by Sharif Sirhan.

On November 1, 1968 Saidallah Sirhan came to his mother's home and asked her to give him some money. He stated that he knew that she had been receiving money from several Arabian Church groups. Saidallah did not believe his mother when she denied having any money. He refused to leave until she gave him his share and he threatened to hit her. Mrs. Sirhan refused to arrest her son for disturbing the peace and Saidallah left without further incident.

#### Involvement of Independent Writers

This investigation paid particular attention to those members of the media who made allegations which required specific investigation or those who, by their actions, involved themselves in one or more aspects of the investigation. A description of those person's part in the investigation follows:

#### Rex Westerfield

Rex Westerfield, the Western Regional Director for the John Birch Society authored an article entitled, "Assassination" which was printed in the June edition of "The Review of the News" a weekly publication from Belmont, Massachusetts. The article alleged that the assassin of Robert Kennedy was a pro-Communist and that the assassination itself was a Marxist conspiracy.

Westerfield made several specific allegations including the report that Sirhan had attended Du Bois Club meetings in Los Angeles; the report that a mailman had delivered anti-American mail to Sirhan's home; that based on Sirhan's notebook that he was a socialist; that a young girl had been invited to Du Bois

Club meetings by Sirhan; and that Sirhan's brother, Saliman, had been arrested as an Israeli spy by the Iraqi government several months prior to the assassination.

Several of these allegations had been previously disproven and they were explained to Westerfield. His other allegations were so poorly supported that Westerfield himself could not substantiate them and it appeared that he was reaching for any allegation which would support a preconceived point of view.

Theodore R. Charach

Theodore Charach, a free lance news reporter affiliated with Continental News Service, was in the hotel the night of the shooting and during his initial interview he did not indicate that he was able to assist investigators. That was on June 12, 1968; subsequently investigators read an article from a Canadian newspaper which stated that Charach was reportedly a witness to the shooting and capture. Charach however admitted that he had not seen anything and that everything he had heard was second hand.

On July 19, 1968, Charach met with investigators and produced some enlargements of film purportedly taken on June 2 and June 4, at Kennedy festivities, by a U.C.L.A. student. The complete U.C.L.A. film was delivered to the Department and was found to be of very poor quality. A copy was made, but investigators were unable to identify any persons depicted in the film as those involved in the investigation.

On July 31, 1968, Charach advised investigators that he had "valuable new evidence." He stated that he had been contacted by New Orleans District Attorney Garrison and Rampart's Magazine. He had been offered \$2,000 for the U.C.L.A. film and he stated that he would act as a "spy" for this Department when he went to New Orleans if he was given financial assistance. His offer was denied.

On September 9, 1968, the film was reported stolen but subsequently reappeared in the form of three pictures in the January 17, 1969 issue of Life Magazine. The original crime report had been declared unfounded. Charach's motive for telling different stories to various sources could not be determined. An attempt for notoriety was probably his reason for expanding the importance of the film and his presence at the hotel.

#### Fernando Faura

Fernando Faura was a staff reporter with the Valley Times and the Citizen News. He became involved in several aspects of the investigations including the John Fahey, Polka Dot Dress and Theodore Charach investigations. Fahey was also reportedly involved in the Garrison investigation into the possible link between the two Kennedy assassinations.

Faura attempted to influence the statements of John Fahey when he reported that he had been with a girl who was involved in the assassination. After Fahey was proven to be lying Faura published an article which stated that the Department had stopped the investigation of the Polka Dot Dress too early.

This allegation had also been disproven.

Jonh Christian

Jonh Christian, a free lance writer, was actively involved in the Jerry Owen conspiracy investigation. He conducted his own investigation into Owen's allegations and developed the theory that Owen and Sirhan were involved in a conspiracy to kill Kennedy. He also alleged that Owen was associated with Reverend Carl MacIntyre, the minister who had been allegedly connected with a plot to kill John F. Kennedy.

Christian telephoned the Department three times and mailed two letters and a tape recording to the Department in an attempt to gain our confidence. He sought to have himself "deputized" so that he could better assist us. When his offer was declined, he went to various public officials and attempted to gain their assistance. Though the Department disproved the Owen allegation Jonh Christian will undoubtedly continue making his allegations.

Summary of Letters Sent to S.U.S.

As of January 14, 1968 the Department had received a total of 296 unsolicited letters. Fifty-three contained information regarding the case. Twenty-six involved the polka dot dress investigation. Twenty-eight contained various complaints about the investigation. Fourteen were threats against Sirhan or his attorneys and thirty-eight were classified as crank letters.

The crank letters generally discussed current social ills or suggestions of painful ways to interrogate Sirhan. Sixty-two



of the letters were sent anonymously. Only six of the letters warranted follow-up and none were instrumental in any significant phase of the investigation.

## CONCLUSIONS

A consideration of the facts determined by the investigation and an evaluation of all witness testimony and available evidence sustain certain conclusions:

1. Sirhan Sirhan fired the fatal shots that killed Senator Robert F. Kennedy and wounded five others. (This was established beyond any doubt by eye witnesses and physical evidence.)
2. Sirhan fired these shots with the intent to kill Senator Kennedy and his act was premeditated. (All evidence indicated that Sirhan took the necessary steps to prepare himself for the assassination and to put himself in a position to kill Kennedy.)
3. Sirhan was not under the influence of a drug or intoxicant at the time of the shooting. (Of the many police and lay witnesses in close contact with Sirhan the minutes immediately following the shooting, not one observed any objective symptom of intoxication. Experienced officers found his pupil reaction to be normal and his mental condition alert and responsive.)
4. Sirhan was legally sane at the time of the incident. (This conclusion is established by available psychiatric evaluation reports. The issue of his sanity has not been raised by the defense.)
5. There was no evidence of a conspiracy in the crime. (A complete chapter of the report deals with this subject

and makes conclusive statements regarding each specific allegation.)

6. The Kennedy Staff did not request any police protection from the Los Angeles Police Department nor was any offered by the Department. (The investigation revealed that his personal security was provided by a bodyguard and various aides who functioned in crowd handling situations. Staff members confirmed that the Senator did not desire police security present at public appearances such as the Ambassador rally.)