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Sirhan regarded Kennedy's activities as a sellout to American Zionists whose votes he needed, and "with this attitude toward Kennedy in mind, Pollack said, Sirhan didn't believe he should be punished for killing such a person, because the killing was politically motivated and justified, in Sirhan's view," reported the Times.

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"In answer to questions by Dep. Dist. Atty. John E. Howard, Pollack said he believes Sirhan was not suffering diminished mental capacity at the time of the shooting, but was quite able to harbor malice aforethought, form the intent to kill and reflect on the consequences," concluded the article.

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In his third day on the witness stand today, the witness, Dr. Seymour Pollack, said he did not believe, as the defense has contended, that Sirhan was in a dissociative state or hypnotic trance when he shot and killed Sen. Robert F. Kennedy.

Agreeing that Sirhan is mentally ill, the doctor "steadfastly avoided terming him a paranoid schizophrenic, as seven previous psychiatrists and psychologists have called the defendant," said the newspaper.

Another Los Angeles newspaper (Herald-Examiner) reported that Grant B. Cooper, one of Sirhan's attorneys, challenged an earlier statement by Pollack that the defendant was only slightly mentally ill.

Cooper read "the psychiatrist's Feb. 5 report to Dist. Atty. Evelle J. Younger, in which he described Sirhan as 'psychotic.'

"The report said in part, '...In my opinion the killing of Sen. Kennedy was a political assassination by a psychotically disturbed defendant.'

"Dr. Pollock told the court, however, that he meant Sirhan 'psychotic' not 'clinically psychotic.'

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Pollack said that he had spent about 25 hours with the defendant between last June and Feb. 1, "and admitted that he later wrote that longer sessions would 'probably' uncover more serious signs of psychosis," related another Los Angeles newspaper (Times).

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Reported John Kendall, staff writer:

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"We have unconfirmed grapevine reports that there are inmates that would want to kill him," said Phil Guthrie, information officer for the State Department of Corrections in Sacramento.

"Probably we have never had a more notorious case, if we get him. We have an obligation to keep people in, but we have an equal obligation to protect them."

Guthrie, related the newspaper, "disputed that Sirhan was to receive a red carpet treatment.

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THURSDAY, APRIL 3 -- In his fourth day on the witness stand, Dr. Seymour Pollack, prosecution psychiatrist, said today "that when he wrote his first diagnosis of Sirhan B. Sirhan, he thought Sirhan would never be tried for the killing of Robert F. Kennedy," according to a story in a Los Angeles newspaper (Times).

The newspaper related that Pollack wrote a "confidential" report on Feb. 5 to Dist. Atty. Evelle J. Younger in which he described the defendant as a "psychotic...suffering from a borderline schizophrenia with paranoid and hysterical features."

The report was written after a Feb. 2 meeting between Pollack and psychiatric and psychological consultants to the defense who agreed that Sirhan was mentally ill.

Said the newspaper:

"On the basis of that meeting, the defense and prosecution agreed to a plea of guilty to first-degree murder with life imprisonment. But after Superior Judge Herbert V. Walker rejected the agreement and ordered the trial to proceed before a jury, defense attorney Grant D. Cooper charged Thursday, Pollack wrote another report, in which Sirhan's mental illness was described less boldly.

"In a 30-page report dated March 21, after the trial was already 2½ months along, Pollack termed Sirhan 'a developing paranoid personality.'"

Today, Cooper asked the doctor if he hadn't believed on Feb. 5 that Sirhan would never come to trial, and Pollack replied: "I was led to believe that, yes."

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Cooper also asked Pollack if he hadn't also believed that the Feb. 5 report would never have reached the defense, and Pollack denied this. He said he knew it would have been entered in testimony if the case had come to trial.

The defense attorney then asked why Pollack's March 21 report did not term Sirhan a psychotic, and Pollack replied that he had intended only to discuss Sirhan's motive in killing Kennedy, not his mental state when he did it.

Pollack insisted today, "I have said all along (in direct testimony) that I considered the defendant a borderline schizophrenic."

Continued the newspaper story:

"Cooper challenged Pollack, insisting he had never used that term on direct examination by the prosecution, and Pollack agreed he may not have."

"Pollack insisted that he stood by the diagnoses in both his first and second reports and insisted they were not conflicting."

"He denied implications that he had sought to minimize his earlier findings, in which agreement with defense arguments on Sirhan's mental condition seemed more apparent."

"There were several heated exchanges as Cooper and Pollack parried for points in what essentially was a semantic argument. Pollack explained time and again that psychiatric 'labels' in court cases are often misleading."

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"Cooper returned to a previous statement of Pollack's that if he had had more than 25 hours with Sirhan he might have unearthed more definite signs of psychosis, but that on the basis of that limited time, he had not found strong symptoms.

"Citing Sirhan's alleged delusions of persecution and his fantasies of destruction and death, mostly to Jews, Cooper asked if Pollack might not have seen these delusions if he had spent more time on the case.

"Pollack, obviously flustered, admitted 'If this is a criticism, I accept the criticism.'

"Noting that several psychological tests had unearthed such delusionary thinking, Cooper asked if perhaps the tests hadn't got farther beneath Sirhan's surface than Pollack had.

"Pollack, his voice rising to a shout, said they might have, but only 'as they applied to psychological material, not as they applied to reality.'

"He explained that tests showed what Sirhan's inner reality was like, but that he judged Sirhan's mental state on the basis of his outward behavior."

The newspaper noted that Pollack said Sirhan believed it was good and right for him to kill Kennedy because of Kennedy's support for Israel. Cooper asked if this wasn't delusional thinking, and the psychiatrist said it wasn't.

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Added the newspaper:

"One key point in much of Pollack's testimony was his contention that Sirhan had shown no outward symptoms of psychosis. Sirhan's notebook writings of his intent to kill Kennedy, his mystical experiments with Rosicrucianism and his violently anti-Zionist political views, Pollack said, were not by themselves, considered separately, symptomatic of psychosis.

"Cooper made it obvious that he felt these matters should not be dismissed one by one as unsymptomatic, but considered together, in light of psychological tests to which Pollack said he also gave less weight than eyewitnesses' descriptions of Sirhan's outward behavior.

"With obvious anger, Cooper asked Pollack, 'Could the killing of Sen. Kennedy be considered a symptom of paranoid schizophrenia?'

"After a long pause, Pollack said, 'Yes, it could.' He began to amplify his answer but Cooper cut him short.

"Testimony ended Thursday on a dramatic high point as Cooper declaimed from Pollack's Feb. 5 report: 'I believe that Sirhan's mental illness was related to his act of assassination in that his paranoid convictions went beyond those of a normal personality in the average citizen.

"This mental illness should be considered a substantial mitigating factor on the issue of penalty.'

"Cooper skipped one portion for brief questioning of Pollack, then went back, minutes before adjournment, to read the omitted portion:

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"Should a conviction of murder of the first-degree be obtained, I hope that Sirhan is able to avoid the death panalty and is sent for treatment to the California Medical Facility at Vacaville."

"Pollack acknowledged that, 'as you know, I am strongly opposed to capital punishment for moral and ethical reasons.'"

Another Los Angeles newspaper (Herald-Examiner) reported that "a new picture of Sirhan in the days immediately following Kennedy's fatal shooting also emerged."

The newspaper was referring to a report of Dr. Marcus Crahan, County Jail physician, who examined the defendant on June 6 and 7.

Crahan wrote the following, which was read into the record, according to the newspaper:

"(ily) interviews revealed an unconcerned young male...entirely pleased with himself...showing no remorse, no regret."

Crahan said he found Sirhan, whom defense psychiatrists insist was suffering from acute mental illness at the time, "alert, wary, impassive, unconcerned and well directed."

At the time, according to Crahan, Sirhan believed Kennedy still lived...that the shots had not been fatal.

Then an attorney visited the young Arab and told him of Kennedy's death. After this, according to Crahan:

"Sirhan appeared exhausted and complained he had had no sleep... His attorney had no doubt told him his victim had expired. This may have accounted for his exhaustion."

The same newspaper indicated Sirhan told Pollack he believed he should receive a sentence of "a couple of years" for Kennedy's murder.

"He felt that was all the act deserved, if anything," the psychiatrist said.

FRIDAY, APRIL 4 -- Dr. Seymour Pollack, psychiatrist for the prosecution in the Sirhan B. Sirhan case today said the defendant told him several times that "he was through with the whole damned thing. He was through with psychiatrists bugging him and he wanted out. He wanted to plead guilty."

Pollack related that these incidents, like similar outbursts after the murder trial began, were "temper tantrums in a paranoid individual."

The doctor told the jury he did not believe Sirhan was faking the tantrums.

Reported a Los Angeles newspaper (Times) on today's session:

"In final cross-examination, defense attorney Grant B. Cooper asked Pollack if he felt Sirhan had shown inappropriate responses for a man in his circumstances -- overreacting, smiling at serious moments and paying little attention as the possibility of a death penalty was discussed.

"Pollack said he had not seen 'the degree of inappropriate response we see in a psychotic person,' but said Sirhan's responses were more 'impulsive and volatile' than those of a normal person on trial for his life. 'I suspect he wishes he could control himself better,' Pollack said."

Pollack said he had seen a lot of the defendant and confided, "I have actually gotten somewhat to like Sirhan. He may still think I'm an s.o.b."

In further questioning, Cooper asked if Pollack still believed that although Sirhan is mentally ill, his illness was not so severe as to diminish his mental capacity to maturely and meaningfully premeditate Kennedy's death.

Reported the Times:

"Pollack replied that he did believe it 'with reasonable medical certainty.'

"Cooper asked if he believed if 'beyond reasonable doubt' -- a condition on which a first degree murder conviction must be based.

"Pollack said he regarded 'beyond reasonable doubt' as a moral judgment which he, as a doctor, did not feel qualified to make.

'Reasonable medical certainty,' he said, is a medical judgment which does not equate with the moral concept.

"Under redirect examination by Dep. Dist. Atty. John E. Howard, Pollack read at length from the transcript of a Feb. 2 meeting between psychiatrists and psychologists for both the defense and prosecution.

"It was after this meeting, at which there was general agreement that Sirhan was mentally ill and to some degree, that the defense and prosecution agreed to change Sirhan's plea to guilty, with an understanding that he would be sentenced to life in prison.

"However, the agreement fell through and the plea remained not guilty.

"The transcript of the meeting revealed a sharp dispute between Pollack and defense psychiatrist Bernard L. Diamond, who expressed

irritation at Pollack for not revealing his conclusions about Sirhan's mental state."

Yesterday, Pollack contended that Diamond had given him to understand he could have no further interviews with the defendant after his last interview on Feb. 1.

However, the newspaper pointed out:

"...the transcript showed it was Pollack who first suggested that it would be of little further value for him to see Sirhan again. On Thursday, Pollack had testified that if he had had more than 25 hours with Sirhan, he might have seen clearer evidence of Sirhan's alleged psychotic symptoms.

"Diamond, on Feb. 2, told Pollack, 'I do not feel, Seymour, that you have played fair.' Diamond said Pollack had 'evaded' and 'quibbled' while defense psychiatrists and psychologists had made full disclosures, and said Pollack had 'misused the conference' by holding back his opinions.

"Pollack insisted, at that meeting and in his testimony this week, that at that time he had not come to any conclusions.

"But he confirmed that two days after the meeting, on Feb. 4, he dictated an 18-page diagnosis in a confidential memo to the district attorney's office.

"At that time, Pollack confirmed Thursday, he had not thought the case would come to trial. But after Superior Judge Herbert V. Walker ordered the trial to proceed before a jury, Pollack wrote another report on March 21."

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 9, 1969
After 10 a.m.

WEEKLY SUMMARY #44

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 44th summary, and others will be for release on subsequent Wednesdays.

MONDAY, MARCH 31 -- An Associated Press story published in today's editions of a Los Angeles newspaper (Herald-Examiner) said a "three-cell suite is being prepared for Sirhan Bishara Sirhan at a state medical facility in case he is convicted of murdering Sen. Robert F. Kennedy and sentenced to life imprisonment, a state official said Sunday.

"Sirhan's large quarters, now being walled off, will have a kitchen-dining room, a bedroom, a living room and a lavatory with shower, said Philip D. Guthrie of the California Adult Authority.

"The cell, which Guthrie said would protect the occupant from other prisoners, is at the California Medical Facility at Vacaville, near Sacramento."

Sirhan is accused of first degree murder in the assassination of Kennedy. If the jury convicts him of that charge, it will choose between death and life imprisonment as the penalty, related AP.

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Continued the wire service story:

"If given a life sentence, Sirhan would be sent to the medical facility for 'indefinite confinement -- many months or even years,' a standard procedure for prisoners with mental problems, Guthrie said.

"We'll need some reading of his frame of mind and we'll also want to assess the reaction of other inmates."

"Guthrie added that the California Adult Authority is asking the Legislature for special legislation so Sirhan could be held at Vacaville if he receives the death penalty instead of being sent, as state law requires, to Death Row at San Quentin Prison.

"He attributed the request to 'questions brought up about Sirhan's mental condition' and Sirhan's 'notoriety.'"

TUESDAY, APRIL 1 -- Sirhan B. Sirhan, who is on trial for the slaying of Sen. Robert F. Kennedy "flew into a rage" today when a prosecution psychiatrist in effect called him a liar," reported a Los Angeles newspaper (Times).

Dr. Seymour Pollack testified that he didn't believe the defendant "really couldn't remember writing in his notebook of his intent to kill" the senator, related the newspaper.

Continued the news story:

"Pollack said he regarded Sirhan's claimed amnesia as 'an attempt to avoid the serious consequences that could result if the notebook was attributed as evidence of his premeditation to murder Kennedy.'"

Sirhan,

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"Though Pollack did not use the word 'lie,' Sirhan quickly grasped the import of Pollack's testimony and jumped to his feet, shouting 'Your honor, sir...!'"

"Four husky deputies jammed the tiny Palestinian Arab back into his chair as Superior Judge Herbert V. Walker warned: 'You settle down or I'll do what I told you I'd do.'"

(In February, during another outburst, the judge told Sirhan that he would be gagged and tied in the courtroom if the outbursts continued.)

Sirhan didn't settle down today, and told Russell E. Parsons, one of three defense lawyers, "I Told the truth and I don't like him to call me a liar."

The judge called a recess and ordered the jury to retire as four deputies ushered the defendant out of the courtroom. During the 15-minute recess, Parsons calmed the ruffled defendant, and the trial resumed following an apology by Parsons on behalf of his client.

Pollack continued that he believes Sirhan wasn't telling the truth about his alleged amnesia regarding the notebook writing. In earlier testimony the doctor said he didn't believe Sirhan was suffering psychotic delusions when he shot the senator.

Meanwhile, another Los Angeles newspaper (Herald-Examiner) related the following:

"Defense lawyer Emile Zola Berman claims that the psychiatrist, Dr. Seymour Pollack, reported to Dist. Atty. Evelle J. Younger that

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Sirhan was mentally ill -- suffering from paranoid schizophrenia. Then, according to Berman, Dr. Pollack changed his mind and his report.

"Pollack said he thinks the defendant is 'a developing paranoid personality,' but his diagnosis stopped far short of the testimony of seven defense psychiatrists and psychologists who unanimously diagnosed Sirhan as a paranoid schizophrenic," reported the Times.

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"There were several heated exchanges as Cooper and Pollack parried for points in what essentially was a semantic argument. Pollack explained time and again that psychiatric 'labels' in court cases are often misleading.

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"Cooper returned to a previous statement of Pollack's that if he had had more than 25 hours with Sirhan he might have unearthed more definite signs of psychosis, but that on the basis of that limited time, he had not found strong symptoms.

"Citing Sirhan's alleged delusions of persecution and his fantasies of destruction and death, mostly to Jews, Cooper asked if Pollack might not have seen these delusions if he had spent more time on the case.

"Pollack, obviously flustered, admitted 'If this is a criticism, I accept the criticism.'

"Noting that several psychological tests had unearthed such delusionary thinking, Cooper asked if perhaps the tests hadn't got farther beneath Sirhan's surface than Pollack had.

"Pollack, his voice rising to a shout, said they might have, but only 'as they applied to psychological material, not as they applied to reality.'

"He explained that tests showed what Sirhan's inner reality was like, but that he judged Sirhan's mental state on the basis of his outward behavior."

The newspaper noted that Pollack said Sirhan believed it was good and right for him to kill Kennedy because of Kennedy's support for Israel. Cooper asked if this wasn't delusional thinking, and the psychiatrist said it wasn't.

more --

Added the newspaper:

"One key point in much of Pollack's testimony was his contention that Sirhan had shown no outward symptoms of psychosis. Sirhan's notebook writings of his intent to kill Kennedy, his mystical experiments with Rosicrucianism and his violently anti-Zionist political views, Pollack said, were not by themselves, considered separately, symptomatic of psychosis.

"Cooper made it obvious that he felt these matters should not be dismissed one by one as unsymptomatic, but considered together, in light of psychological tests to which Pollack said he also gave less weight than eyewitnesses' descriptions of Sirhan's outward behavior.

"With obvious anger, Cooper asked Pollack, 'Could the killing of Sen. Kennedy be considered a symptom of paranoid schizophrenia?'

"After a long pause, Pollack said, 'Yes, it could.' He began to amplify his answer but Cooper cut him short.

"Testimony ended Thursday on a dramatic high point as Cooper declaimed from Pollack's Feb. 5 report: 'I believe that Sirhan's mental illness was related to his act of assassination in that his paranoid convictions went beyond those of a normal personality in the average citizen.

"This mental illness should be considered a substantial mitigating factor on the issue of penalty.'

"Cooper skipped one portion for brief questioning of Pollack, then went back, minutes before adjournment, to read the omitted portion:

more ---

"Should a conviction of murder of the first-degree be obtained, I hope that Sirhan is able to avoid the death panalty and is sent for treatment to the California Medical Facility at Vacaville."

"Pollack acknowledged that, 'as you know, I am strongly opposed to capital punishment for moral and ethical reasons.'"

Another Los Angeles newspaper (Herald-Examiner) reported that "a new picture of Sirhan in the days immediately following Kennedy's fatal shooting also emerged."

The newspaper was referring to a report of Dr. Marcus Crahan, County Jail physician, who examined the defendant on June 6 and 7.

Crahan wrote the following, which was read into the record, according to the newspaper:

"(My) interviews revealed an unconcerned young male...entirely pleased with himself...showing no remorse, no regret."

Crahan said he found Sirhan, whom defense psychiatrists insist was suffering from acute mental illness at the time, "alert, wary, impassive, unconcerned and well directed."

At the time, according to Crahan, Sirhan believed Kennedy still lived...that the shots had not been fatal.

Then an attorney visited the young Arab and told him of Kennedy's death. After this, according to Crahan:

"Sirhan appeared exhausted and complained he had had no sleep... His attorney had no doubt told him his victim had expired. This may have accounted for his exhaustion."

The same newspaper indicated Sirhan told Pollack he believed he should receive a sentence of "a couple of years" for Kennedy's murder.

"He felt that was all the act deserved, if anything," the psychiatrist said.

FRIDAY, APRIL 4 -- Dr. Seymour Pollack, psychiatrist for the prosecution in the Sirhan B. Sirhan case today said the defendant told him several times that "he was through with the whole damned thing. He was through with psychiatrists bugging him and he wanted out. He wanted to plead guilty."

Pollack related that these incidents, like similar outbursts after the murder trial began, were "temper tantrums in a paranoid individual."

The doctor told the jury he did not believe Sirhan was faking the tantrums.

Reported a Los Angeles newspaper (Times) on today's session:

"In final cross-examination, defense attorney Grant B. Cooper asked Pollack if he felt Sirhan had shown inappropriate responses for a man in his circumstances -- overreacting, smiling at serious moments and paying little attention as the possibility of a death penalty was discussed.

"Pollack said he had not seen 'the degree of inappropriate response we see in a psychotic person,' but said Sirhan's responses were more 'impulsive and volatile' than those of a normal person on trial for his life. 'I suspect he wishes he could control himself better,' Pollack said."

Pollack said he had seen a lot of the defendant and confided, "I have actually gotten somewhat to like Sirhan. He may still think I'm an s.o.b."

In further questioning, Cooper asked if Pollack still believed that although Sirhan is mentally ill, his illness was not so severe as to diminish his mental capacity to maturely and meaningfully premeditate Kennedy's death.

Reported the Times:

"Pollack replied that he did believe it 'with reasonable medical certainty.'

"Cooper asked if he believed if 'beyond reasonable doubt' -- a condition on which a first degree murder conviction must be based.

"Pollack said he regarded 'beyond reasonable doubt' as a moral judgment which he, as a doctor, did not feel qualified to make.

'Reasonable medical certainty,' he said, is a medical judgment which does not equate with the moral concept.

"Under redirect examination by Dep. Dist. Atty. John E. Howard, Pollack read at length from the transcript of a Feb. 2 meeting between psychiatrists and psychologists for both the defense and prosecution.

"It was after this meeting, at which there was general agreement that Sirhan was mentally ill and to some degree, that the defense and prosecution agreed to change Sirhan's plea to guilty, with an understanding that he would be sentenced to life in prison.

"However, the agreement fell through and the plea remained not guilty.

"The transcript of the meeting revealed a sharp dispute between Pollack and defense psychiatrist Bernard L. Diamond, who expressed

irritation at Pollack for not revealing his conclusions about Sirhan's mental state."

Yesterday, Pollack contended that Diamond had given him to understand he could have no further interviews with the defendant after his last interview on Feb. 1.

However, the newspaper pointed out:

"...the transcript showed it was Pollack who first suggested that it would be of little further value for him to see Sirhan again. On Thursday, Pollack had testified that if he had had more than 25 hours with Sirhan, he might have seen clearer evidence of Sirhan's alleged psychotic symptoms.

"Diamond, on Feb. 2, told Pollack, 'I do not feel, Seymour, that you have played fair.' Diamond said Pollack had 'evaded' and 'quibbled' while defense psychiatrists and psychologists had made full disclosures, and said Pollack had 'misused the conference' by holding back his opinions.

"Pollack insisted, at that meeting and in his testimony this week, that at that time he had not come to any conclusions.

"But he confirmed that two days after the meeting, on Feb. 4, he dictated an 18-page diagnosis in a confidential memo to the district attorney's office.

"At that time, Pollack confirmed Thursday, he had not thought the case would come to trial. But after Superior Judge Herbert V. Walker ordered the trial to proceed before a jury, Pollack wrote another report on March 21."

VIA TELETYPE

APR 17 1969

ENCIPHERED

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

WASH DC --2--

9-31 PM DEFERRED 4-16-69 VLB

TO DIRECTOR (62-587) --PLAIN--

FROM LOS ANGELES (56-156) 1P

KANSALT, 00: LA.

REMYTEL APRIL FOURTEEN LAST.

JURY DID NOT REACH VERDICT AS OF CLOSE OF COURT TODAY.
DURING COURSE OF AFTERNOON, JURY RETURNED TO COURTROOM FOR
CLARIFICATION OF JUDGE'S INSTRUCTIONS ON SECOND DEGREE

~~SEE~~ MURDER.

JURY WILL CONTINUE DELIBERATION APRIL SEVENTEEN NEXT.

END

REC 43

62-587-1174

RM FBI WASH D GA

12 APR 18 1969

55 APR 28 1969

2025 RELEASE UNDER E.O. 14176

NA
2 55 AM
4/13/69
RA
51

VIA TELETYPE
APR 18 1969
ENCIPHERED

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Bishop	✓
Mr. Casper	✓
Mr. Callahan	✓
Mr. Conrad	✓
Mr. Felt	✓
Mr. Gale	✓
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	✓
Mr. Trotter	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

WASH DC --81--

10:21PM DEFERRED 4/17/69 REF

TO DIRECTOR (62-587) /PLAINTEXT/

FROM LOS ANGELES (56-156) 2P

OFFICE OF ORIGIN
KENSALT, 00: LOS ANGELES.

ASSASSINATION OF SENATOR
ROBERT F. KENNEDY

REMYTEL APRIL SEVENTEEN INSTANT.

DEFENSE AT AFTERNOON COURT SESSION, WITH JURY
EXCLUDED, PRESENTED THREE MOTIONS FOR OFFERS OF PROOF
FOR PENALTY TRIAL SCHEDULED FOR APRIL TWENTY ONE NEXT.

FIRST OFFER OF PROOF WAS TO PRODUCE EXPERTS ON
ARAB DASH ISRAELI SITUATION IN ISRAEL FROM TIME SIRHAN
WAS FOUR YEARS OF AGE TO TIME SIRHAN'S FAMILY CAME TO
THE UNITED STATES.

SECOND WAS TO CALL LOS ANGELES DISTRICT ATTORNEY
EVELLE J. YOUNGER TO TESTIFY TO PREVIOUS AGREEMENT, MADE
IN JUDGE'S CHAMBERS THAT PROSECUTION WAS SATISFIED WITH TERM
OF LIFE IMPRISONMENT IF SIRHAN PLEADED GUILTY TO
MURDER IN FIRST DEGREE.

END PAGE ONE

REC- 86

62-587-1175
18 APR 21 1969

55 APR 25 1969

PAGE TWO

LA 56-156

THIRD OFFER OF PROOF WAS TO PRODUCE CLINTON DUFFY,
FORMER WARDEN OF SAN QUENTIN PENITENTIARY TO TESTIFY THAT
DEATH PENALTY WAS NOT A DETERRENT TO CRIME.

PROSECUTION AND DEFENSE ATTORNEYS ESTIMATED THAT PENALTY
TRIAL SHOULD BE CONCLUDED IN ONE DAY BUT CERTAINLY WOULD NOT
EXCEED ONE AND ONE HALF DAYS. COURT RECESSED UNTIL APRIL
TWENTY ONE NEXT. NO TELETYPE WILL BE SENT APRIL EIGHTEEN
NEXT.

END

XRM FBI WASH DC GA