

WEDNESDAY, APRIL 23 -- Sirhan Bishara Sirhan was sentenced today to death in the gas chamber for the murder of Sen. Robert F. Kennedy.

The jury, composed of seven men and five women, signaled it had reached a verdict at 11:04 a.m., after 12 hours deliberation since the penalty phase began at noon Monday.

Reported a Los Angeles newspaper (Times):

"The 25-year old Palestinian's face was ashen but impassive as he heard the death verdict. Moments later he told his visibly shaken defense attorney, Grant B. Cooper, 'Don't be concerned. Even Jesus Christ couldn't have saved me.'"

Appeal of a death sentence is automatic in California and Sirhan's defense said it will stay with his case through the appeal," according to Dave Smith, staff writer for the newspaper.

Meanwhile, the same newspaper reported that "the final life-or-death decision concerning" Sirhan "may be made by Gov. Reagan, who has the power either to commute the death penalty to life in prison, or to grant an outright pardon.

"The governor, who has publicly expressed the view that the death penalty is a deterrent to crime, has used this power only once since taking office.

"He commuted the sentence of condemned slayer Calvin Thompson on grounds that psychiatrists said the prisoner was a mental defective.

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"Two months earlier, on April 2, 1967, he refused clemency for Aaron Mitchell, who was executed for the murder of a Sacramento policeman.

"Mitchell was the last man executed in California. There are 81 men now on San Quentin's death row and 500 are awaiting execution in the nation.

The jury entered the courtroom of Superior Judge Herbert V. Walker at 11:34 a.m. today and the judge asked, "Ladies and gentlemen of the jury, you have a verdict?"

"We have, your honor," said the foreman, Bruce D. Elliott.

Reported Smith in the newspaper:

"He (Elliott) handed the verdict to bailiff Willard Polhemus, who passed it to Judge Walker.

"The 69-year old jurist, presiding over his final and most celebrated case before retiring in July, scanned the verdict and handed it to court clerk Alice Nishikawa, who read aloud:

"The people versus Sirhan Bishara Sirhan. We, the jury, in the above entitled action, having found the defendant guilty of murder in the first-degree as charged...now fix the penalty as death."

"She paused, then continued, 'Is this your verdict, ladies and gentlemen of the jury? So say you one, so say you all?'

"The jury unanimously spoke its assent. Polled individually, each juror replied firmly, 'Yes.'

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"Sirhan, chewing gum, as he had last Thursday when the first-degree murder verdict was returned, paled as he listened to the jurors affirm their belief that he should die for the assassination of the New York senator.

"Less than five minutes before, he had entered the courtroom trailing smoke from one last puff on a cigaret and smiling boyishly at co-defense counsel Russell E. Parsons.

"Others were more visibly affected by the verdict.

"Cooper, 66, who never had a death verdict returned against one of his clients before Wednesday, appeared on the verge of tears. His eyes reddened and his jaw muscles twitched as he gave notice in a husky voice of a motion for a new trial.

"Judge Walker set a hearing on Cooper's motion for May 14."

Another Los Angeles newspaper (Herald-Examiner) related that Cooper "would seek the new trial on the basis of errors he claims the judge made during the lengthy trial."

Wrote John Douglas, staff writer:

"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

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guilty to first-degree murder in consideration of a guaranteed life sentence.

"This will be the first of a long series of moves on Sirhan's behalf. 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."

After the verdict was returned, both the prosecution and defense held press conferences.

Coverage of the prosecution conference in the Los Angeles Times by Ron Einstoss, staff writer, included the following:

"Sirhan B. Sirhan's own conduct during his trial, as much as the enormity of the crime, may have been the decisive factor which led the jury to return a death penalty verdict.

"That was the opinion Wednesday of Chief Dep. Dist. Atty. Lynn D. Compton, who headed the three-man team which prosecuted the 25-year old Palestinian Arab.

"Asked following the return of the indictment whether anything at the trial might have given him reason to believe a death penalty verdict would be returned, Compton said:

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"I don't believe the defendant's conduct was such as to evoke sympathy or endear him to the jury."

"Compton obviously based his evaluation on the fact that in death penalty cases juries often are swayed by the personal actions and testimony of the defendants as they are by the evidence against them.

"Compton said he felt the verdict was 'proper' and that it expressed the jury's attitude toward 'this particular crime.'

"It also, according to the prosecutor, was the one 'the great majority of the American people' who, he said, favor capital punishment would have voted for if they had been sitting on the jury.

"In the opinion of Compton, a veteran of many death penalty cases, the jury's verdict may serve as a deterrent to others who consider violence to accomplish their ends.

"I hope it is a deterrent...I hope it puts people on notice that we simply can't tolerate this kind of action as solution to our political or social problems," he declared.

"It was left to Dep. Dist. Atty. David N. Fitts, who with Compton and Dep. Dist. Atty. John E. Howard prosecuted Sirhan, to comment on the psychiatric testimony on which the defense relied heavily to save Sirhan's life.

"In this case, to some extent," said Fitts, "it (the testimony) was not as worthy of respect as I might have anticipated when the trial began."

"Howard, a great admirer of Sen. Kennedy, offered no comment following the verdict.

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"On Monday in his argument to the jury, Howard had asked that the jurors have 'the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America.

"Compton, asked to speculate on whether Sirhan would ever be executed, said that based on 'the pattern of these things' in recent years, 'I don't think it would be in the very near future.'"

At the press conference held by the defense, and reported in the Los Angeles Times by Lee Dye, staff writer, Cooper said the jury was deciding issues far greater than the trial itself.

He said that jurors were influenced by student and civil unrest across the country and by the identity of the victim.

Continued Dye:

"He said several times during the press conference that he was not charging that the jurors had been unfair, but he said that 'the underlying feeling of the entire United States (regarding unrest in the universities and civil disobedience) caused a backlash that has seeped into the minds of the jurors.

"The jurors are governed by the same emotions -- love and hate -- that you and I have, and they can't help but be affected by unrest,' Cooper said.

"Russell E. Parsons, Cooper's associate in the defense of Sirhan for the murder of Sen. Robert F. Kennedy, made several emotional statements much to the same effect.

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"'Things are bad in this country,' Parsons said, in reference to the unrest and lawlessness, 'and it's very difficult to get a fair trial.'

"Cooper then repeated his claim that no member of the defense team was saying that Sirhan did not have a fair trial.

"Cooper said the identity of Sirhan's victim greatly influenced the outcome of the trial."

He told reporters: "Of course, I am disappointed. I believed in our defense, and I believed he should not be executed. I feel very bad."

One juror, George Stitzel, told reporters, "As long as we have capital punishment what other crime would justify it if this didn't".

"That seemed to be the general feeling Wednesday of the seven-man, five-woman jury who decided the fate of Sirhan B. Sirhan," reported David Larsen, staff writer, in a Los Angeles newspaper (Times).

He continued:

"From the start, most of the jurors favored a conviction on first-degree murder, Stitzel revealed. It was then a matter of converting those few who leaned to a verdict of second-degree murder.

"Stitzel, a pressroom supervisor at the Times, said five formal ballots were taken during the 12 hours of the penalty deliberations, although oral votes were taken from time to time to see how the count stood.

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"What did the jury feel was the most damaging evidence against Sirhan?

"'As far as I was concerned, it was the notebook,' said Stitzel, referring to the writings of the defendant that 'Kennedy must die.'

"What about the psychiatric evidence?

"Stitzel said the jury felt Sirhan was mentally ill, but not to a degree that would affect the verdict.

"'I think the jury took the testimony of the psychiatrists and psychologists into consideration fairly,' he said.

"Was the jury convinced that Sirhan had lied?

"'I think they believed he told lies,' the juror replied.

"Did his courtroom outbursts have any effect?

"'No.'

"As were other jurors, he was startled when informed of a deal that had at one time been made between the defense and prosecution, a piece of information that the panel hadn't received.

"The defense was willing to enter a plea of guilty to first-degree murder with the understanding that Sirhan would receive a life sentence, an arrangement to which the prosecution had agreed, feeling they might have a hard time convincing the jury that the defendant deserved to die for his crime.

"Judge Walker, however, rejected the bargain.

"When Stitzel was asked what penalty he would have favored

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if he had known this, he replied: 'I honestly don't know.' That was the same reaction of Bruce D. Elliott, a systems analyst and the foreman of the jury.

"Another juror, Gilbert Grace, a city Water and Power Department employee, said 'the victim could have been anyone' and the verdict would have been the same. 'It was just the circumstances of the crime,' he said.

"Benjamin Glick, retail clothier and the only Jew on the panel hearing the case of the Arab defendant, said he feels the verdict 'expresses my opinion for American justice.'

"Albert N. Frederico, a plumber, made no secret of his feelings about the psychiatric testimony.

"All those psychiatrists -- they really had us all stirred up,' he said. 'It was confusing. It stunk.'"

In conclusions, Stitzel told reporters:

"We felt we should stand behind our laws. There seems to be a tendency in some areas not to do this."

In addition to the slaying of the senator, Sirhan was charged with assault with a deadly weapon to commit murder on five others.

Ira Goldstein, 20, said, "Death is too good for him. It would be better for him to stay in jail for good and know why he's there."

William Weisel, 31, said, "I think the trial brought out that the shooting was premeditated, and in a case like that, I think the death penalty is the proper penalty."

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Mrs. Arthur W. Evans, 43, declined comment because she has a legal suit pending against Sirhan.

Paul Schrader, 44, and Irwin Stroll, 17, were not available for comment.

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THURSDAY, APRIL 24 -- Costs of Sirhan's arrest, investigation, security, trial and conviction "have soared to nearly \$1 million," a Los Angeles newspaper (Herald-Examiner) reported today.

Noted the article:

"By the time the Superior Court jury arrived at its death verdict to end the penalty phase of the trial yesterday, more than \$900,000 had been spent by the city and county of Los Angeles and the city of Pasadena since Sirhan's arrest last June 5.

"Costs continued to mount today as Sirhan's lawyers prepared to appeal the first-degree murder conviction and the death penalty verdict."

The same newspaper, in a story by Myrna Oliver, staff writer, commented that Sirhan "pallid and drawn" has not seen the sun for 10 months and will soon be "on his way to the California Medical Facility at Vacaville or to death row at San Quentin.

"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

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constructed for him at Vacaville.

"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.

"We think we could do a better job (of protecting Sirhan) if he goes to Vacaville,' he said.

"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."

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FRIDAY, APRIL 25 -- The request of Grant B. Cooper, one of three attorneys representing Sirhan B. Sirhan, the convicted slayer of Sen. Robert F. Kennedy, to change the date when arguments on a series of defense motions and formal sentencing will take place was granted by Superior Judge Herbert V. Walker.

Dep. Dist. Atty. David N. Fitts, representing the prosecution, did not oppose the request for a change.

The new date is May 21, instead of May 14, as originally requested by Cooper, after the jury returned a death penalty verdict last week.

Today's court session was held in a makeshift courtroom on the 13th floor of the Hall of Justice -- the scene of earlier pre-trial matters -- and took five minutes.

Reported a Los Angeles newspaper (Times):

"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."

Cooper told newsmen that Sirhan "feels pretty good" and that he is hopeful the judge will grant him a new trial or reduce his penalty to life in prison.

Cooper also related that Sirhan "is still holding up like a man" and said Sirhan objected to Dep. Dist. Atty. John E. Howard's penalty

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argument in which the prosecutor said he showed no remorse over his act.

The attorney added that Sirhan told him, he "broke down and cried like a baby when he heard Kennedy had died."

Another Los Angeles newspaper (Herald-Examiner) quoted Cooper as stating he and Russell E. Parsons, another attorney, told Sirhan, "This is a fine time to be telling us that."

Meanwhile, another Los Angeles newspaper (Times) published the following editorial on the case:

"The jury that convicted Sirhan Sirhan of the willful and pre-meditated murder of Sen. Robert F. Kennedy has now determined that he should be executed for this 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.

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"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 findings 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."

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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 30,
1969 After 10 a.m.

WEEKLY SUMMARY #47

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 47th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 21 -- Jurors in the Sirhan B. Sirhan case deliberated for two hours and 25 minutes today, without reaching a decision on whether the accused assassin of Sen. Robert F. Kennedy should face death in the gas chamber or life imprisonment.

Arguments and legal advice concluded at 11:49 a.m. today, after the jurors heard from Dep. Dist. Atty. John E. Howard, defense lawyers Grant B. Cooper and Russell B. Parsons and the defendant's mother, Mrs. Mary Sirhan.

Howard, citing 10 months of special precaution to insure a fair trial for Sirhan, told the jury that now that he has been convicted of first-degree murder, "he has no special claim to further preservation."

Reported a Los Angeles newspaper (Times):

"Without asking for a death verdict in so many words, Howard made it clear that was what the prosecution sought as he urged the jury

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'that each of you in your hearts have the courage of your convictions, the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America.'

"Howard, in a brief argument, told the jury:

"Mitigation of political assassination to any degree sooner or later spell an end to the traditional democratic election process we now enjoy.'

"Howard conceded that Sirhan is mentally ill and said, 'We have never disputed that Sirhan Bishara Sirhan is abnormal -- only the extent of his abnormality, and its legal significance, if any.'

"But, said Howard:

"You should be reminded that Sirhan Bishara Sirhan reached this shore at the indulgence of a nation which takes pride in providing refuge to the oppressed. There may well be a substantial number in this courtroom who need look no farther back than one generation to find themselves strangers in a new society which offered greater opportunity for the individual to achieve success within the limits of his capacities. For this defendant, that was not enough.

"History may well record that but for this defendant, Sen. Kennedy might have succeeded to the highest honor and responsibility which the American democratic process can bestow.

"Beyond doubt, the tragedy which occurred in the early morning hours of June 5, 1968, at the Ambassador Hotel was politically motivated. The question now to be resolved is the proper penalty for political assassination in the United States.'

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"Howard reminded the jurors they had been asked to consider what 200 such assassinations might do to the country, then added:

'A half-dozen would suffice to leave this country bereft of democratically endorsed leadership.'

"Sirhan has shown no remorse, Howard said, adding, 'Perhaps you observed his reaction when Attorney Russell Parsons, in his address to you, urged in all sincerity that Americans pray for the ill-starred Kennedy family.' (Sirhan smiled and covered his mouth). You could not have failed to observe the defendant's smile when he declared from the witness stand, 'I don't know who shot Kennedy.'"

The same newspaper (Times) reported as follows on remarks made by Cooper, Parsons and Mrs. Sirhan:

"Defense attorney Grant B. Cooper urged the jury, 'as a kind of posthumous tribute to Sen. Kennedy,' to spare Sirhan's life.

"In a quiet, final plea for mercy for Kennedy's murderer, Cooper read from Kennedy's own statement of April 5 -- one day after (Martin Luther) King's death, and exactly two months before he himself was fatally shot.

"Cooper told the jury that Kennedy told a crowd in Cleveland:

"'Whenever any American's life is taken by another American unnecessarily -- whether it is done in the name of the law or in the defiance of law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence...the whole nation is degraded...'

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"...We must recognize that this short life can neither be enobled nor enriched by hatred or revenge. Our lives on this planet are too short and the work to be done too great to let this spirit flourish any longer in our land..."

"Cooper said that he believed that if Kennedy himself had been in the courtroom Monday, he would have asked the jury to spare Sirhan's life.

"In a dramatic closing moment, Cooper turned to face the tiny Palestinian Arab, who sat chewing gum, his eyes large and somber, and told him:

"And now, Sirhan Sirhan, I've done all the best that I could do for you..."

"Shifting his gaze to Mrs. Mary Sirhan, 56, in the second row of the court, Cooper said, 'Mary Sirhan, I now entrust the life of your son to this American jury. And, Mary Sirhan may your prayers be answered.'

"Mrs. Sirhan was the only witness in the penalty phase of the trial. Cooper called her to the stand and asked just one question: 'In his entire life before the shooting, has Sirhan ever been in trouble with the law?'

"Mrs. Sirhan answered in a solemn voice: 'He has never been. And that is not from me and not from him. This is because I raise him up under the law of God and in His love.'

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"Cooper stressed repeatedly that while the law prescribes either death or life imprisonment for first-degree murder, the law states no preference..

"If Kennedy's life must be avenged, Cooper suggested, Sirhan's conviction and a sentence of life imprisonment is vengeance enough.

"To execute Sirhan cannot bring Kennedy back, Cooper said, but to sentence Sirhan to life in the California Medical Facility at Vacaville would enable penologists and psychiatrists to study the defendant, to see 'what more can be learned about the human mind, and what makes people want to kill.'

"Such a study, Cooper said, could help prevent further such crimes as Sirhan's.

"Cooper's plea followed an impassioned plea for mercy by defense attorney Russell E. Parsons, who told the jurors that a verdict of death would be, in effect, telling the world that justice isn't possible in America.

"'This man is sick,' said Parsons, 'and I don't believe we've got to the bottom rung yet, where we execute sick people in California.'

"To do so, he said, would be 'to follow Hitler, who believed in killing the lame, the halt and the sick.'"

Reported another Los Angeles newspaper (Herald-Examiner):

"The jurors asked for nothing -- nor did they seek any further advice from (Superior) Judge Herbert V. Walker, presiding, over the trial, during their afternoon session.

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"At 3:50 p.m., Sheriff's Inspector William Conroy told waiting newsmen the jurors were retiring for the night.

"He disclosed that they had chosen Dr. Bruce D. Elliott as their foreman. Dr. Elliott, TRW Systems programmer, an emigrant from the Middle West, also presided over the jury when it found Sirhan guilty of first-degree murder in the June 5, 1968, Ambassador Hotel shooting of Sen. Kennedy.

"At that time the jury had a number of choices ranging from first-degree murder through manslaughter to an acquittal -- which no one sought.

"Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty..

"Sirhan awaits his fate in the isolation cell on the Hall of Justice's 13th floor, where he has been confined for the past 10 months.

"He sat there... clad only in underwear staring at the barred door of his cell and the armor plate which covers its windows. He had no visitors and spoke only briefly to the squad of sheriff's deputies who keep him under constant surveillance.

"His only relative in the heavily-guarded courtroom was his brother, Adel. Another brother, Munir, had taken his mother, Mrs. Mary Sirhan, home.

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TUESDAY, APRIL 22 -- The jury in the Sirhan B. Sirhan murder trial deliberated for two and one-half hours today and then returned to their quarters in a Los Angeles hotel.

They have deliberated on the penalty for Sirhan, the accused assassin of Sen. Robert F. Kennedy, a total of eight hours and 44 minutes today and yesterday.

Reported a Los Angeles newspaper (Herald-Examiner):

"Court attaches pooh-poohed speculation" late today "that the jury was deadlocked. There is, they averred, no set of standards by which to judge a murder jury.

"But the strain of the long deliberation showed on their faces as it did on the faces of the jurors who were bundled into a barred Sheriff's Department bus at 4 p.m. for the trip to the Biltmore Hotel where they are quartered.

"Grant B. Cooper, chief defense counsel, was clearly disturbed. He told newsmen:

"'It is obvious there are people on the jury who are demanding that Sirhan get the death penalty. Whether they are in a minority or a majority, I have no idea.'

"Equally disturbed was Adel Sirhan, the defendant's 30-year old brother. Only member of the family to wait out the jury in the grim, armor-plated eighth floor Hall of Justice courtroom, the nattily dressed Arab immigrant said:

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"I have run out of patience."

The same newspaper said, "It is believed they (the jurors) have taken several ballots. Law requires that their verdict -- life or death -- be unanimous. There is no majority rule in the decision as to whether a man convicted of first-degree murder shall live out his life in prison or die in the gas chamber.

"Should the jurors be unable to agree, the procedure would be as follows:

"Judge (Herbert V.) Walker would have to summon them into court to inquire of them how the matter stood. This could involve a poll of the 12 as to their position on life or death.

"If he determined the jury to be hopelessly deadlocked he could then:

"Ordain a life sentence for Sirhan.

"Call for a new penalty jury, which would have to hear the arguments in the case in reprise.

"Enter into an agreement with defense and prosecution lawyers by which they left the issue of penalty up to him."

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"The 69-year old jurist, presiding over his final and most celebrated case before retiring in July, scanned the verdict and handed it to court clerk Alice Nishikawa, who read aloud:

"The people versus Sirhan Bishara Sirhan. We, the jury, in the above entitled action, having found the defendant guilty of murder in the first-degree as charged...now fix the penalty as death."

"She paused, then continued, 'Is this your verdict, ladies and gentlemen of the jury? So say you one, so say you all?'

"The jury unanimously spoke its assent. Polled individually, each juror replied firmly, 'Yes.'

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"In the opinion of Compton, a veteran of many death penalty cases, the jury's verdict may serve as a deterrent to others who consider violence to accomplish their ends."

"I hope it is a deterrent...I hope it puts people on notice that we simply can't tolerate this kind of action as solution to our political or social problems," he declared.

"It was left to Dep. Dist. Atty. David N. Fitts, who with Compton and Dep. Dist. Atty. John E. Howard prosecuted Sirhan, to comment on the psychiatric testimony on which the defense relied heavily to save Sirhan's life."

"In this case, to some extent," said Fitts, "it (the testimony) was not as worthy of respect as I might have anticipated when the trial began."

"Howard, a great admirer of Sen. Kennedy, offered no comment following the verdict."

more --

"On Monday in his argument to the jury, Howard had asked that the jurors have 'the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America.

"Compton, asked to speculate on whether Sirhan would ever be executed, said that based on 'the pattern of these things' in recent years, 'I don't think it would be in the very near future.'"

At the press conference held by the defense, and reported in the Los Angeles Times by Lee Dye, staff writer, Cooper said the jury was deciding issues far greater than the trial itself.

He said that jurors were influenced by student and civil unrest across the country and by the identity of the victim.

Continued Dye:

"He said several times during the press conference that he was not charging that the jurors had been unfair, but he said that 'the underlying feeling of the entire United States (regarding unrest in the universities and civil disobedience) caused a backlash that has seeped into the minds of the jurors.

"The jurors are governed by the same emotions -- love and hate -- that you and I have, and they can't help but be affected by unrest,' Cooper said.

"Russell E. Parsons, Cooper's associate in the defense of Sirhan for the murder of Sen. Robert F. Kennedy, made several emotional statements much to the same effect.

more --

"'Things are bad in this country,' Parsons said, in reference to the unrest and lawlessness, 'and it's very difficult to get a fair trial.'

"Cooper then repeated his claim that no member of the defense team was saying that Sirhan did not have a fair trial.

"Cooper said the identity of Sirhan's victim greatly influenced the outcome of the trial."

He told reporters: "Of course, I am disappointed. I believed in our defense, and I believed he should not be executed. I feel very bad."

One juror, George Stitzel, told reporters, "As long as we have capital punishment what other crime would justify it if this didn't".

"That seemed to be the general feeling Wednesday of the seven-man, five-woman jury who decided the fate of Sirhan B. Sirhan," reported David Larsen, staff writer, in a Los Angeles newspaper (Times).

He continued:

"From the start, most of the jurors favored a conviction on first-degree murder, Stitzel revealed. It was then a matter of converting those few who leaned to a verdict of second-degree murder.

"Stitzel, a pressroom supervisor at the Times, said five formal ballots were taken during the 12 hours of the penalty deliberations, although oral votes were taken from time to time to see how the count stood.

more --

"What did the jury feel was the most damaging evidence against Sirhan?

"As far as I was concerned, it was the notebook," said Stitzel, referring to the writings of the defendant that 'Kennedy must die.'

"What about the psychiatric evidence?

"Stitzel said the jury felt Sirhan was mentally ill, but not to a degree that would affect the verdict.

"I think the jury took the testimony of the psychiatrists and psychologists into consideration fairly," he said.

"Was the jury convinced that Sirhan had lied?

"I think they believed he told lies," the juror replied.

"Did his courtroom outbursts have any effect?

"No."

"As were other jurors, he was startled when informed of a deal that had at one time been made between the defense and prosecution, a piece of information that the panel hadn't received.

"The defense was willing to enter a plea of guilty to first-degree murder with the understanding that Sirhan would receive a life sentence, an arrangement to which the prosecution had agreed, feeling they might have a hard time convincing the jury that the defendant deserved to die for his crime.

"Judge Walker, however, rejected the bargain.

"When Stitzel was asked what penalty he would have favored

more --

if he had known this, he replied: 'I honestly don't know.' That was the same reaction of Bruce D. Elliott, a systems analyst and the foreman of the jury.

"Another juror, Gilbert Grace, a city Water and Power Department employee, said 'the victim could have been anyone' and the verdict would have been the same. 'It was just the circumstances of the crime,' he said.

"Benjamin Glick, retail clothier and the only Jew on the panel hearing the case of the Arab defendant, said he feels the verdict 'expresses my opinion for American justice.'

"Albert N. Frederico, a plumber, made no secret of his feelings about the psychiatric testimony.

"All those psychiatrists -- they really had us all stirred up,' he said. 'It was confusing. It stunk.'"

In conclusions, Stitzel told reporters:

"We felt we should stand behind our laws. There seems to be a tendency in some areas not to do this."

In addition to the slaying of the senator, Sirhan was charged with assault with a deadly weapon to commit murder on five others.

Ira Goldstein, 20, said, "Death is too good for him. It would be better for him to stay in jail for good and know why he's there."

William Weisel, 31, said, "I think the trial brought out that the shooting was premeditated, and in a case like that, I think the death penalty is the proper penalty."

more --

Mrs. Arthur W. Evans, 43, declined comment because she has a legal suit pending against Sirhan.

Paul Schrade, 44, and Irwin Stroll, 17, were not available for comment.

* * *

THURSDAY, APRIL 24 -- Costs of Sirhan's arrest, investigation, security, trial and conviction "have soared to nearly \$1 million," a Los Angeles newspaper (Herald-Examiner) reported today.

Noted the article:

"By the time the Superior Court jury arrived at its death verdict to end the penalty phase of the trial yesterday, more than \$900,000 had been spent by the city and county of Los Angeles and the city of Pasadena since Sirhan's arrest last June 5.

"Costs continued to mount today as Sirhan's lawyers prepared to appeal the first-degree murder conviction and the death penalty verdict."

The same newspaper, in a story by Myrna Oliver, staff writer, commented that Sirhan "pallid and drawn" has not seen the sun for 10 months and will soon be "on his way to the California Medical Facility at Vacaville or to death row at San Quentin.

"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

arranged.

more --

constructed for him at Vacaville.

"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.

"We think we could do a better job (of protecting Sirhan) if he goes to Vacaville,' he said.

"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."

more -

FRIDAY, APRIL 25 -- The request of Grant B. Cooper, one of three attorneys representing Sirhan B. Sirhan, the convicted slayer of Sen. Robert F. Kennedy, to change the date when arguments on a series of defense motions and formal sentencing will take place was granted by Superior Judge Herbert V. Walker.

Dep. Dist. Atty. David N. Fitts, representing the prosecution, did not oppose the request for a change.

The new date is May 21, instead of May 14, as originally requested by Cooper, after the jury returned a death penalty verdict last week.

Today's court session was held in a makeshift courtroom on the 13th floor of the Hall of Justice -- the scene of earlier pre-trial matters -- and took five minutes.

Reported a Los Angeles newspaper (Times):

"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."

Cooper told newsmen that Sirhan "feels pretty good" and that he is hopeful the judge will grant him a new trial or reduce his penalty to life in prison.

Cooper also related that Sirhan "is still holding up like a man" and said Sirhan objected to Dep. Dist. Atty. John E. Howard's penalty

more --

argument in which the prosecutor said he showed no remorse over his act.

The attorney added that Sirhan told him, he "broke down and cried like a baby when he heard Kennedy had died."

Another Los Angeles newspaper (Herald-Examiner) quoted Cooper as stating he and Russell E. Parsons, another attorney, told Sirhan, "This is a fine time to be telling us that."

Meanwhile, another Los Angeles newspaper (Times) published the following editorial on the case:

"The jury that convicted Sirhan Sirhan of the willful and pre-meditated murder of Sen. Robert F. Kennedy has now determined that he should be executed for this 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.

more --

"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 findings 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."

///

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., May 7, 1969
After 10 a.m.

WEEKLY SUMMARY #48

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 48th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 28 -- The California Federation of Young Democrats meeting in Los Angeles have adopted a resolution calling for life in prison for Sirhan Bishara Sirhan, who has been condemned to death for the murder of Sen. Robert F. Kennedy.

Reported a Los Angeles newspaper (Times):

"About 200 delegates to the quarterly meeting adopted the resolution asking the court to commute the sentence."

Sen. Kennedy was slain by Sirhan on June 5, 1968, after Kennedy was successful in California's Democratic Presidential primary election.

Sirhan was found guilty of first-degree murder by a jury and also condemned to death by the same jury.

Arguments for a new trial and formal sentencing is expected to take place in the courtroom of Superior Judge Herbert V. Walker on May 21.

"Rumors" of possible prison retaliation against Sirhan B. Sirhan were disclosed today by an official of the state's prison system, accord-

more --

ing to United Press International.

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 in Sacramento after a State Assembly committee rejected the state's request to house Sirhan, convicted killer of Sen. Robert F. Kennedy, in a special high-security call at the Vacaville Medical Facility.

Continued the UPI story:

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

"Phillip 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.

"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

more --

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."

Meanwhile, a Los Angeles newspaper (Times) said Guthrie indicated that the department wanted to keep Sirhan at Vacaville because the department is "less well suited at San Quentin to exert the precautions that will be necessary."

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 30,
1969 After 10 a.m.

WEEKLY SUMMARY #47

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 47th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 21 -- Jurors in the Sirhan B. Sirhan case deliberated for two hours and 25 minutes today, without reaching a decision on whether the accused assassin of Sen. Robert F. Kennedy should face death in the gas chamber or life imprisonment.

Arguments and legal advice concluded at 11:49 a.m. today, after the jurors heard from Dep. Dist. Atty. John E. Howard, defense lawyers Grant B. Cooper and Russell B. Parsons and the defendant's mother, Mrs. Mary Sirhan.

Howard, citing 10 months of special precaution to insure a fair trial for Sirhan, told the jury that now that he has been convicted of first-degree murder, "he has no special claim to further preservation."

Reported a Los Angeles newspaper (Times):

"Without asking for a death verdict in so many words, Howard made it clear that was what the prosecution sought as he urged the jury

more---

'that each of you in your hearts have the courage of your convictions, the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America.'

"Howard, in a brief argument, told the jury:

"'Mitigation of political assassination to any degree sooner or later spell an end to the traditional democratic election process we now enjoy.'

"Howard conceded that Sirhan is mentally ill and said, 'We have never disputed that Sirhan Bishara Sirhan is abnormal -- only the extent of his abnormality, and its legal significance, if any.'

"But, said Howard:

"'You should be reminded that Sirhan Bishara Sirhan reached this shore at the indulgence of a nation which takes pride in providing refuge to the oppressed. There may well be a substantial number in this courtroom who need look no farther back than one generation to find themselves strangers in a new society which offered greater opportunity for the individual to achieve success within the limits of his capacities. For this defendant, that was not enough.

"'History may well record that but for this defendant, Sen. Kennedy might have succeeded to the highest honor and responsibility which the American democratic process can bestow.

"'Beyond doubt, the tragedy which occurred in the early morning hours of June 5, 1968, at the Ambassador Hotel was politically motivated. The question now to be resolved is the proper penalty for political assassination in the United States.'

more --

"Howard reminded the jurors they had been asked to consider what 200 such assassinations might do to the country, then added: 'A half-dozen would suffice to leave this country bereft of democratically endorsed leadership.'

"Sirhan has shown no remorse, Howard said, adding, 'Perhaps you observed his reaction when Attorney Russell Parsons, in his address to you, urged in all sincerity that Americans pray for the ill-starred Kennedy family.' (Sirhan smiled and covered his mouth). You could not have failed to observe the defendant's smile when he declared from the witness stand, 'I don't know who shot Kennedy.'"

The same newspaper (Times) reported as follows on remarks made by Cooper, Parsons and Mrs. Sirhan:

"Defense attorney Grant B. Cooper urged the jury, 'as a kind of posthumous tribute to Sen. Kennedy,' to spare Sirhan's life.

"In a quiet, final plea for mercy for Kennedy's murderer, Cooper read from Kennedy's own statement of April 5 -- one day after (Martin Luther) King's death, and exactly two months before he himself was fatally shot.

"Cooper told the jury that Kennedy told a crowd in Cleveland:

"'Whenever any American's life is taken by another American unnecessarily -- whether it is done in the name of the law or in the defiance of law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence...the whole nation is degraded...'

more --

UNITED STATES

MENT

Memorandum

TO : DIRECTOR, FBI (62-587)

DATE: 4/29/69

FROM : LEGAT, MEXICO CITY (62-166) (RUC)

SUBJECT: KENSALT

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE

CONFIDENTIAL

Re: ANTONIO ALBIZO ORTIZ, aka

Re Mexico City letter 3/3/69.

Classified by SP6 BJA/ve
Declassify on: OADR
C.N. 255,315

On 3/12/69 [REDACTED], advised that continuous efforts on his part through the month of March, 1969, up to 3/12/69 failed to produce any information which might lead to the whereabouts of ALBIZO. [X]

Contacts throughout the month of March and April, 1969, with [REDACTED] failed to produce any information leading to the whereabouts of ALBIZO. [X]

On 4/24/69 [REDACTED] advised that investigation conducted at Emilio Carranza No. 87, Mexico City, produced no information leading to the whereabouts of ALBIZO. [X]

Since logical sources have been alerted to the interest in locating ALBIZO and all logical investigation has been conducted in an effort to locate this individual, this matter is being placed in an RUC status. Upon receipt of any information concerning ALBIZO or his whereabouts, investigation concerning this matter will be immediately re-instituted and the Bureau and interested offices promptly advised. [X]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

- ⑤ - Bureau
 (1 - Liaison Section)
 (2 - Los Angeles, 56-156)
1 - Mexico City

REC 37

HR/gle
(6)

1-cc tickler Room 5716
2-cc by 0-7 to LA
5/14/69
HAS/mj

MAY 2 1969

CONFIDENTIAL

SECRET



MAY 21 1969

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

F B I

Date: 5/14/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-587)
FROM: SAC, LOS ANGELES (56-156) (P)
RE: KENSALT

sc jws 7

sk

A news article appeared in the local press indicating that SIRHAN BISHARA SIRHAN would retain attorneys GRANT B. COOPER and RUSSELL PARSONS to fight his conviction and death sentence for the murder of Senator ROBERT F. KENNEDY.

Attorney COOPER released a statement by SIRHAN which was the first word from SIRHAN since stories had been circulated that San Francisco Attorney MELVIN BELLI would handle SIRHAN's appeal. *4*

BELLI had previously been quoted as indicating that the SIRHAN family wanted him to handle the appeal.

The SIRHAN family indicated that BELLI had not been so engaged and that they were satisfied with the present attorneys.

A copy of this news article has been forwarded to the Bureau.

EX-114

REC-134

62-587-1192
20 MAY 17 1969

2 - Bureau
2 - Los Angeles

AOR/das
(4)

*[Signature]*Approved: *WKM* Sent _____ M Per _____

56 MAY 26 1969 Special Agent in Charge

SAC, Los Angeles (56-156)

May 20, 1969

Director, FBI (62-587)

1 - Mr. Schutz

K
KENSALT

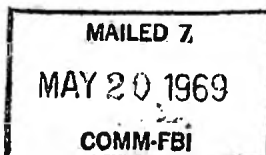
Reurairtel 5/12/69 and attachments thereto.

AK
In view of the fact that all prior information relating to FBI investigation in this matter has been furnished the Los Angeles authorities, advise if there is any reason other than stated in referenced communication for withholding dissemination in this instance.

HAS:ms *ms*
(4)

u

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



REC 25

62-587-1193

19 MAY 21 1969

AK
ms
ms
MAY 28 1969

MAIL ROOM ☐ TELETYPE UNIT ☐

May 22, 1969

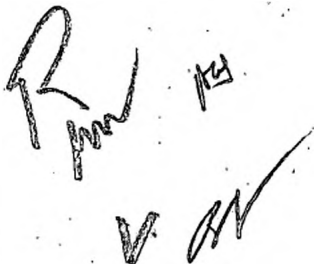
GENERAL INVESTIGATIVE DIVISION

This is the case involving the assassination of Senator Robert Kennedy.

The attached advises that defense motion for new trial and a request for hearing re constitutionality of the death penalty were denied. By letter to Los Angeles District Attorney, Senator Edward Kennedy requested clemency.

Sirhan formally sentenced to death and ordered remanded to San Quentin Prison.

JJB:ms



FBI WASH DC

FBI SANDIEGO

4-27 PM URGENT 6-11-68 ATJ

TO DIRECTOR (44-38861) MEMPHIS (44-1987) LOS ANGELES (44-1574)
(56-156) SEATTLE (44-371) AND RICHMOND
FROM SAN DIEGO 2P

MURKIN. SAN DIEGO FILE FOUR FOUR DASH THREE EIGHT SEVEN.

KENSALT. SAN DIEGO FILE FOUR FOUR DASH THREE NINE FOUR.

MR. JOSEPH FORROR, ASSISTANT POSTMASTER, MAIN POST OFFICE,
SAN DIEGO, CALIFORNIA, ADVISED AS FOLLOWS JUNE ELEVEN INSTANT:

FOUND ON THE INCOMING MAIL BELT WAS A PIECE OF PAPER NOT
IN AN ENVELOPE IN GREEN INK ADDRESSED TO POST OFFICE, ATTENTION
POSTMASTER, WHICH READ AS FOLLOWS:

"IF THE FBI WANTS RAY'S BUDDY GO TO ONE TWO FOUR BROADWAY
METROPOLE HOTEL, NUMBER ONE ONE SEVEN. HE MAY BE UNDER THE
NAME 'GEORE' LETSINGER OR GEORGE ANDERSON. HE KNOWS ABOUT
KENNEDY AND ALSO KING'S DEATHS. HE MAY HAVE PART IN KING'S DEATH.
I KNOW HE WAS IN TENNESSEE BEFORE AND AFTER KING WAS KILLED.

END PAGE ONE

1. R. B. T. indices on
file.

George Anderson, a
male, born 2-18-23
contacted by Denver for
UFAP - Torging (Bufile 88-40893)

Check back record on
George Robt. Letsinger
751 554742F which
may be ident. Contact
with...
to...
62-587-

NOT RECORDED
128 MAY 26 1969

59 MAY 29 1969

2025 RELEASE UNDER E.O. 14176

ORIGINAL FILED IN

44-38861-5759

SD 44-387

SD 44-394

PAGE TWO

I KNOW LETSINGER IS WANTED IN SEATTLE. ALSO IN BIT STONE GAP, VIRGINIA, BY THE FBI."

ABOVE LETTER WAS UNSIGNED.

BUREAU AND ALL OFFICES REQUESTED TO FURNISH ANY INFORMATION REGARDING "GEORE" LETSINGER OR GEORGE ANDERSON, PARTICULARLY IF WANTED IN SEATTLE OR BIG STONE GAP, VIRGINIA.

NO ATTEMPT BEING MADE TO INTERVIEW LETSINGER, AKA ANDERSON UNTIL RESULTS FROM BUREAU AND ALL OFFICES.

END

SLB

FBI WASH DC

CC- MR. CRAWFORD

VIA TELETYPE
MAY 23 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 ✓

WASHDC---2---

10-46 PM DEFERRED 5-21-69 RJM

TO DIRECTOR (62-587) (PLAINTEXT)

FROM LOS ANGELES (56-156) (2P)

KENSALT. OO--LA.

OFFICE OF ORIGIN - LOS ANGELES

DEFENSE ATTORNEY GRANT C. COOPER PRESENTED ARGUMENTS
TODAY IN DEPARTMENT ONE ZERO SEVEN, LA SUPERIOR COURT,
BEFORE JUDGE HERBERT V. WALKER FOR MOTION FOR NEW TRIAL
FOR SIRHAN B. SIRHAN. MOTION FOR NEW TRIAL BASED ON
THIRTEEN POINTS OF ALLEGED COURT ERRORS IN ^{TRIAL} TRIAL OF SIRHAN.
COOPER ARGUED ON TWO POINTS TODAY AS REMAINDER OF POINTS
WERE PREVIOUSLY ARGUED PRIOR TO AND DURING ~~TRAIL~~ TRIAL. ARGUMENTS
TODAY CONCERNED RECEIVING IN EVIDENCE NOTEBOOKS AND PAPERS
OF SIRHAN'S. DEFENSE ^{CONTENTION} ~~CONTENDMENT~~ NOTED NOTEBOOKS WERE ILLEGALLY
SEIZED. SECOND ARGUMENT CONCERNED ^{RECOMMENDATION} ~~RECOMMENDED~~ BY DEFENSE
THAT PROSECUTION CLAIMED IT WOULD NOT RECOMMEND DEATH
PENALTY TO JURY IF SIRHAN CONVICTED OF MURDER IN FIRST
DEGREE BUT IMPLIED ^{RECOMMENDATION} ~~RECOMMENDED~~ IN ARGUMENTS TO JURY.

MOTION FOR NEW TRIAL DENIED BY JUDGE ON ALL THIRTEEN POINTS

REC-128

ST 115

62-587-1194

17 MAY 23 1969

59 JUN 3 - 1969

LA 56-156

PAGE TWO

SPECIFIED BY DEFENSE ~~MEM~~

CAL.

MEMBERS-

ABRAHAM LINCOLN ~~WIRIN~~ AND FRED ~~XOKRAND~~ OF THE AMERICAN
CIVIL LIBERTIES UNION JOINED DEFENSE ATTORNEY'S ARGUMENT
FOR HEARING FOR CONSTITUTIONALITY OF DEATH PENALTY. REQUEST
FOR HEARING DENIED BY JUDGE.

LOS ANGELES

PRIOR TO ARGUMENTS RE MOTION FOR NEW TRIAL, ~~LA~~ DISTRICT
ATTORNEY EVELLE J. YOUNGER PRESENTED A LETTER HE HAD RE-
CEIVED FROM SENATOR EDWARD KENNEDY REQUESTING CLEMENCY FOR
SIRHAN.

FORMALLY

AFTER MOTION DENIED JUDGE ~~FORMERLY~~ SENTENCED SIRHAN
TO DEATH AND ORDERED HIM REMANDED TO SAN QUENTIN PRISON
WITHIN TEN DAYS. THE JUDGE PRONOUNCED THAT THE FINDINGS
OF THE JURY WERE CORRECT IN THIS CASE. SIRHAN WAS ALSO
SENTENCED TO THE TERM PRESCRIBED BY LAW ON EACH OF THE FIVE
COUNTS OF ASSAULT IN CONNECTION WITH THE FIVE INDIVIDUALS
WHO WERE WOUNDED AT THE AMBASSADOR HOTEL ON THE NIGHT THAT
SENATOR KENNEDY WAS SHOT.*

LOS ANGELES WILL SUBMIT REPORT IN THE NEAR FUTURE.

END

RM FBI WASH DC

GA K

* *MAXIMUM ON EACH COUNT
10 YEARS AND/OR \$5,000 FINE.*