

1 THE FOREMAN: No, E.

2 MR. HOWARD: 6-E.

3 THE WITNESS: This was removed from the wallet.
4 It is a Canadian one-dollar bill.

5 MR. HOWARD: May that be marked 6-F.

6 Q Lieutenant, did you find any type of
7 ammunition cartridge or box in the car?

8 A Yes. There was a .22 mini-mag box in the
9 glove compartment.

10 Q And what was done with that box?

11 A That was picked up by Latent Prints, under
12 my direction, was taken to our Scientific Investigation
13 Division for lifting of prints.

14 It is in their custody.

15 Q The testing is either proceeding or it's not
16 come back to us yet, is that correct -- a correct statement?

17 A That's correct.

18 Q Do you have a photograph, however, of the
19 box?

20 A I do.

21 Q Would you show us that, please?

22 (Whereupon the witness complied.)

23 MR. HOWARD: May we mark, with the Foreman's
24 permission, a photograph of what appears to be an
25 ammunition box with the name of mini-mag, .22 Long Rifle
26 HP, High Velocity?

1 May that be marked 6-G?

2 THE FOREMAN: Permission granted, 6-G.

3 Q BY MR. HOWARD: I will show you Grand Jury's
4 Exhibit 6-G. Is that a photographic representation of the
5 box that you recovered in the car at the time of the search?

6 A Yes, it is.

7 Q And now it's not in three-dimension; it's
8 been broken open. Is that a fair statement?

9 A That is true.

10 Q But it's a true and accurate reproduction
11 by a camera of the box that is now in evidence in the
12 Crime Lab?

13 A That is correct.

14 Q Did you also find a receipt?

15 A Yes, I did.

16 Q Did you also send that to the Crime Lab as
17 you did the box?

18 A Yes, I did.

19 Q That's in the process of testing now?

20 A That is correct.

21 MR. HOWARD: May we mark a photograph of a Lock,
22 Stock and Barrel receipt, Grand Jury's Exhibit 6-H?

23 THE FOREMAN: So ordered.

24 Q BY MR. HOWARD: Will you tell us what 6-H
25 represents?

26 A 6-H represents a receipt from Lock, Stock

1 and Barrel with an address of 8972 East Huntington Drive,
2 San Gabriel, California.

3 The date is 6/1/1968. The receipt number
4 is 2372.

5 It is a sales receipt for two boxes of
6 CCI .22 for a dollar apiece and two boxes of S.X., .22,
7 ninety cents each, having a total sale value of three
8 dollars -- three dollars and eighty cents, with tax of
9 nineteen cents, the total being three ninety-nine.

10 Q Thank you. Would that complete the items
11 that are in the 6 series, the items which you found, or
12 your team found in the automobile?

13 A Yes, it is.

14 Q That have been brought to court?

15 A Yes.

16 Q There are probably other papers that were
17 not cataloged or other miscellaneous documents that you did
18 not bring in; is that a fair statement?

19 A That is true.

20 Q I think there were newspapers, things like
21 that?

22 A Yes, there was.

23 MR. HOWARD: Any questions?

24 Q Lieutenant, was there a registration in the
25 car?

26 A Yes, there was, and that is still in the

1 vehicle.

2 Q Now, did you make a check to determine whom
3 this car was registered to by license number?

4 A I did not.

5 Q Did you cause it to be done?

6 A It was done by somebody else, and I was
7 later informed of it.

8 I should say not "later." I was informed
9 of it before the search warrant was obtained.

10 Q And who was the car registered to, according
11 to your knowledge?

12 A It was registered to Sirhan Sirhan.

13 MR. HOWARD: May the Lieutenant be excused?

14 THE FOREMAN: You may be excused, Lieutenant.
15 Thank you for coming in.

16 (Whereupon the witness was excused and
17 withdrew from the Grand Jury Suite.)
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1 A Fourteen years, sir.

2 Q You are one of the investigating officers
3 on the case of the assassination of Senator Kennedy, is
4 that correct?

5 A Yes, sir, that's correct.

6 Q Are you acquainted with an individual known
7 as Rafer Johnson?

8 A Yes, sir, I am.

9 Q Did you have occasion to see him on the
10 early morning of June 5th?

11 A Yes, sir.

12 Q Where, sir?

13 A At Rampart Detectives.

14 Q And did Mr. Johnson give you something at
15 that time?

16 A Yes, sir, he did.

17 Q What was it?

18 A A .22 revolver.

19 Q Can you tell us the time, the approximate
20 time?

21 A Approximately 2:00 a.m.

22 Q I direct your attention to the weapon
23 immediately in front of you, the Exhibit 7 for
24 identification. Would you examine that?

25 A Yes, sir.

26 Q Is that the gun that Rafer Johnson gave you?

1 A Yes, sir, it is.

2 Q Now, at the time that you received the gun,
3 did you examine it to see if there were any live rounds
4 in it?

5 A Yes, sir, I did.

6 Q Were there?

7 A No, sir.

8 Q Were there any casings or expended rounds
9 in it?

10 A Yes, sir.

11 Q How many?

12 A Eight.

13 Q Did you smell the gun?

14 A No, sir.

15 Q Did you take the spent cartridge casings out
16 of the gun?

17 A I took one out to identify the exact caliber
18 and replaced it.

19 Q What did you do with the gun then?

20 A I retained it in my possession until
21 approximately 10:00 a.m. that same day and booked it into
22 evidence at Central Property, Los Angeles Police Department.

23 Q Did you later determine that it was
24 released to someone for scientific tests?

25 A Yes, sir.

26 Q To whom?

1 A It was released, to the best of my
2 knowledge, to an Officer Moser -- that may be Sergeant
3 Moser, I am not sure.

4 THE REPORTER: How do you spell Moser?

5 THE WITNESS: I believe it's M-o-s-e-r.

6 MR. HOWARD: Mr. Foreman, I have a small envelope
7 containing eight spent cartridges.

8 May this be marked, to correspond with the
9 gun, 7-A, the envelope and eight expended cartridges?

10 THE FOREMAN: Permission granted.

11 MR. HOWARD: Thank you.

12 Q Would you examine Grand Jury's Exhibit 7-A?

13 A Yes, sir.

14 Q Are you familiar with those cartridges?

15 A These cartridges were purposely not marked
16 by myself in an effort to not contaminate them for possible
17 fingerprint examination.

18 The identification marks or the primer marks
19 appear to me to be exactly the same as the ones that were
20 in the gun at the time I obtained it.

21 Q In other words, you didn't want to handle
22 it because of latent print possibilities?

23 A That's correct, sir.

24 Q But they appear to be the same ones you
25 found in that gun?

26 A Yes, sir.

1 MR. HOWARD: Any questions?

2 THE FOREMAN: There being no further questions,
3 you may be excused.

4 THE WITNESS: Thank you, sir.

5 (Whereupon the witness was excused, and
6 withdrew from the Grand Jury Suite.)

7
8 MR. HOWARD: DeWayne Wolfer.

9
10 DE WAYNE A. WOLFER,
11 called as a witness before the Grand Jury, was duly sworn
12 as follows:

13 (Whereupon the witness raised his right
14 hand to be sworn.)

15 THE FOREMAN: Do you solemnly swear that the
16 evidence you shall give in this matter now pending before
17 the Grand Jury of the County of Los Angeles shall be the
18 truth, the whole truth, and nothing but the truth, so
19 help you God?

20 THE WITNESS: I do.

21 THE FOREMAN: Would you be seated, please.

22
23 EXAMINATION

24 BY MR. FUKUTO:

25 Q Would you state your name, for the record?

26 A Yes. It's DeWayne A. Wolfer. That's

1 D-e W-a-y-n-e W-o-l-f-e-r.

2 Q What is your business or occupation?

3 A I am a police officer for the City of Los
4 Angeles, assigned to the Scientific Investigation Division,
5 Crime Laboratory, where I act as a criminalist, and among
6 my criminalistic duties is that of firearms and ballistics
7 expert.

8 Q Would you tell us your training and
9 qualifications with respect to your duties as a
10 criminalist and firearms and identification expert?

11 A In the way of normal education, I have my
12 Bachelor Degree from the University of Southern California
13 where I was a pre-med student, and have a background in
14 the field of chemistry, physics, and all types of
15 laboratory technique courses.

16 In the way of practical education, since my
17 assignment to the Scientific Laboratory in January 1951,
18 I have traveled throughout the United States to all of the
19 major firearms factories where I have made studies and
20 worked in these factories, what we call forensic ballistics.

21 By "forensic ballistics" we mean the study
22 that would be used in a court of law.

23 In these factories I have manufactured
24 barrels and all parts of guns to study the basis of --
25 upon which we make our identifications.

26 Some of the factories where I conducted

1 these studies would include those such as Remington,
2 Winchester, Hi Standard, Colt, Smith and Wesson, Iver
3 Johnson, Harrington and Richardson, Great Western, and
4 others.

5 I have made similar and like studies at all
6 of the major ammunition factories, which we include
7 Winchester, Western, and Federal, and Remington-Peters.

8 I have made the same basic studies here.
9 I have worked in ballistics laboratories. I manufactured
10 ammunition to study all phases that we would use in courts
11 of law.

12 I have worked at the major powder
13 manufacturers. Some of these trade names would include
14 Hercules and Du Pont, and such as this.

15 I am presently an assistant professor on a
16 part-time basis at the California State College at Long
17 Beach where I offer a year and a half's course in the fields
18 of criminalistics, of which firearms and ballistics is a
19 portion thereof.

20 In addition to my part-time teaching there,
21 and I have taught on the campuses -- I have taught the
22 criminalistics subject matter on the campuses of U.S.C.,
23 of El Camino College, Fullerton College, Santa Barbara
24 College, Ventura College; during the summer sessions under
25 the auspices of the State Board of Education, I have
26 taught on the campuses of Cal, U.C.L.A., and California

1 State College at L.A.

2 I have testified hundreds of times involving
3 firearms and ballistics matter in our courts here in the
4 State of California such as our Municipal, Superior, and
5 Federal Court Systems.

6 I have testified in at least five other
7 states on numerous occasions involving these firearms and
8 ballistics matters.

9 I have given -- published papers regarding
10 the matters.

11 Q How long have you been a firearms expert
12 with the Police Department?

13 A Since January 1951.

14 Q Is it possible to read markings on a bullet
15 that is fired from a gun and determine what gun that
16 bullet was fired from?

17 A Yes, it is.

18 Q How is that done?

19 A Basically, it would be such that in the
20 barrels or the rifling of the weapon there is what we call
21 imperfections which scratch the bullet as they cross these
22 imperfections.

23 These imperfections produce in the bullet
24 a series of valleys and ridges which we call striation
25 marks in this particular field.

26 We would take and fire the gun into a water

1 recovery tank so that the bullet entered the water and
2 was stopped with little or no damage.

3 We would then recover that bullet and
4 place it under what we call a comparison microscope,
5 which is simply two microscopes with one eye piece.

6 We place the bullet that we test fire
7 through the suspected weapon on one stage of the
8 microscope and the bullet, such as the -- such as a
9 Coroner's bullet or the evidence bullet on the other stage
10 of the microscope.

11 Then as we look through the common eye
12 piece at both of these bullets, we would be able to see
13 lines on one bullet, on one side of the microscope, and
14 lines on the other.

15 We would try to line them up as our
16 fingers (indicating), and if we can line up a majority
17 of the lines, we can say it was fired from this revolver
18 and no other.

19 Q Have you looked at Grand Jury Exhibit
20 Number 5-A?

21 A I have.

22 Q And when did you first see that exhibit?

23 A I first saw this exhibit at approximately --
24 oh, I would estimate somewhere in the latter afternoon
25 between, oh, I'd say 2:30, 3:30 yesterday afternoon.

26 Q And the revolver in front of you, Grand

1 Jury Exhibit Number 7, have you see that before?

2 A Yes, I have.

3 Q When did you first see that?

4 A I first saw this revolver on or about
5 June the 6th of this year.

6 Q That's yesterday, too?

7 A That's yesterday, too.

8 Q Did you make some --

9 A Actually, no, I saw it in the latter part
10 of June the 5th, in the afternoon, late in the afternoon.

11 Q Did you make some test shots from Grand
12 Jury Exhibit Number 7?

13 A I did.

14 Q Do you have the test shots with you?

15 A I have some of the test shots, but not all
16 of the test shots.

17 Q Do you have the one envelope there, do you?

18 A Yes.

19 MR. FUKUTO: May that be marked Grand Jury
20 Exhibit Number 5-B?

21 THE FOREMAN: 5-B, so ordered.

22 Q BY MR. FUKUTO: How many shots are there
23 in 5-B?

24 A There's four..

25 Q Four spent slugs, is that correct?

26 A Right.

1 Q Do they have markings on them that are
2 readable, so to speak?

3 A These markings do have -- these bullets do
4 have markings on them, yes.

5 Q They were fired -- that gun was fired in
6 the water tank to get those slugs?

7 A That's correct.

8 Q Did you compare the markings on the test
9 slugs in 5-B with the questioned bullet, 5-A?

10 A I did.

11 Q And that bullet has been identified as
12 having come from the body of Senator Robert Kennedy, do
13 you understand that?

14 A That's correct.

15 Q And from your comparison of the two bullets,
16 were you able to form any opinion as to the bullet 5-A?

17 A I was.

18 Q What is that opinion?

19 A That the bullet in People's 5-A here
20 marked the bullet from Robert Kennedy was fired in the
21 exhibit, the revolver here, People's Exhibit Number 7 at
22 some time. Yes, it was fired in the weapon.

23 Q Any question about that?

24 A No.

25 Q So that the gun that fired Exhibit 5-A was
26 Grand Jury Exhibit Number 7, is that right?

1 A That's correct.

2 MR. FUKUTO: That's all.

3 THE FOREMAN: Any questions?

4 There being no further questions, you may
5 be excused. Thank you for coming in.

6 THE WITNESS: Thank you very much.

7 (Whereupon the witness was excused and
8 withdrew from the Grand Jury Suite.)

9
10 MR. HOWARD: Mr. Foreman, may the exhibits
11 heretofore marked be received and for use or possible use
12 by the Jury in its deliberations?

13 THE FOREMAN: So ordered.

14 MR. HOWARD: That completes our case, Mr. Foreman.

15 (Whereupon the proceedings of the above-
16 mentioned Grand Jury hearing were concluded at
17 3:52 o'clock p.m.)

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1 LOS ANGELES, CALIFORNIA, FRIDAY, JUNE 7, 1968

2 4:25 O'CLOCK P.M.

3 - - -

4
5 (The following proceedings were had in
6 Department 100 of the Superior Court
7 before the Honorable Arthur L. Alarcon,
8 Judge Presiding:)

9
10 THE COURT: The record will show that the 1968
11 Los Angeles County Grand Jury is in the courtroom.

12 The record will further show that at the
13 request of the Court, Mr. A. L. Wirin, Chief Counsel of
14 the American Civil Liberties Union, has been invited to
15 be present as an official observer at these proceedings
16 as to the manner in which the constitutional and procedural
17 rights of the defendant have been obeyed and preserved.

18 Mrs. Bancroft, will you call the roll of
19 the 1968 Grand Jury, please?

20 THE CLERK: Yes, your Honor.

21 Milton V. Barancik.

22 MR. BARANCIK: Here.

23 THE CLERK: Mrs. Emma C. Buscaglia.

24 MRS. BUSCAGLIA: Here.

25 THE CLERK: Arthur J. Fitzgerald.

26 MR. FITZGERALD: Here.

1 THE CLERK: Warren S. Garrett.
2 MR. GARRETT: Here.
3 THE CLERK: Robert W. Garrott.
4 MR. GARROTT: Here.
5 THE CLERK: Mrs. Adele M. Gomez.
6 MRS. GOMEZ: Here.
7 THE CLERK: Harry M. Grizzard.
8 MR. GRIZZARD: Here.
9 THE CLERK: Mrs. Pauline Helm.
10 MRS. HELM: Here.
11 THE CLERK: Mrs. May B. Lensing.
12 MRS. LENSING: Here.
13 THE CLERK: Alvin A. Levine.
14 MR. LEVINE: Here.
15 THE CLERK: James B. McCord.
16 MR. MC CORD: Here.
17 THE CLERK: Mrs. Nadine McCowan.
18 MRS. MC COWAN: Here.
19 THE CLERK: L. E. McKee.
20 MR. MC KEE: Here.
21 THE CLERK: Mrs. Lowell B. Martin.
22 MRS. MARTIN: Here.
23 THE CLERK: Mrs. Mary C. Meeker.
24 MRS. MEEKER: Here.
25 THE CLERK: Mrs. Pauline Meyers.
26 MRS. MEYERS: Here.

DONALD L. OSTROV, C.S.R., OFFICIAL REPORTER

1 THE CLERK: Mrs. Helene Z. Pollock.

2 MRS. POLLOCK: Here.

3 THE CLERK: Mrs. Claire Scott.

4 MRS. SCOTT: Here.

5 THE CLERK: Mrs. Dorothy A. Seifert.

6 MRS. SEIFERT: Here.

7 THE CLERK: Margaret E. Shalhoub.

8 MRS. SHALHOUB: Here.

9 THE CLERK: Mrs. Pauline V. Sheeran.

10 MRS. SHEERAN: Here.

11 THE CLERK: William Woelflin.

12 (No response.)

13 THE CLERK: Mrs. Leslie A. Mills.

14 MRS. MILLS: Here.

15 THE CLERK: Twenty-two Grand Jurors answer present,
16 your Honor.

17 THE COURT: Thank you, Mrs. Bancroft.

18 Mr. McKee, do you have an Indictment to
19 return to this Court?

20 THE FOREMAN: We have, your Honor.

21 THE COURT: All right. Would you hand it to the
22 Bailiff, please, Mr. McKee.

23 (The Foreman complies.)

24 THE COURT: Mr. McKee, I am going to ask you a
25 series of questions. Would you please remain standing.

26 THE FOREMAN: Yes, sir.

1 THE COURT: Mr. McKee, were fourteen or more of
2 the members of the 1968 Grand Jury present at all times
3 during the presentation of the evidence concerning this
4 Indictment?

5 THE FOREMAN: There was, your Honor.

6 THE COURT: Did fourteen or more members of the
7 1968 Grand Jury who were present at the presentation of
8 all the evidence concerning this Indictment also
9 participate in all the deliberations concerning this
10 Indictment?

11 THE FOREMAN: They did, your Honor.

12 THE COURT: Did at least fourteen members of the
13 1968 Grand Jury who were present during the presentation
14 of all the evidence concerning this Indictment, and who
15 also participated in all the deliberations concerning this
16 Indictment, vote to return this Indictment?

17 THE FOREMAN: They did, your Honor.

18 THE COURT: All right. Thank you, Mr. McKee.

19 The Court finds the Indictment to be a true
20 bill. The Clerk is ordered to file this Indictment. The
21 text of the Indictment shall be kept secret by the Clerk
22 until the defendant is arraigned by this Court.

23 The Court has been advised that the
24 defendant is presently in the custody of the Sheriff of
25 this County. A bench warrant is ordered to issue
26 commanding the defendant to be held for trial in this

1 matter.

2 In view of the charge set forth in Count I
3 of this Indictment, the defendant shall not be admitted to
4 bail.

5 I will hear from you in a moment, Mr. Howard.
6 I have a few other matters I wish to take up.

7 Ladies and gentlemen of the Grand Jury,
8 before excusing you, I wish to make a few comments which
9 the Court feels are appropriate in view of the public
10 interest in this case and considering the affirmative
11 obligation of this Court to assure the defendant that he
12 receives a fair trial.

13 First, I am going to read to you portions
14 of the Charge given to you by Judge Richard Schauer, the
15 Presiding Judge of the Criminal Courts, by whom you were
16 impaneled and sworn. At that time Judge Schauer admonished
17 you as follows, I am now reading from pages 5, 6 and 7 of
18 the Charge, and I believe each of you received a copy of
19 this Charge:

20 "The deliberations of the Grand Jury and
21 its voting upon its investigations are required by
22 law to be in private session. It is significant
23 that secrecy is prohibited in almost every other
24 phase of government, and exists as to the Grand
25 Jury because it is an agency designated not only
26 to search out offenses and accusations which would

1 not otherwise be acted upon because of the fear or
2 inability of individuals to bring the complaint,
3 but also to protect persons from publicity that
4 might otherwise occur because of charges which
5 eventually are proved to be unfounded.

6 "You are admonished to keep your own
7 counsel. Matters before the Grand Jury should
8 never be discussed, even with your closest
9 relatives, associates or superiors. And I urge
10 that while you are on the Grand Jury, you take
11 special pains to listen rather than to talk, and
12 restrict your conversation concerning public
13 business, either pending, prospective, or within
14 the realm of possibility, to the Grand Jury room.

15 "In this connection the law provides
16 that every Grand Juror must keep secret all
17 evidence adduced before the Grand Jury, or anything
18 he, himself, or any other Grand Juror, may have
19 said; or in what manner he, or any other Grand
20 Juror, may have voted on a matter before them.
21 And by law, it is a misdemeanor to violate such
22 secrecy of the Grand Jury room, or to disclose
23 the finding of an Indictment or information until
24 the defendant has been arrested."

25 And continuing reading from the Charge to
26 you by Judge Schauer:

1 "Although, under certain proper
2 circumstances, a Court may require a Grand Juror
3 to disclose testimony given before the Grand Jury,
4 a Grand Juror cannot be questioned for anything he
5 may say or any vote he may give in the Grand Jury
6 relative to a matter legally pending before the
7 Jury, except for a perjury of which he may have
8 been guilty in making an accusation or giving
9 testimony to his fellow Jurors. But at times, in
10 order to obtain legal advice, it may be necessary
11 for you to disclose to the District Attorney, or
12 to the Attorney General, if he is officiating in
13 the case, or to me, some matter of evidence which
14 you have taken during an investigation, and such
15 a disclosure is not a violation of your oath."

16 In compliance with the law of the State of
17 California, and the Charge read to you by Judge Schauer,
18 the Court will make the following order:

19 It is the order of the Court that no member
20 of the Grand Jury shall make any statement to anyone as to
21 the contents, nature, substance, effect or weight of the
22 evidence heard by the Grand Jury in this matter until after
23 the final disposition of this case. Nor shall any Grand
24 Juror make any statement expressing his opinion on the
25 question of the guilt or innocence of the accused, or of
26 anyone in connection with this Indictment.

1 The Court at this time will also issue
2 certain orders to preserve the defendant's right to a fair
3 trial directed to the Clerk of the Court, the Official
4 Court Reporter for the 1968 Los Angeles County Grand Jury
5 and the transcribers to whom the proceedings and testimony
6 are dictated by the Official Grand Jury Reporter concerning
7 this Indictment.

8 First, the record will show that Mr. Peter
9 Talmachoff, Chief of the Criminal Division of the Office
10 of the Clerk of the Superior Court, is present in the
11 courtroom. And further, that Donald Ostrov, the Official
12 Court Reporter for the 1968 Los Angeles County Grand Jury,
13 is also present.

14 I herewith will read the written orders
15 which, upon their being read by the Court, will be served
16 by the Sheriff upon the individuals or offices in question.

17 It is the order of this Court that upon
18 presentation of the Reporter's Transcript of the Grand
19 Jury Proceedings to the Clerk of the Court that the Clerk
20 shall receive said transcript and keep secret the contents
21 thereof until after service of a copy of said Reporter's
22 Transcript has been made on the defendant or his attorney.

23 It is further ordered that the original
24 Reporter's Transcript of the Grand Jury proceedings will
25 be served by the Clerk on the District Attorney and that
26 the District Attorney also will keep secret the contents

1 of said transcript until after service has been made on
2 the defendant or his attorney.

3 It is the order of this Court that the
4 exhibits received by the Grand Jury in its proceedings
5 concerning this Indictment will be delivered to the Clerk
6 of the Court and will be safeguarded by him pending the
7 determination of this case.

8 It is further ordered that the Clerk shall
9 not make the exhibits available to any person or agency
10 except upon order of this Court.

11 This order, and the previous one, are dated
12 June 7, 1968, signed Arthur L. Alarcon, Judge of the
13 Superior Court.

14 It is the order of this Court that the
15 Official Court Reporter assigned to the Grand Jury to
16 report its proceedings concerning this Indictment shall
17 not release or divulge the contents of his notes of the
18 testimony or evidence presented to the Grand Jury to any
19 person, nor shall any transcript of the Grand Jury
20 proceedings in this matter be released by the Reporter to
21 any person other than the Clerk of the Court until a copy
22 of such transcript of the entire Grand Jury proceedings
23 has been delivered by the Clerk to the defendant or his
24 attorney.

25 This order is dated June 7, 1968, signed
26 Arthur L. Alarcon, Judge of the Superior Court.

1 It is the order of this Court that those
2 persons who transcribe the proceedings of the Grand Jury
3 concerning this Indictment which have been dictated by
4 the Official Grand Jury Court Reporter shall not release
5 or divulge the contents of that testimony or evidence
6 dictated by the Official Grand Jury Court Reporter to any
7 person, nor shall the transcribers release any transcript
8 of the Grand Jury proceedings in this matter to any person
9 other than Don Ostrov, Official Superior Court Reporter.

10 Dated June 7, 1968, signed Arthur L.
11 Alarcon, Judge of the Superior Court.

12 The Sheriff is directed to serve a copy of
13 these orders on the Clerk of the Court, the Official Court
14 Reporter for the 1968 Los Angeles County Grand Jury, and
15 the transcribers for the Official Reporter.

16 Now, Mr. Howard, do you wish to be heard
17 as to the arraignment of the defendant named in this
18 Indictment?

19 MR. HOWARD: Yes, your Honor. May I inform the
20 Court that the defendant is presently in the custody of
21 the Sheriff at a medical facility in the New Jail.

22 May I also state to the Court that
23 information coming to the prosecution from intelligent
24 sources, police sources, indicate there will be a security
25 risk in connection with this defendant.

26 THE COURT: All right, Mr. Howard.

1 It appearing to the Court that the defendant
2 named in this Indictment is presently recuperating from
3 injuries he has suffered, and that there is a possibility
4 that if the arraignment occurs at this time in this court-
5 room in the Hall of Justice, there may be a risk of some
6 incident which might deny to the defendant his right to a
7 fair trial, the Court will take a recess in a few moments
8 and reconvene in approximately 45 minutes a special
9 session of Department 100 at temporary courtroom
10 facilities provided by the Sheriff at the Los Angeles
11 County Men's Central Jail.

12 The arraignment of the defendant at the
13 temporary courtroom facilities will be public.

14 The Court has asked A. L. Wirin of the
15 American Civil Liberties Union to be present at that
16 arraignment as an observer. Further, the Court has earlier
17 requested of Mr. Wirin that he notify the defendant's
18 family of the place of the arraignment.

19 Mr. Wirin, do you wish to make any statement
20 to the Court at this time?

21 MR. WIRIN: I do, your Honor.

22 THE COURT: Will you state your name for the
23 record?

24 MR. WIRIN: My name is A. L. Wirin. I am a member
25 of the Bar of this court. I am not counsel for the
26 defendant, nor do I intend or expect to be.

1 I would like to read to the Court, and for
2 the record, a telegram which I sent to the family of the
3 defendant, and then take just a moment to explain the
4 relevance or the reasons for my doing so.

5 THE COURT: Certainly, Mr. Wirin. You may proceed.

6 MR. WIRIN: About noon today I dispatched the
7 following telegram to the mother of the defendant, and the
8 telegram reads as follows:

9 "Mrs. Mary Sirhan, Care: Reverend
10 Harry W. Ebberts," E- double -b-e-r-t-s,
11 "Westminster Presbyterian Church, North
12 Lake Avenue, Pasadena, California.

13 "Newspapers report that new charges
14 will be filed against your son, Sirhan, and
15 the Grand Jury is considering this new
16 charge. Sirhan will be arraigned, I assume,
17 promptly. Arraignment means that he will be
18 advised as to the nature of the charge.

19 "I assume that you and your sons will
20 be permitted to be present at the arraignment,
21 should any of you so desire. It is not
22 necessary, however, that any of you be present.
23 If you desire to attend arraignment, please
24 telephone me at 624-9708. If you do not
25 telephone, I shall assume that you do not care
26 to attend the arraignment."

1 Signed, "A. L. Wirin."

2 I have received no communication from either
3 his mother or any of the brothers.

4 May I just say this further word, your
5 Honor?

6 THE COURT: Yes, Mr. Wirin.

7 MR. WIRIN: I addressed this telegram in the manner
8 I did because on Wednesday afternoon I saw the mother and
9 the boys in Pasadena at the request of the defendant, and
10 they were then with this minister and apparently generally
11 in his custody, or within his concern.

12 Before I sit down, your Honor, as an officer
13 of the court, I would like to say this further:

14 I, of course, did not know, or had no
15 idea, that the Court would give the orders which your
16 Honor has just given to the Grand Jury and to others.

17 May I say, as an officer of your Honor's
18 court, that it is my view, and I express only my own view,
19 that these orders are exemplary in attempting to accord to
20 this defendant that fair trial to which he is entitled and
21 to which all are entitled.

22 Thank you.

23 THE COURT: Thank you, Mr. Wirin. You have attended
24 this return of the Indictment by the 1968 Los Angeles
25 County Grand Jury at my personal request. May I further
26 ask of you that you attend the arraignment of this

1 defendant?

2 MR. WIRIN: Yes. Thank you, your Honor.

3 THE COURT: All right. Thank you.

4 At this time we will take our recess.

5 Department 100 of the Superior Court will
6 reconvene in temporary courtroom facilities at the Los
7 Angeles County Men's Central Jail.

8 Please remain seated. Court is still in
9 session and will remain in session until all the Grand
10 Jurors have left the courtroom.

11 I will remain on the bench to insure that
12 proper courtroom decorum is carried out until the Grand
13 Jurors have left.

14 Ladies and gentlemen, you are excused.
15 You may leave now.

16 (Whereupon the Grand Jurors were excused
17 and withdrew from the courtroom.)
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THE GRAND JURY OF THE COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

No. A-233421

SIRHAN BISHARA SIRHAN,
Defendant.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I, DONALD L. OSTROV, Official Court Reporter
of the Superior Court of the State of California, for
the County of Los Angeles, do hereby certify that I was,
on Friday, June 7, 1968,

appointed and sworn to report all the testimony and
proceedings had in the above-entitled matter before the
Grand Jury of Los Angeles County; that the foregoing 272
pages are a true and correct transcript of my Stenotype
notes and a full, true and correct statement of said
testimony and proceedings.

Dated this 12th day of June, 1968.

Donald L. Ostrov
Official Reporter

DONALD L. OSTROV, C.S.R., OFFICIAL REPORTER