

5

9-4.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

else pertaining to it.

You are not to form or express an opinion on the matter until it is finally submitted to you for that purpose.

We will now take a noon recess which will be until 2 o'clock.

Remand the defendant.

Ladies and gentlemen of the jury, you are to reassemble in the same room where you assembled this morning, in the Old Hall of Records, and you will be escorted over here from there.

Be back there about 20 minutes to two.

(Adjournment taken to the hour of 2 p.m. of the same day, Tuesday, January 14, 1969.)

80

12a-3 1

MR. FITTS: That's all I have.

2

MR. COOPER: Nothing further.

3

4

5

6

THE COURT: Let me ask you this. Are you of the frame of mind that you can set aside anything you may have heard or know and form your opinion only upon the evidence heard in this trial and the law as given to you by me?

7

A I would say so, yes.

8

9

10

THE COURT: Now I am going to ask you not to tell the people outside what we have been talking about in here. Do you understand?

11

A Yes.

12

13

THE COURT: The other members of the jury.

Anything further?

14

15

16

17

MR. COOPER: I have nothing further except as the Court indicated, we have you in here now we can ask you personal questions and they are none of anybody else's business.

18

THE JUROR: Yes, I understand that.

19

MR. COOPER: Thank you.

20

(Juror Duke leaves chambers.)

21

22

MR. HOWARD: Your Honor, may I address the Court on a certain matter? This is housekeeping.

23

24

25

26

I don't know if your Honor is aware, but the Los Angeles Police Department is preparing final and detailed reports that go beyond preparation for this trial in the investigative phase. One of the things the Police

81

12-4

1 Department would like to do is, for example, to look at
2 the gun now marked an exhibit; to describe the gun as to
3 whether it had a plastic handle or a wooden handle -- I
4 can't tell or can't recall that. There is an order by
5 Judge Alarcon outstanding that the exhibits can only be
6 reviewed by order of court. They will not come up for a
7 period of time, probably originating with the testimony of
8 the witnesses.

9 I was wondering if the Court would consider a
10 modification of the Alarcon order to allow the Deputy
11 District Attorneys and the defense attorneys to go down
12 to the fourth floor and pull the exhibits?

13 THE COURT: And look at them?

14 MR. HOWARD: Yes, sir -- not take them or anything
15 like that.

16 MR. COOPER: I would join in that.

17 MR. HOWARD: In any other case we have ever tried the
18 defense could go look at the exhibits, sign a card, or we
19 could. Because of this case Judge Alarcon ordered we could
20 not.

21 MR. COOPER: I would assume we would have the right
22 to go in any case.

23 THE COURT: I don't understand the reason for the
24 order.

25 MR. HOWARD: I think it was to avoid perhaps
26 unauthorized exploitation of the photographs used in the

82

12-5

1 autopsies, at cetera, et cetera.

2 MR. COOPER: I will stipulate, if your Honor please,
3 so there is no question about it, that counsel for the
4 prosecution and any lawyer of counsel for the defendant
5 be permitted to see the exhibits at any time, with the
6 understanding no photographs are to be taken of them unless
7 we get a further order of the Court for taking photographs.
8 I think that is our right.

9 THE COURT: I do, too. I will modify the order to
10 that extent then, to conform to your stipulation.

11 (Off the record discussion.)

12 THE COURT: You may consider the order as modified
13 in accordance with the stipulation, gentlemen.

14 THE CLERK: They are to be examined in the County
15 Clerk's Office?

16 MR. COOPER: Wherever they are, I would assume.
17 That is the custom.

18 MR. HOWARD: I am told they are in the County Clerk's
19 Office. They are not in this department.

20 MR. COOPER: Alice, could you notify the County
21 Clerk's Office?

22 THE CLERK: Yes, I will.

23 (The following proceedings take place
24 in open court.)

25 THE COURT: People vs. Sirhan. Let the record show
26 the parties and counsel present and the prospective jurors

83

CHECK ONE TYPE ONLY

Evidence Found Evidence Found Property Safekeeping

DR 68-521-466

PERSON'S ADDRESS 1. TRAVIS	PERSON PROPERTY BOOKED TO (Last-First-Middle) 1. Doe JOHN #1	RES. PHONE	BUS. PHONE
RESIDENCE ADDRESS	ARRESTEE'S NAME 2. SMILE	CHARGE 217 P.C.	BKG. NO. 495739
OFFICE ADDRESS	VICTIM OR OWNER'S NAME 3. KENNEDY ROBT F	RES. PHONE	BUS. PHONE
RESIDENCE ADDRESS	PERSON REPORTING TO POLICE DEPT. (Last, First, Middle) 4. R L CALKINS HOMICIDES	RES. PHONE	BUS. PHONE

DATE & TIME THIS REPORT 6-5-68 5AM	PROP. BKD. AT C.P.	INV. DIV. RAMPART	DATE & TIME PROPERTY TAKEN INTO POLICE CUSTODY - LOCATION - CITY OR REPORTING DIST. 6-5-68 145A RAMPART DETS	200
---------------------------------------	-----------------------	----------------------	---	-----

Evidence: BOOK TO ARRESTEE. IF NONE, BOOK TO VICTIM. Found Evidence: BOOK TO OFFICER IF NO ARRESTEE OR VICTIM. Found Property: BOOK TO ACTUAL FINDER. Safekeeping: BOOK TO DEPOSITOR, OWNER OR PERSON IN LAWFUL POSSESSION. (Separate reports are required for each different classification of property)	TYPE OF PREMISES POL. STATION	TYPE OF PROPERTY REVOLVER	DIV. RPTG. HOMICIDES
	DIV. OR CITY & DATE CRIME OCCURRED RAMPART 6-5-68	LIST ANY CONNECTING REPORTS BY TYPE & DR. CRIME OTHER PROPERTY	
	IS THIS STOLEN PROPERTY? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNKNOWN	PROBABLE CRIME ATT. MURDER	Prints - Photo - S.I.D. - Other <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

(1) IF STOLEN IN CITY OF LOS ANGELES EACH CASE MUST BE COVERED BY CRIME AND FOLLOW-UP REPORTS. (2) DESCRIBE CIRCUMSTANCES RESULTING IN BOOKING OF THIS PROPERTY. (3) GIVE ADDRESS, TIME AND/OR PHONE NUMBER WHERE CONCERNED PERSON(S) MAY BE CONTACTED BY DAY INVESTIGATORS IF NOT LISTED, OR OTHER THAN ABOVE. (4) ITEMIZE AND DESCRIBE ALL PROPERTY. GIVE ALL SERIAL NUMBERS AND OTHER MARKS OF IDENTIFICATION. LIST ONLY ONE ARTICLE ON A LINE.

ITEM NO.	QUANTITY	SERIAL NUMBER(S) AND ENGRAVING
11	1	GUN, REVOLVER IVER JOHNSON "CADET" # H53725 B/S 2 1/2" BBL 8 SHOT CAL. 22

12 BRASS, EXPENDED CAL. 22 "CCI" ON BASE
NOT MARKED FOR I.D.

PK GUN
ITEM # 11 OBTAINED FROM RAFAEL JOHNSON AT RAMPART DETS ON 6-5-68 AT 145 AM

ITEMS # 12 OBTAINED FROM RAFAEL JOHNSON AT RAMPART DETS ON 6-5-68 AT 145 AM OBSERVED IN CYLINDER OF ABOVE REVOLVER

TO BE TAKEN TO S.I.D. FOR PRINT CHECK OF EXPENDED BRASS CIGGS

[Handwritten signatures and notes]

IF additional space is required, use Continuation Sheet, Form 35.9.	SUPERVISOR, APPROVING [Signature]	SERIAL NO.	REPORTING OFFICER(S) - SER. NO. - DIV. - DETS R. L. CALKINS 7287 HIX	PERSON REPORTING (Signature) [Signature]
DATE & TIME REPRODUCED - DIVISION - OFFICE 6-5-68 5:15 AM			INDEXED 84	CHECKED

Clear copy -

APP FORM NO. 2.1
REV. APRIL 1967

PROPERTY/PRISONER TRANSFER RECORD

EVIDENCE FOUND EVIDENCE FOUND PROPERTY-HOLD FOR OWNER PERSONAL PROPERTY SAFEKEEPING PRISONER

INSTRUCTIONS: MARK (X) APPROPRIATE BOX FOR TYPE OF TRANSFER. MARK (X) 'PRISONER' AND 'REPORT' COLUMNS WHEN PRISONER IN CUSTODY. MARK (X) 'REPORT' COLUMN ONLY WHEN PRISONER IS 'OUT ON BAIL.' DATE TRANSFERRED
Aug. 24, 1968

NAME OF PERSON PROPERTY BOOKED TO OF NAME OF PRISONER TRANSFERRED	DATE BKO. & DR. OF BOOKING NO.	PRIS. (X)	REPT. (X)	PKG.-BDL CTN.-TGD	GENERAL DESCRIPTION OF PROPERTY	CASH
DOE, John #1	6-5-68 68-521 466		X	PKG:	Ser H 53725 .22 Cal Iver Johnson Item 11 8-.Expended Cases Item 12	
<i>Confidential Refer to SUS</i>				PKG:	.22 Cal Slug Item 113 MT Slip Item 114 Receipt Item 115	
				RECEIPT FILE AUG 24 1968		
DIVISION TRANSFERRING Central Property	DESK OFFICER TRANSFERRING Shin #25		PERSON TRANSPORTING Sign.-Ser.No.-Div. <i>[Signature]</i> 11152 SUS			
DIVISION RECEIVING SUS	PERSON RECEIVING Signature-Ser.No.-Div. <i>[Signature]</i>		DATE AND TIME RECEIVED AUG 24 1968 (✓)			

This is a document from SUS files - It clearly shows the transfer of gun # 53725 .22 cal Iver Johnson, Item 11 the alleged Sirhan gun. Remember the Sirhan gun (without serial number recorded in LACGS transcript) was under Judge Arthur Alarcon's court order - evidence not to be accessed / removed without a court order - and here we see it was transferred 8-24-68 without a court order - a clear violation of Alarcon Court Order - also see 1-14-69 trial transcript re ct order.

85

LAPD FORM 10.7 (REV. FEB. 1964)

PROPERTY CARD

EVIDENCE FOUND PROPERTY
 FOUND EVIDENCE SAFEKEEPING

DATE *June*
~~May~~ 5, 1968
 OFFENSE *Att. Murder*
 DR NO. *68 521 466*
 PROPERTY CLERK *7*
 DIV. AND DETAIL *HD*

BOOKED TO <i>DOE, John #1</i>	BOOKING NO. <i>195 139</i>	OFFENSE <i>Att. Murder</i>	DR NO. <i>68 521 466</i>
LOCATION <i>Rampart Dets</i>	BOOKED BY <i>Galkins #7267</i>	PROPERTY CLERK <i>7</i>	
INVESTIGATORS	DIV.	IO. 6 SENT-DATE	HOLD UNTIL
OWNER (Found Property-Safekeeping ONLY)		REASON	
ADDRESS			

BIN NO.	ARTICLES	DATE OUT	TAKEN OUT BY	DATE IN	RETURNED BY
	<i>Ser #53725 #11</i> PKG: 22 cal Iver Johnson rev.	<i>JUN 5 - 1968</i>	<i>W. J. Walker #667 SID</i>	<i>JUN 5 - 1968</i>	<i>W. J. Walker #667 SID</i>
	<i>#12</i> 8- expended cases	<i>JUN 5 - 1968</i>	<i>W. J. Walker #667 SID</i>	<i>JUN 5 - 1968</i>	<i>W. J. Walker #667 SID</i>
	<i>PKG: 22 CAL RAO. (W)</i>	<i>JUN 5 - 1968</i>	<i>W. J. Walker #667 SID</i>		
	<i>S sent RDS</i>	<i>JUN 5 - 1968</i>	<i>W. J. Walker #667 SID</i>		
	<i>PKG - ALL Contents Trans TO SUS</i>				<i>JUN 24 1968</i>
			<i>CONFUSUS</i>		

86

LAFD FORM 10.7 (REV. FEB. 1964)

C-Card: S. MANN, S. MANN B 6-6-68

<input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		DATE	DR NO.
<input type="checkbox"/> FOUND EVIDENCE		<input type="checkbox"/> SAFEKEEPING		June 5, 1968	88-221 466
PROPERTY CARD			BOOKING NO.	OFFENSE	PROPERTY CLERK
BOOKED TO DOE, John # 1			195 139	217 PC	25
LOCATION 5925 San Vicente			BOOKED BY Kamidoi 10198		DIV. AND DETAIL HD
INVESTIGATORS		DIV	10.6 SENT-DATE	HOLD UNTIL	REASON
OWNER (Found Property-Safekeeping ONLY)			ADDRESS		

BIN NO.	ARTICLES	DATE OUT	TAKEN OUT BY	DATE IN	RETURNED BY
	Item 29 105 PKG: Poss. 22 Cal Slug	JUN 5 - 1968	<i>See 6679 S.I.D.</i>		
JUN 6 - 1968	socks, tie, belt #13 + #14 + #18		<i>Walter 6777510</i>		
5A2	PKG: mens suit, shorts, shirt	JUN 7 1968			
JUN 7 1968	ITEM # 24 PKG: 34 photos				
	ITEM # 25 1 35 mmfilm & container				
	PKG: item 45 bullet fragments				
	PKG: items 38 & 39 bullets				
	item 42 2 bus cards				
	item 43 patches (hoppas)				
	item 44 solvent (hoppas)				

87

PROPERTY CARD

EVIDENCE FOUND PROPERTY
 FOUND EVIDENCE SAFEKEEPING

DATE Jun 5, 1968 DR. NO. 68 521 466

BOOKED TO DCB, John	BOOKING NO. 495 139	OFFENSE att 187 PC	PROPERTY CLERK E
LOCATION 16237 Ventura Blvd	BOOKED BY Feddama 11044	DIV. AND DETAIL W Val	
INVESTIGATORS	DIV HD	TO.G SENT-DATE	HOLD UNTIL
OWNER (Found Property-Safekeeping Only)	ADDRESS		

BIN NO.	ARTICLES	DATE OUT	TAKEN OUT BY	DATE IN	RETURNED BY
	PKG: .22 cal slug <i>2 113</i>	JUN 5 - 1968			
	MT slip <i>2 114</i>	JUN 5 - 1968	<i>W. J. ...</i>		
	Receipt <i>3 115</i>	JUN 5 - 1968	<i>W. J. ...</i>		
	PKG - ALL Contents	TRANS TO SUS	RECEIPT FILE	ASIG 24 1968	<i>(25)</i>
<i>Confidential SUS</i>					

88

EVIDENCE FOUND PROPERTY
 FOUND EVIDENCE SAFEKEEPING

DATE: June 6, 1968 DR. NO.: 38 521 466

PROPERTY CARD

BOOKED TO SIRHAN, Sirhan Bishara		BOOKING NO. 195 139	OFFENSE 187 PC	PROPERTY CLERK 13
LOCATION Kaiser Hospital		BOOKED BY Orozco 11072		DIV. AND DETAIL Ramp Dets.
INVESTIGATORS	DIV	10.6 SENT-DATE	HOLD UNTIL	REASON
OWNER (Found Property-Safekeeping ONLY)		ADDRESS		

BIN NO.	ARTICLES	DATE OUT	TAKEN OUT BY	DATE IN	RETURNED BY
	PKG: 22cal slug #56	JUN 10 1968	Walker		
	PKG: bullet fragments #51	JUN 10 1968	Walker 6727		
	JUN 9 1968 (item # 82) PKG: 5- sheets w/writing	JUN 9 1968	KLOTT 10447 S.I.D.	JUN 14 1968	MORAN 6167 S/D (31)
	PKG: 5 SHEETS w/writing (2)	JUN 28 1968	A-1152 ALP RD J.M.C.		
3 PKGS: ALL CONTENT TRASH TO SUS RECEIPT FILE AUG 24 1968 (25)					
Confidential Refer SUS					

