

# Yorty Claims Red Groups

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LOS ANGELES, June 6—

Mayor Samuel W. Yorty, disregarding legal advice to cease talking publicly about the case, claimed today that Sen. Robert F. Kennedy's assassin had been a Communist sympathizer and was inflamed by Communist and pro-Arab agitation.

"Evil Communist organizations played a part in inflaming the assassination of Kennedy," Yorty declared in a press conference.

His public statements today and yesterday provoked rising controversy and fears that his comments would damage the case against the 24-year-old suspect, Sirhan B. Sirhan.

California Attorney General Thomas Lynch cautioned Yorty to limit the information he divulges. He also praised the Los Angeles Police Department for its discretion in discussing the suspect.

Lynch warned that Yorty's comments could result in certain evidence being ruled inadmissible at Sirhan's trial.

Yorty acknowledged Lynch had criticized him during a telephone conversation, but added: "I told him that I'm in a situation where I have to make a judgment about the public's right to know."

Yorty stirred the controversy yesterday by disclosing some contents of two notebooks found by police in Sirhan's home. According to Yorty, one notation said that "Kennedy must be assassinated before June 5, 1968"—the first anniversary of the Arab-Israeli war.

Police and other law officials were visibly disturbed today at Yorty's comments,

fearing they would raise a difficult and unnecessary legal

Sirhan, a native of Jordan, came to this country 11 years ago but never has applied for U.S. citizenship. He has been described by friends as bitterly opposed to the State of Israel, and was said to be critical of Mr. Kennedy's support of Israel's case against the Arab countries.

Yorty got Sirhan's notebooks from officers at the Rampart Police Station Wednesday before Police Chief Thomas Reddin had seen them. Reddin, who declined to appear with the Mayor at the press conference this morning, has said the release of such information could be prejudicial and could damage the case against Sirhan.

In another development, police put out a bulletin seeking information on a woman in a white polka dot dress who, according to a witness, left the scene of Wednesday's shooting shouting, "We shot him!"

One of Mr. Kennedy's campaign workers, Sandy Serrano, 20, said she heard the cry and asked who had been shot. "We shot Kennedy," she said the woman called back.

(Some other eyewitnesses at the hotel told of seeing the suspect with a girl in a white dress earlier in the evening, the Los Angeles Times reported. Some said there was a third person, a dark young man, with them.)

(A spokesman at police headquarters stressed, however, that "we don't think it was a conspiracy at this time.")

("I would calculate there must have been 20 women there with polka dot dresses," he said. But, he added "we are

not going to throw anything into the wastebasket.")

hurdle in what seemed to them an open-and-shut case.

After Yorty continued divulging information on the suspect, a police official declined to comment, saying, "We've got to save something—at least something—for the jury."

The national legal profession has displayed mounting concern over the pre-trial release of information on a criminal suspect, and Los Angeles police have been careful to limit their comments to a few bare facts on Sirhan.

The American Bar Association's new rules now warn prosecutors to release only such essential information as a suspect's name, the charges against him, and limited amount of identification material. Reddin generally has followed that rule.

The most celebrated case involving pretrial publicity was when the Supreme Court ordered a retrial for Dr. Samuel Sheppard, the Cleveland physician convicted of murdering his wife. The publicity in Cleveland newspapers prejudiced the Sheppard jury, the Court held. Sheppard was acquitted in his retrial.

Attorney General Lynch cited a California case today in which the State Supreme Court warned that prosecutors "should avoid the danger of prejudicing jurors and prospective jurors by giving material to news-disseminating agencies which may be inflammatory or may improperly prejudice the defendant's rights."

Under questioning at his press conference, Yorty

claimed the notebooks showed that Sirhan was a "Communist sympathizer." But the Mayor acknowledged he had no proof the suspect had been affiliated with any sort of subversive organization.

Al Wirin, chief counsel of the American Civil Liberties Union of Southern California, said today that Sirhan has denied affiliation with any Communist-oriented organizations. Wirin has interviewed him twice in the Los Angeles County jail while offering him legal aid.

Police said Sirhan has not been traced to any subversive organization.

Yorty also revived a prominent local rumor in saying that Sirhan's car once was spotted parked near a building where the local W.E.B. DuBois Club was holding a meeting. The DuBois clubs have been cited as subversive by the U.S. Attorney General's office.

Yesterday, Chief Reddin said that a car to which Sirhan once "had access" was spotted near the building on a night when the club was meeting.

Yorty, under questioning by reporters, agreed that it is not known whether the car was Sirhan's. The Mayor had no evidence that the suspect was using the car that night or whether he was in the building. "We have no evidence placing him at the meeting," Yorty said.

Yorty contended that the notebooks contained writings showing that Sirhan was sympathetic to communism, "whether Russian or Chinese."

Asked how he thought Sirhan could have been "inflamed" by both Arab nation-

# Inflamed Assassin

alism and communism, Yorty replied, "Both the Communists and Arabs are anti-Israel." He also cited reports of Union.

With the exception of Yorty's remarks, civil libertarians here have been generally complimentary of the police work in Sirhan's case. He was carefully advised of his legal rights and was permitted to be interviewed by the ACLU although he had said he did not want a lawyer, ACLU attorneys said today.

However, the ACLU has raised a question about the procedure used by police in searching the Pasadena home where Sirhan lived with his mother and two brothers. No search warrant was obtained, the ACLU maintained.

Police officials said no warrant is needed if someone in the family gave permission for the search and said permission had been received from the suspect's brother, Abel.

Reddin has said yesterday that a warrant would be obtained in this extraordinary case, regardless of whether permission was obtained in advance.

Sirhan remained in the Los Angeles County jail today. He has been scheduled to appear at a pre-trial hearing Monday morning.

However, the County grand jury has agreed to hear evidence in the case Friday morning. District Attorney Evelle J. Younger said he will seek a murder indictment. He will call 17 witnesses and present "every bit of evidence on the autopsy," he said.

The suspect is being held under \$250,000 bond and is being represented by a County public defender, Richard Buckley. The ACLU was making arrangements to retain a private attorney. The ACLU also arranged police protection for Sirhan's family.