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Sirhan Case Search Held Within Law

By Gene Handsaker

LOS ANGELES, Oct. 22 (AP)—A judge today denied a motion to suppress evidence that the defense said was seized illegally from the home of Sirhan Bishara Sirhan, charged with murdering Sen. Robert F. Kennedy.

Superior Judge Hervert V. Walker held that police had "reasonable authority" to enter the home without a search warrant, because one of Sirhan's brothers gave his consent.

Sirhan, 24-year-old Jordanian immigrant, faces trial Dec. 9 on a charge he murdered Kennedy. The Senator was shot June 5 after winning the California presidential primary election and died a day later. Sirhan was arrested at the scene.

The evidence—papers reported to be in Sirhan's handwriting and other items—has been deemed important to the prosecution's case.

Brother Gave Permission

The judge noted that he was not ruling on the admissibility of the evidence, but only on whether or not it should be suppressed.

The ruling followed testimony from one of Sirhan's brothers that he told police they could search, and from Sirhan's mother that she gave no authorization.

Defense attorney Russell E.

Parsons argued: "There was no reasonable cause for visiting the house. He (the brother) had no right to consent to a search of this boy's room. They would have had great difficulty obtaining a search warrant from any magistrate."

The head prosecutor countered that the search followed a conference with "the oldest male occupant, who had no objections."

The judge noted that the brother "took the key, opened the door and allowed them in . . . the motion to suppress evidence is denied."

The decision followed testimony by police and relatives of Sirhan.

Mother at Work

The mother, Mary, said she was at work at a nursing school at the time of the search and neither authorized it nor gave permission for anything to be removed. "It is my house. I am buying it," she said.

Los Angeles police Sgt. William E. Brandt, who said he made a search of the house and Sirhan's room with another policeman and an FBI agent as Adel watched, said he checked with superiors before doing so.

Items removed from Sirhan's room included two large notebooks, a small brown spiral notebook, a U.S. Treasury envelope with pencil writing on it, a filmstrip with three photos of Sirhan a cardboard with pencil writing, a damaged .22 cartridge, two physicians' business cards, two gun cleaning patches and some powder solvent.