

PASEK MICHAEL S
78 GEORGETOWN 4108

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GEORGE 24108 051353Z

ACTION SCS-06

INFO OCT-21 ARA-15 ISO-00 CA-01 L-03 H-02 HA-05 SS-02
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FM AMEMBASSY GEORGETOWN

TO SECSTATE WASHDC NIAC IMMEDIATE 0332

UNCLAS GEORGETOWN 4108

E.O. 12065 NA

TAGS: CARR, CY. (BEIKMAN, CHARLES) (PEOPLE'S TEMPLE)

SUBJ: W/F ARRESTS CHARLES EDWARD BEIKMAN

REF: GEORGETOWN 4053

1. PRELIMINARY HEARING BEGAN YESTERDAY (DEC 4) BEFORE
MAGISTRATE DESMOND CHRISTIAN TO DETERMINE IF ENOUGH EVIDENCE
EXISTS TO COMMIT BEIKMAN TO THE HIGH COURT FOR TRIAL FOR
THE MURDER OF LINDA SHARON HARRIS (AKA SHARON AMOS) AND
HER THREE CHILDREN.

2. ONLY ONE WITNESS, A POLICE PHOTOGRAPHER, WAS CALLED
YESTERDAY TO TESTIFY. MOST OF THE SESSION WAS DELETED TO
HEARING ARGUMENTS ON TWO PROCEDURAL POINTS RAISED BY REY
MCKAY, BEIKMAN'S SENIOR ATTORNEY. MCKAY ARGUED THAT THE
COURTS SHOULD DIRECT THE PROSECUTION TO GIVE TO THE DEFENSE
COPIES OF STATEMENTS OF WITNESSES TAKEN BY THE POLICE
DURING THEIR INVESTIGATION OF THE ALLEGED MURDERS. MCKAY
ALSO ARGUED THAT BEIKMAN'S RIGHT TO A FAIR TRIAL WAS IN
JEOPARDY BECAUSE THE POLICE HAD DENIED DEFENSE COUNSEL THE
OPPORTUNITY TO INTERVIEW POTENTIAL DEFENSE WITNESSES
ESPECIALLY THOSE RESIDING AT LAMARA GARDENS.

3. MAGISTRATE CHRISTIAN, AT THE CONCLUSION OF THE
ARGUMENTS, REJECTED BOTH OF MCKAY'S CONTENTIONS. CHRISTIAN

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NOTED THAT SO FAR MCKAY HAD NAMED ONLY TWO POTENTIAL WITNESSES
TO WHOM, IT WAS ALLEGED, DEFENSE HAD IMPROPERLY BEEN DENIED
ACCESS BY THE POLICE. THESE TWO, CHRISTIAN CONTINUED,

WERE THE SUBJECT OF A SEPARATE HABEAS CORPUS PROCEEDING
CURRENTLY BEING HEARD IN THE HIGH COURT. CHRISTIAN NOTED
THAT THE PROSECUTION HAD A DUTY TO SHOW TO THE DEFENSE
STATEMENTS TAKEN FROM WITNESSES DURING THE INVESTIGATION.

CHRISTIAN SAID HE WOULD NOT ORDER THE
PROSECUTION TO TURN OVER THE STATEMENTS, BUT WOULD NOTE THAT,
IF THE PROSECUTION DID NOT FULFILL THEIR OBLIGATION IN THIS
REGARD, THE RESULT WOULD BE UPON THEIR HEADS.

4. THERE ARE TWO SEPARATE MOTIONS BEING HEARD IN THE COURTS
IN THE BEIKMAN AFFAIR IN ADDITION TO THE PRELIMINARY HEARING
REGARDING THE MURDER CHARGES. ONE IS THE HABEAS CORPUS
MOTION, MENTIONED ABOVE. THE SECOND IS AN ORIGINATING WRIT,
FILED BY MCKAY, WHICH SEEKS TO HAVE THE HIGH COURT DECLARE
THAT HIS CLIENT'S CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED

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BECAUSE DEFENSE HAS NOT BEEN GIVEN ACCESS BY THE POLICE TO
POTENTIAL DEFENSE WITNESSES. EMBASSY DOES NOT PLAN TO SEND
OBSERVER TO THESE TWO RELATED PROCEDURAL HEARINGS, BUT WILL
SEND OFFICER TO HEAR FURTHER SESSIONS OF THE PRELIMINARY
HEARING ON THE CRIMINAL CHARGES, WHICH RESUMES DEC 7.

BURKE

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