

MEMORANDUM

TO: CURT LIVESAY, Director  
Central Operations

THROUGH: RICHARD W. HECHT, Director  
Special Operations

FROM: PETER S. BERMAN, Acting Head Deputy <sup>PSB</sup>  
HARDCORE GANG DIVISION

SUBJECT: PEOPLE v. RAMONE SIBLEY and  
DEBORAH PEAGLER  
CASE NO. A386856  
SPECIAL CIRCUMSTANCES/PENALTY

DATE: OCTOBER 26, 1983.

Upon further consideration and additional information from the investigators, the trial deputy and myself no longer feel that the death penalty is appropriate in this case. (See Special Circumstances Evaluation).

A necessary witness, Anthony Reedburg, appears to have committed perjury during the preliminary hearing. He is the informant on the case, and was the individual that initially came forward with the information that lead to the arrest of all three defendants. His perjured statements at the preliminary hearing dealt with the reasons why he delayed contacting the police, and his conduct while waiting to do so. Even though these matters could be considered collateral as to the substance of the charges, Mr. Reedburg's credibility, which is of crucial importance in the case is now in question. It was his statement that ultimately made the difference as to the filing of special circumstances. The allegation that the killing was done for hire could only be established with the aid of his testimony.

The investigators now believe that the money could have been designated as "hush money" rather than pursuant to any pre-arranged plan of payment for the killing. Any money or goods received by the suspects were after the killing, and defendant Sibley actually received nothing at all.

It appears that we would be hard pressed to obtain a finding of the special circumstances in the case let alone the death penalty.

There are additional considerations that developed during and after the preliminary hearing that indicate we should no longer seek the death penalty. Foremost among these considerations is the possibility that the victim Oliver Wilson was killed because he had been molesting Deborah Peagler's minor child from a previous marriage.

Virginia Chase testified at the preliminary hearing that Ramone Sibley told her that was why Oliver Wilson was killed. Whether that was true or not, we do not know, but according to the investigators the victim's character left a lot to be desired. He was also suspected of dealing in narcotics and stolen property.

On balance, it would appear appropriate to strike the special circumstances allegation.

PSB:dz