

FAQ 49
 (July 31, 2007)

49.1

Q: Did Lillian Lenorak tell the DA that she committed perjury to help Dr. Hodel? What ever happened to Dr. Ballard and his assistant Charles Smith, who were arrested for performing the abortion on Dr. Hodel's daughter?

I refer you to FAQ XI (11) for full explanation and actual copy of the original Lillian Lenorak/Officer Mary Unkefer letter.

From statements made by Lt. Jemison in the DA FILES, we know that he interviewed Lillian Lenorak and "she positively identified photographs of Elizabeth Short as an acquaintance of Dr. George Hodel." Most of the fourteen (14) Hodel witness interviews are "missing" from the DA files, including critical statements made to detectives by the following individuals: Dr. George Hodel (brought in and interviewed at the Hall of Justice, on 2/18/50), Tamar Hodel, Lillian Lenorak, Fred Sexton, Ellen Taylor (Hodel's girlfriend/maid), Mattie Comfort (who also identified Elizabeth Short as being acquainted with Dr. Hodel), and other named Hodel witnesses/associates.

As follow-up to that I am here attaching a copy of an original document from the DA HODEL FILE. To my knowledge Sgt. Bentley's note (below) to Lt. Sullivan has never previously been made public. From the letter's date (2/24/50) we know that it was written just six days after the installation of the electronic surveillance at Dr. Hodel's Franklin House. The letter establishes a number of important points:

- Establishes that George Hodel was keeping close watch on Lillian Lenorak and having friends/associates contact relatives to obtain information and find out what she was telling authorities.
- Independently verifies and confirms witness Joe Barrett's 1999 statements to me that Lt. Walter Sullivan was actively working the Hodel case with Lt. Frank Jemison. It also confirms the approximate time period when Joe claimed he was picked up at work and brought into the DA's office at which time Lt. Sullivan insisted he be an "informant" for the DA, since he was living at Dr. Hodel's Franklin House. (Barrett's statements to me were made and documented four years before we knew the DA files existed.)
- Further independently establishes the fact that Lillian Lenorak was in total fear of George Hodel and supports her allegation that Dr. Hodel had threatened "to do away with her son "if she talked to DA or police."

**County of Los Angeles
Office of the District Attorney
Hall of Justice
Los Angeles 12**

Lt. Walter Sullivan:

24/Feb/50

I got a phone call from our friend
Mrs. Hamilton (Lenorak's mother)

She just wanted to let me know that Jack Usher has been bothering her by phone. Jack wants to know where Lillian Lenorak is. Usher stated that Dr. Hodel had called him and told Usher that Karroum (dancer) had just told Hodel some of the things that Lillian had said about Hodel at the Lunacy Hearing and Hodel wanted Usher to find out more about it.

Usher made this call on Feb. 22, 1950. Hamilton also said that immediately after she arrived home from the Lunacy Hearing Jack Usher phoned her and wanted to know about the hearing. Hamilton felt that someone at the hearing contacted him.

Also Hamilton stated Joe & Karrom completely denied promising anything in way of contracts etc. to Lenorak. Joe & Karrom also completely exonerated the Dr. at the hearing.

Also Hamilton stated that Lenorak at the hearing stated she was afraid to run away from the place because Hodel threatened to do away with the boy if she left.

Walt, you may already have all this information but nevertheless here it is for what it is worth.

Sorry to have missed you. I had to come down for a G.T. trial in Municipal Court Div 12. Judge Adams. Quite a girl.

Anything else you need, just whistle.

Sgt. Bill Bentley

(SKH NOTE- This is a typed copy of Bentley's 2pg handwritten letter, which I have prepared for easier readability. Below is the original as it appears in the DA FILE.)

R. ERNEST HOLL
DEPUTY
JOHN BARBER
ASSISTANT DISTRICT ATTORNEY

W. E. SIMPSON
DISTRICT ATTORNEY

DANIEL BEE
CHIEF TRIAL I.
H. L. STANLEY
CHIEF, BUREAU OF INVEST.

County of Los Angeles
Office of the District Attorney
Hall of Justice
Los Angeles 12.

24/9/50

L. Walter Sullivan,

I got a phone call from our friend
Mrs. Hamilton (Lenczak's mother)
She just wanted to know let me know
that Jack Usher has been bothering her by
phone. Jack wants to know where Lillian
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had called him and told Usher that
Karron (Karron) had just told Hodel some of
the things that Lillian had said about
Hodel at the Lummy hearing and Hodel
wanted Usher to find out more about it.
Usher made this call on Oct. 22, 1950.

Hamilton also said that immediately after
she arrived home from the Lummy hearing
Jack Usher phoned her and wanted to
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Also Hamilton stated Joe & Karron
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Sorry to have missed you, I had to
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Court. Div. 12, Judge Adams. Quite a girl.
Anything else you need, just whistle.

Ed. Bill Beatty

Dr. Francis Ballard and Charles Smith- (Tamar Hodel's abortion)

George Hodel was arrested on Oct. 6, 1949 by LAPD for charges of sexual molestation and incest with his 14-year-old daughter, Tamar. More arrests quickly followed.

Just five days later (Oct. 11) LAPD Juvenile officers arrested Dr. Francis Ballard, a prominent Beverly Hills physician, along with his "personal assistant", Charles Smith. The arrest was based on information and investigation performed by detectives and submitted directly to the DA's office.

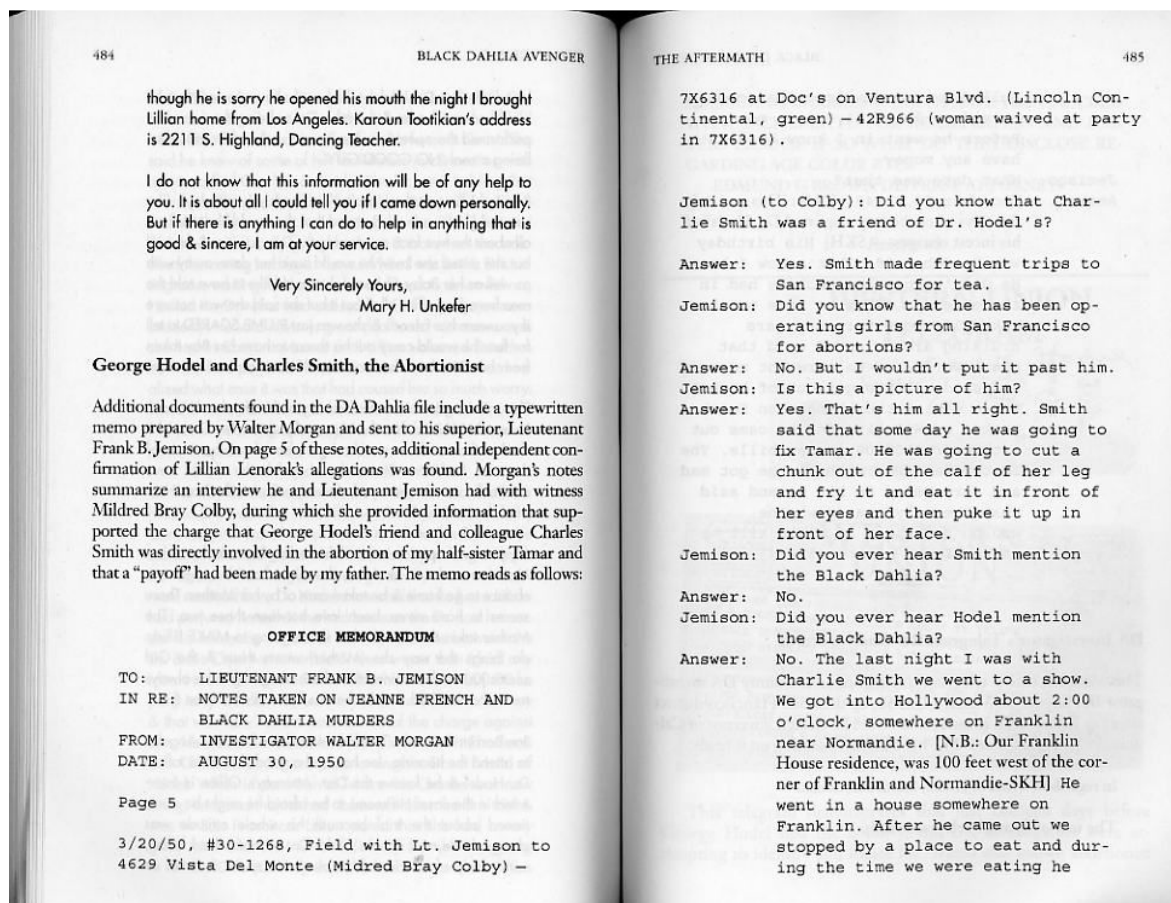
(SKH Note-This was unusual, as abortion arrests were normally investigated by LAPD's Gangster Squad. The 1949 grand jury at the time of this arrest was actively investigating several members of that unit (LAPD Gangster Squad) for corruption. They had learned that several detectives were receiving payoffs from a group of L.A. physicians (both chiropractors and M.D.'s) and in exchange for money, were "protecting" those doctors. In effect the physician members inside the abortion ring, who made weekly payoffs, were allowed to perform abortions without fear of arrest.)

It is possible/probable that Dr. Ballard was one of the Gangster Squads" protected doctors," however, since the arrest (like that of Dr. Hodel) came from outside the Gangster Squad by Juvenile Detectives, it was most likely already filed with the DA before the powers that be inside the Gangster Unit could exercise their authority and "make it simply go away." Too late. Dr. Ballard & Charles Smith were already sucked into The System. The wheels were already set in motion, and they would have to go through the motions, and hopefully their "internal connections" would be able to get the charges dismissed.

- October 11, 1949- Dr. Ballard & Charles Smith arrested for performing an abortion on Tamar Hodel in September, 1949.
- October 18, 1949- LAPD detectives testified in court to the facts of the case and both defendants are "held to answer" at a Municipal Court Preliminary Hearing and bound over to Superior court for trial.
- January 17, 1950- Superior Court Trial. LAPD detectives and DA prosecutor present their evidence and rest their case. Defense attorneys call Lillian Lenorak to testify and she perjures herself before the court. Lillian testifies that, "She was present when Tamar was brought for treatment to Dr. Ballard's office." She further testifies, "That yes, Charles Smith was there too, but no abortion was performed." Based on Lillian's testimony, the judge finding reasonable doubt, gives a finding of "not guilty."
- January 18-20, 1950 (approx) Lillian Lenorak, guilt ridden and in a state of intense anger, goes to Dr. Hodel's Franklin residence, and obtains his rifle and awaits his return. She then threatens "to kill him" and informs him "he must pay for what he has done." She is "talked down" and or possibly overpowered by Dr. Hodel. She is then drugged, and an "attempt suicide" is staged where George Hodel superficially cuts her wrist and then calls her mother to come and pick her up or "he will call police and have her taken into custody." Officer Mary Unkefer drives down from Santa Barbara to Franklin residence and returns Lillian to Ventura County. (See Unkefer letter for full details.)

- Late January or Early February, 1950- DA investigators Jemison & Sullivan contact Lillian Lenorak and receive information that George Hodel dated Elizabeth Short and Lenorak positively identifies Elizabeth's photograph for detectives. It is probable that Lenorak also advises DA investigators of Dr. Hodel's connections to Dr. Francis Ballard and Charles Smith.
- February 18, 1950- Intensive investigation on Dr. George Hodel as Dahlia suspect begins with electronic installation and surveillance of Franklin House, along with physical surveillance of George and Dorothy Hodel. 18 detectives assigned 24/7 for next six weeks.
- March 14, 1950- DA investigations in contact with San Francisco DA Edmund G. "Pat" Brown re. "Hodel's friend, abortionist Charles Smith." Begin collecting info on Smith.
- March 20, 1950- DA investigators Jemison and Morgan interview Charles Smith's girlfriend, Mildred Bray and get damning information re. Smith's threats to cut and torture Tamar along with her being present in his car outside the Franklin House, when Smith received a \$1,000 + payoff on Dec. 29, 1949, only five days after Dr. Hodel's trial and "acquittal" for the incest charges.

Here are Mildred Bray's verbatim statements as found in DA FILES:



pulled out an envelope that contained at least \$1,000 in money. Before he went in I know he didn't have any money.

Jemison: What date was that?

Answer: December 29, 1949. [N.B.: This was only five days after the jury acquitted Dr. Hodel of his incest charges — SKH] His birthday was December 28. That's how I know. He didn't know how much he had in the envelope. When he came out he asked if there were any cars cruising around and I said that there were, and he sure got nervous and said, "Let's get out of here." There was another time when Smith parked on Wilshire and he came out with over \$100.00 in new bills. The last time I was with him he got mad and threatened to hit me and said that the only reason why he wouldn't is that it would kill me if he hit me — State 4526

DA Investigator's Telegram Re: Charles Smith

This Western Union telegram was sent to L.A. County DA investigator Bill Snyder on March 14, 1950, by then San Francisco district attorney Edmund G. Brown (who would be elected governor of California eight years later). The handwritten notation on it reads:

In regards to friend of Hodel, Smith abortionist.

The text of Brown's telegram reads:

REGARDING CHARLES W SMITH HAVE YOU CHECKED WITH SACRAMENTO FOR REGISTRATION AND DRIVERS LICENSE IF SO WHAT DO THEY DISCLOSE REGARDING AGE COLOR ETC=

EDMUND G BROWN DISTRICT ATTORNEY=

Exhibit 69

WESTERN UNION TELEGRAM

In re - friend of Hodel
Smith - abortionist
600 H.A. 9

REC'D
MARCH 14 1950
SAN FRANCISCO

Class of Service This is a full-rate telegram. It is subject to the same conditions as the standard telegram. It is subject to the same conditions as the standard telegram.	WESTERN UNION	STANDARD No. of Lines No. of Pages No. of Words No. of Characters
<p>LA004 01121 O=SPL077 PD=SAN FRANCISCO CALIF 14 1211PM BILL SNYDER DISTRICT ATTORNEYS OFFICE LOSA</p>		
<p>REGARDING CHARLES W SMITH HAVE YOU CHECKED WITH SACRAMENTO FOR REGISTRATION AND DRIVERS LICENSE IF SO WHAT DO THEY DISCLOSE REGARDING AGE COLOR ETC=</p> <p>EDMUND G BROWN DISTRICT ATTORNEY=</p>		

This telegram demonstrates that just thirteen days before George Hodel fled the country, the DA investigators were attempting to identify and locate his "friend and known abortionist

connection," Charles Smith. It is doubtful that they were successful in their search, since no subsequent interview with Smith was found in the DA file.

LOS ANGELES TIMES ARTICLES DR. BALLARD/CHARLES SMITH

Oct 11, 1949

Oct 18, 1949

Beverly Hills Doctor Linked to Morals Case
Los Angeles Times (1949 Current File), Oct 11, 1949; Post/Quest II
pg. A2

Beverly Hills Doctor Linked to Morals Case

A Beverly Hills physician and two other men yesterday were named in criminal complaints issued by the District Attorney's office in an investigation which came as an outgrowth of the arrest of a Hollywood doctor on a morals charge.

Dep. Dist. Atty. William L. Ritzl issued a complaint charging abortion against Dr. Francis C. Ballard, 36, and an associate, Charles Smith, also 36. The prosecutor issued a complaint charging contributing to the delinquency of a minor against Joseph Barrett, 23-year-old artist and poet.

Accused by Girl

Det. Sgts. L. A. Belle and R. K. Morrissey said the men became implicated during official inquiry into the charge against Dr. George Hill Hodel. The latter is accused of having had improper relations with his 14-year-old daughter.

During their investigation, the officers said, the child told them she had submitted to an abortion last Sept. 11. Dr. Ballard was arrested in connection with that crime last Friday evening at his offices at 9421 Wilshire Blvd., Beverly Hills. Smith, described by police as a "handyman" for Dr. Ballard, surrendered at Hollywood police station the following day.

Barrett, a roomer at the Hodel home, 5121 Franklin Ave., also was arrested Saturday and charged with contributing to the delinquency of the girl through alleged improper relationship.

Dr. Ballard is at liberty on a writ of habeas corpus, which is returnable Thursday before Superior Judge Robert H. Scott and which carries a bond of \$5000. The other two men are being held in Hollywood Jail in lieu of bail bonds.

Beverly Hills Doctor Ordered Held for Trial

Dr. Francis E. Ballard, 36-year-old Beverly Hills physician, yesterday was ordered held for Superior Court trial on an illegal operation charge.

Charles Smith, 36-year-old employee of the physician, was held on a similar charge. The orders were issued by Municipal Judge Ben Rosenthal after a preliminary hearing of the charges against the two men.

The physician was arrested Oct. 7 at his office at 9421 Wilshire Blvd., Beverly Hills. Smith surrendered the following day at Hollywood Police Station.

Dr. Ballard is free under \$1500 bail, and Smith is at liberty under \$3500 bail. They are to be arraigned in Superior Court Nov. 2.

Army Missile Expert to Address Engineers

Col. Harold R. Turner, Army

Operation Case Doctor Cleared

Illegal operation charges against Dr. Francis C. Ballard, 36, Beverly Hills physician, and Charles Smith, 36, were dismissed yesterday by Superior Judge Thomas J. Cunningham.

The dismissal came after the prosecution had rested its case. The principal witness was a 14-year-old girl who testified that she was the subject of an illegal operation performed last Sept. 11 by Dr. Ballard and Smith in the physician's Canoga Park office.

The defendants maintained that the girl was treated by Dr. Ballard, but that no illegal operation occurred.

Jan 18, 1950

Dr. Francis Ballard, like Dr. George Hodel, was clearly a prominent Los Angeles physician. Both men discreetly treated and doctored to the rich and famous. The "pecking order" or ladder-of-power in late 1940s and early 1950s Los Angeles went something like this:

- 3) Politicians
- 2) Law Enforcement
- 1) Film Studio Executives

Studio execs were omnipotent. They were the top rung had most of the money and ran the city. If you were a physician employed by the studio execs to care for and treat their stars, (their money) you too had their power. Dr. Francis C. Ballard was and did. Here is an interesting story featuring Dr. Ballard as personal physician to actress Judy Garland and spokesman for MGM that ran in the L.A. Times on June 21, 1950, just two months after his abortion charges were "dismissed" and went away:

Judy Garland Slashes Throat After Film Row
Los Angeles Times (1886-Current File): Jun 21, 1950; ProQuest Historical Newspapers Los Angeles Times (1881 - 1985)
Pg. 1

Judy Garland Slashes Throat After Film Row

Judy Garland slashed her throat with the broken edge of a water glass Monday night in an emotional blowup over career troubles, her film studio disclosed yesterday.

"It was an impulsive act," said her physician, Dr. Francis E. Ballard.

He called the cuts "very minor" and kept her in the pink alabaster mansion rented by her husband, Vincente Minnelli, film director, in the hills at 10000 Sunset Blvd.

Minnelli, from whom she has separated several times, remained beside her.

Had Been Suspended

Here's how Metro-Goldwyn-Mayer spokesmen described the incident in the singing star's home at 8850 Evansview Drive, above the Sunset Strip:

"Miss Garland had been under nervous strain since Saturday, when she was suspended for failing to report for work.

"Last evening at 6 she was hashing out the problem at her home with her husband, her manager, Carleton Alsop, and her secretary, Myrtle Tully.

Pleaded With Her

"The actress, who had been sick and under a strain, became despondent and then hysterical. She jumped up and ran across the living room, through an adjoining bedroom and into the bathroom adjacent and locked the door.

"Minnelli, Alsop and Miss Tully ran after her, knocked on the door and pleaded with her to open it.

"After several minutes her hus-

band persuaded her to unlock the door. When she did they found she had broken a drinking glass and made a superficial slash across her throat.

"She emerged weeping, remorseful and repentant."

At first Minnelli denied the whole affair, even to studio sources.

When newsmen appeared at the Sunset Blvd. estate where she was taken, the studio convinced him the story should be made public.

The 28-year-old actress re-

Turn to Page 4, Column 5

Hollywood, shocked at the news of the suicide attempt, was familiar with the background.

Miss Garland has been suspended repeatedly for temperamental failures to appear for work.

In 1948 she was replaced by Ginger Rogers in "The Barkleys of Broadway."

Last year she walked out of the lead role in "Annie Get Your Gun" after MGM had done \$1,250,000 worth of camera work. Betty Hutton replaced her in this prized spot and made it one of her greatest successes.

Checkup in Boston

Miss Garland went to a Boston hospital for a checkup and rest. She returned in apparent good health and went to work in another picture, "Summer Stock," which also was marked by temperament.

When June Allyson, wife of Dick Powell, had to leave the cast of Metro's "Royal Wedding" because of impending motherhood, Miss Garland was picked to replace her on a comeback trail.

Last Saturday came the final break — Miss Garland failed to appear for a rehearsal in this with Fred Astaire.

Neither the studio nor Minnelli could give any reason why.

MGM, remembering other troubles with the nervous actress, acted swiftly to suspend her.

Managerirate

Her manager, Alsop, was irate. "The rehearsal was only for an hour," he said. "The picture isn't scheduled to start until July 15. I don't see how an hour's absence at this stage can be so important."

In a statement released late in the day by MGM, the suspension was described as "the final and last resort, arrived at after all other means have failed and arrived at with greatest regret."

"Several times, against our better judgment, at her insistence, we have started films with her, and her consequent illness has caused us embarrassment, delay, inconvenience and loss of morale to coworkers," the studio said.

Warnings Given

Miss Garland started rehearsals on "Royal Wedding" with assurances that she was in top physical condition and that there would be no difficulties to cause production delays, according to the MGM statement. Within days, however, the delays began and they continued even after warnings from the producer, the studio said.

The actress made her stage debut at the age of 3 with her parents, vaudeville performers, but most of her life and education has been at MGM. "Broadway Melody of 1938" established her as a juvenile singing star and two years later she won a miniature Oscar for outstanding performance as a screen juvenile.

The pug-nosed, brown-eyed little girl appeared in dozens of pictures which made millions for MGM. She eloped to Las Vegas with Dave Rose, director and composer, in 1941 but divorced him in 1944.

The next year she married Minnelli, who had directed her

ing on the landing above the stairway was the only sound from Judy's quarters.

Miss Hepburn Visits

First of the notables to visit the actress was Katharine Hepburn. Wearing a white sweat shirt dangling over brown slacks, she scampered in manish brown oxfords, her brown hair flying in the breeze.

She arrived in a Ford convertible, about 10 years old. She was spirited away later in a Cadillac driven by a house servant who led her out the back door.

She wore no make-up except lipstick and glared at news reporters and photographers, threatening them if they dared take her picture.

Next was Ida Koverman, executive secretary to Louis B. Mayer. Miss Garland's manager, Alsop, had conferred with Mayer Monday and the studio chief had told how her absences sometimes ran up costs 20% higher than normal.

Miss Koverman stayed inside

say whether his wife was under sedatives.

They denied permission to reporters to see her to learn with their own eyes — if the wound was "superficial."

Dr. Ballard issued this statement:

"I have been treating Miss Garland for several months during which time she has suffered several emotional reactions.

"Last evening I was called and

Last night Dr. Ballard made a "miscellaneous injury" report on the incident to Hollywood police. He said he believed it was not an attempt to inflict serious injury but merely "to attract attention."