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THE BEGINNING OF THE SIRHAN TRIAL

By John Douglas
Herald-Examiner Staff Writer

Sirhan Bishara Sirhan, 25, goes on trial Tuesday as the accused slayer of Sen. Robert F. Kennedy in a case in which the defendant's mental state may occupy more court time than testimony relating to the shooting.

The somber fact that, if convicted the young Jordanian emigrant could suffer the death penalty, has been overshadowed in the preliminaries of the case by questions of motive raised again and again by the defense.

In the words of Russell E. Parsons, one of Sirhan's lawyers:

"... What are the real issues?"

"If he is the man, why did he do it?"

To the prosecution, headed

by Deputy District Attorney Lynn Compton, there is little question that Sirhan is guilty.

The indictment returned by the Los Angeles County Grand Jury alleges that "on or about the fifth day of June, 1968, at and in the County of Los Angeles . . . Sirhan Bishara Sirhan did willfully, unlawfully, feloniously and with malice aforethought murder Robert Francis Kennedy, a human being." And that is precisely what Compton and his associates think they can prove.

There is every indication that the prosecutors will seek the death penalty.

But if Attorneys Grant Cooper, Parsons and Emil Zola Berman can convince the

jury that Sirhan acted without malice, their client could get off with as little as five years in prison.

The facts in the case are these:

Following his winning the California Presidential Primary Kennedy issued a victory statement early June 5 in the Ambassador Hotel's Embassy ballroom. He left the podium to go to a victory party at The Factory—a private club...

He was accompanied by a number of aides, including Roosevelt Grier, 300-pound ex-Los Angeles Rams football tackle; Rafer Johnson, former Olympic decathlon champion; and Bill Barry, a former FBI man who had protected Ken-

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nedly physically during cam-
paigns.

They headed into a corridor leading to a hotel kitchen where they planned to get into a freight elevator. Kennedy was shaking hands with a young busboy near a row of refrigerators when shots began ringing out "like a string of Chinese firecrackers."

The time was about 12:20 a.m.

Martin Patrusky, 28, an Ambassador waiter and an eye witness tells this story:

"The guy who shot him came out of the corner near the ice machine where Kennedy was standing. He had a kind of funny smile on his face and one hand was in front of the other.

"Then I saw him raise his hands. I didn't know this thing was real until I saw Kennedy sliding down in front of the ice machine. One of the (waiter) captains grabbed the guy by the neck. The guy was waving the gun and a couple more shots went off. I saw two people fall.

"Everyone was shouting. 'Grab the gun.' Then one of the football players (Grier) and one of the other captains grabbed the guy and started pushing him to the floor. I looked back at Kennedy. He was saying: 'Please don't move me.'"

Grier and his companions wrestled the weapon away from the gunman and subdued him.

When taken into custody by Los Angeles Police moments later, the young man refused to identify himself or talk about the shooting. He was later identified by his brothers.

Kennedy was rushed to Cen-

tral Receiving Hospital and then quickly transferred to Good Samaritan Hospital.

He underwent lengthy brain surgery, but failed to rally.

At 2 a.m. Thursday, June 6, Kennedy's press secretary Frank Mankiewicz faced newsmen who had been keeping vigil at the hospital for more than 24 hours with a bulletin:

"I have a short announcement to read, which I will read at this time.

"Sen. Robert Francis Kennedy died at 1:44 a.m. today June 6, 1968. He was 42 years old."

On June 7, after deliberating for nearly seven hours the County Grand Jury indicted Sirhan.

In addition to the murder charge, he was accused of shooting five other persons in the melee. They were all hospitalized and have since recovered. He will also be tried on these additional shooting charges.

This, basically, is the case the prosecution will present to the jury.

But first the jury must be selected.

Superior Court Judge Herbert V. Walker, who is to try the case, expects jury selection to take three weeks. Part of that process of selection, says Walker, will take place in open court.

But part will be in secret.

Walker says he intends to question each prospective juror in his chambers as to what publicity he has seen of the case. Defense and prosecution lawyers will be present, but no one else. The jurors' answers will not be disclosed until after the trial—if then.

When it is their turn to argue, Sirhan's lawyers are expected to plead that even if their client did shoot Kennedy, he did so with "diminished capacity."

Diminished capacity is a legal defense in California. It provides, in effect, that if it can be shown that a defendant's mental condition prevented him from developing either the malice or the intent to kill, he may be convicted of second-degree murder. This carries a sentence of five years to life. Or he could be convicted of manslaughter, which brings six months to 15 years.

Diminished responsibility has been claimed in several cases when the defense could not establish legal insanity, but could show the person was influenced by rage, fear, obsession, drugs, or even alcohol.

Many attorneys prefer the defense to an actual insanity plea because, if found insane, a defendant can be confined indefinitely in a mental institution.

It is believed the objective of Sirhan's lawyers is to obtain a prison sentence that will end with parole as soon as possible, perhaps in 10 years or less.

To get this, it will be the task of Cooper, Parsons and Berman, in effect, to take prosecution evidence and turn it to their advantage.

Chief among this evidence are diaries allegedly kept by Sirhan and seized by police in his Pasadena home the morning of the shooting.

These diaries have been a bone of contention in the case since the disclosure of their existence by Mayor Sam Yorty at a press conference.

Yorty maintained the letter showed Sirhan planning Kennedy's murder and claimed one stated in part:

"Kennedy has to be assassinated before June 5, 1968"—the first anniversary of the six-day Israeli blitz in the Middle East.

Both Attorney General Thomas Lynch and Los Angeles County District Attorney Evelle J. Younger assailed Yorty for making the diaries public, but the Mayor retorted that he had to do it to protect the reputation of the city.

Parsons fought long and hard in court to keep the diaries out of evidence, but on Oct. 22, Judge Walker ruled they were admissible.

Parsons moved speedily to obtain copies of the diaries then and told a news conference:

"I don't know what effect these writings might have on the opinions of the psychiatrist in the case."

Sirhan has been under observation by several psychiatrists since Parsons took over his defense from the Public Defender. Their reports are available only to the defense lawyers and Parsons refuses to discuss them or even to identify the psychiatrists.

However, court records identify them as Dr. Eric Marcus, Dr. Edward Davis, and psychologist Roderick Richardson. At different times, they have observed Sirhan in court and elsewhere.

They have also studied the diaries.

Most of the contents of His mother, Mary, and these are still secret, but it is known that in addition to the references to Kennedy one entry refers to a girl whom Sirhan said he loved, although he had never asked her for a date.

Sirhan wanted to be a jockey, but he was thrown by a horse.

Parsons has the record of his treatment.

The record shows that Sirhan was working as an exercise boy at Granja Vista Del Rio, a ranch owned by the Altfillisch Construction Corp. in Corona, when he was thrown.

He was treated twice, on Nov. 8 and Dec. 20, 1966, by Dr. Milton Miller in Corona. He complained, he suffered pain, blurring, and "extreme motion" in his eyes after the fall.

Dr. Miller said Sirhan "seemed to exaggerate his disability."

Also very much on Sirhan's mind was the conflict between Israel and his native Jordan.

A shopkeeper he worked for in Pasadena was Jewish and a member of Holland's anti-Nazi resistance movement in World War II. Sirhan was persistently engaged with his employer in bitter arguments about the Arab-Israel conflict.

Thus, there may be an attempt by the defense to show an "obsession" with this that made Sirhan unable to act rationally.

Finally there is the defendant's family.

But this family reportedly gave Sirhan a rough upbringing, which is also expected to be described in detail by the defense.

How much of this kind of evidence will Cooper, Parsons and Berman be able to get before the jury?

That will be up to Judge Walker—and lengthy arguments against it by Compton and his associates, David N. Fitts and John Howard, are expected.

Setting for the trial will be Department 107 in the old Hall of Justice, in the downtown Civic Center.

Quarter-inch steel plates have been placed inside the courtrooms four windows, and the windows of Judge Walker's adjacent chambers.

Tight security will be imposed not only in the eighth-floor courtroom, but also in a fourth-floor "auxiliary courtroom". Newsmen not admitted to the main courtroom will watch the proceedings there via closed circuit television. There will be no public television.

The trial is expected to take three months, with nearly a third of this time being given over to jury selection.

Once the jury is finally chosen and sworn in it will be "sequestered"—locked up in a downtown hotel.

In an unusual order, Judge Walker has said that he will permit jurors' spouses to visit them on weekends—staying overnight.

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Sirhan Trial Due to Start Today but Defense May Request Delay

BY DAVE SMITH

Times Staff Writer

The trial of Sirhan Bishara Sirhan, accused slayer of Sen. Robert F. Kennedy, was scheduled to begin in Superior Court at 9:30 a.m. today, seven months and one day after Sen. Kennedy's death, but late Monday the possibility arose that the defense might seek a fourth postponement.

Defense attorney Grant B. Cooper, involved in a federal grand jury investigation growing out of the Friars Club card-cheating case, said he felt it might be in Sirhan's best interests that another postponement be granted.

Cooper has refused to answer grand jury questions on how he came to possess unauthorized transcripts in the Friars Club case.

The attorney indicated late Monday that he felt it might prejudice the 24-year-old Jordanian's right to a fair trial if the case were to go on while the federal grand jury's investigation is under way.

No Indication of Barrier

There was no indication there would be any barrier to Cooper's appearance for this morning's session of the Sirhan trial before Superior Judge Herbert V. Walker.

But Cooper is scheduled to appear in federal court at 1 p.m. today, one hour before the scheduled afternoon session of the Sirhan trial, to either answer the federal grand jury's questions—which he has said he will refuse to do—or show cause why he should not be held in contempt.

Another lawyer for Sirhan, Rus-

sell E. Parsons, has previously indicated that he would not be willing to proceed without Cooper and the latter cannot be taken off the case except at Sirhan's request. Cooper could, however, withdraw voluntarily.

Sirhan Administered Test

Parsons said Monday that Sirhan had been administered a chromosome test for the so-called XYY syndrome about a month ago.

(The XYY syndrome, in which each cell of a person's body contains an extra Y, or male, chromosome, is thought by some psychiatrists to indicate a tendency toward violent behavior.)

Parsons said he did not know the results of the test on Sirhan, and thus could not say whether it would be entered in evidence.

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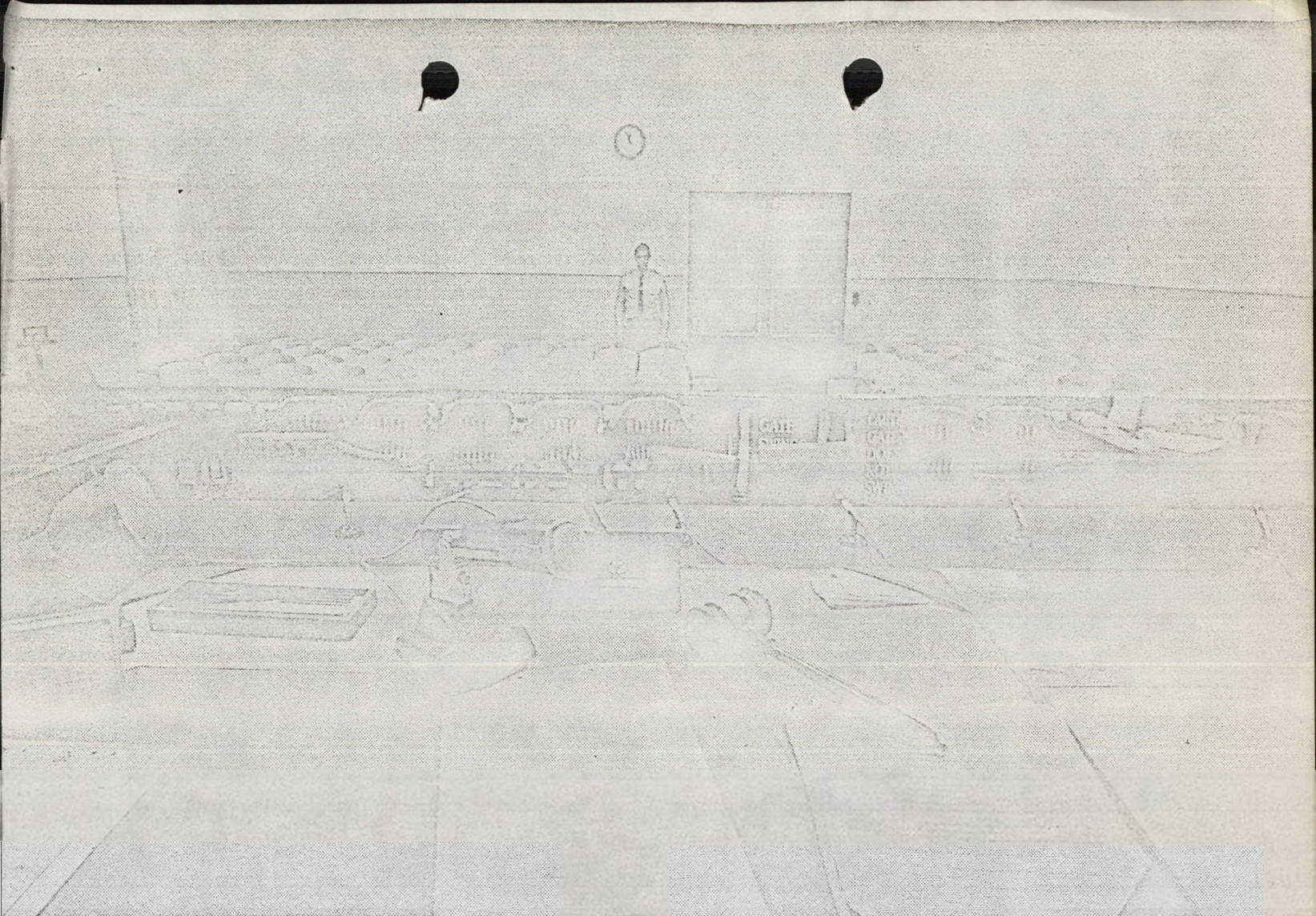
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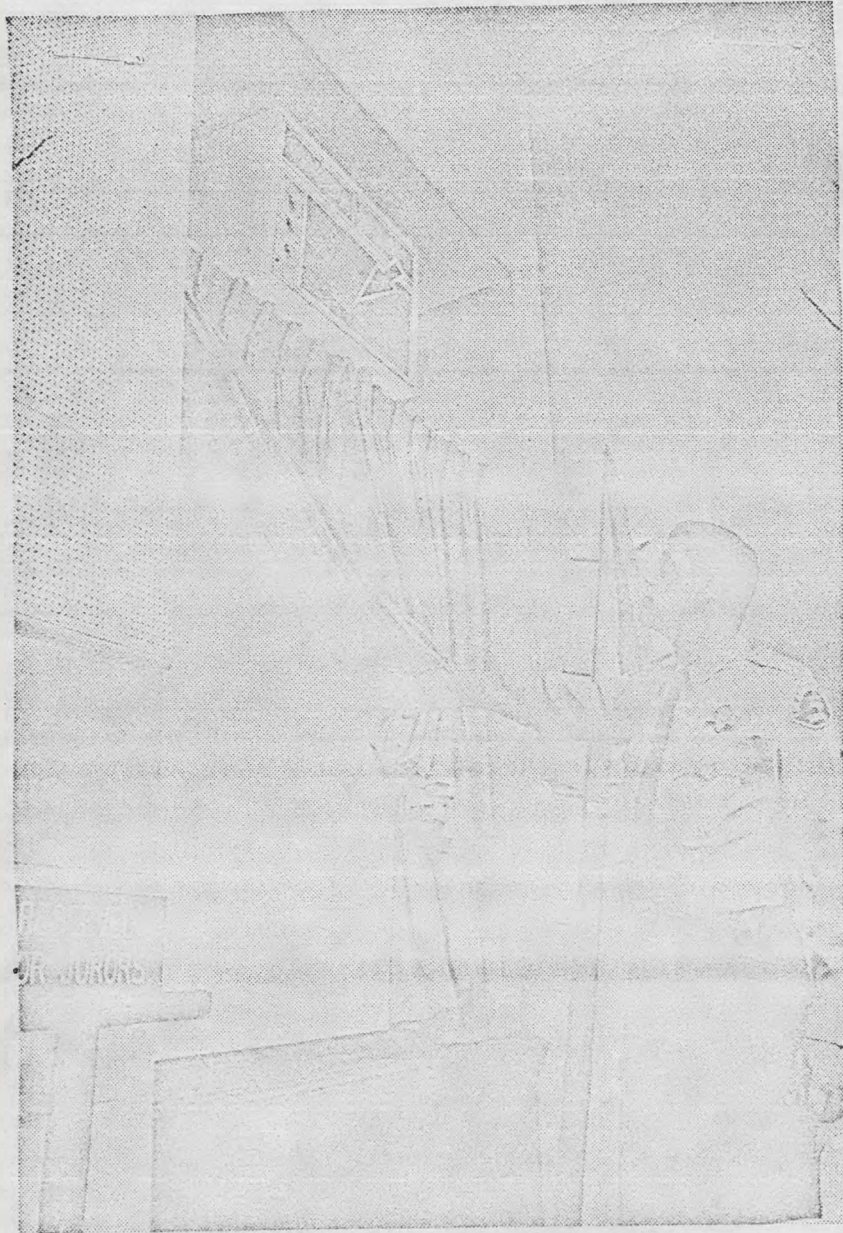
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JUDGE WILL SEE IT—View from bench of courtroom on the eighth floor of the Hall of Justice where Sirhan Bishara Sirhan goes on trial today in the slaying of Robert F. Kennedy. Presiding over the

closely guarded trial will be Superior Judge Herbert V. Walker. Just in front of bench with row of microphones is counsel table at which prosecution and defense attorneys—and Sirhan—will sit.

Times photos by John Maiman



PROTECTIVE MEASURE—Dep. Sheriff George Psareas inspects quarter-inch thick steel-plated window in courtroom. Just above it in an air conditioning unit is closed-circuit television camera, arrow, that will carry Sirhan trial proceedings to newsmen in auxiliary courtroom on fourth floor. The camera, however, will not show the jury.

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Cooper Case Won't Delay Sirhan Trial

Sirhan trial chief defense counsel Grant B. Cooper's federal court hearing on his statement he lied in connection with the recently concluded Friar's Club trial is not expected to delay the trial of the man accused as the slayer of Sen. Robert F. Kennedy.

Superior court officials have indicated that they expect the trial of Sirhan Bishara Sirhan to get underway as scheduled tomorrow.

Today Cooper goes into federal court for a hearing on his Friday statement he "didn't tell the truth" when asked how he obtained a secret grand jury transcript in the recently concluded Friars card cheating trial.

Cooper said that, "it would have pointed a finger at my client," had he testified truthfully about the transcript.

Final preparations of the armor-plated eighth floor courtroom in the Hall of Justice in which Sirhan will be tried will be completed today. Also to be completed is the so-called auxiliary courtroom in which those of the 114 newsmen assigned to

courtroom seats will observe the trial for whom there are not the proceedings on closed-circuit television. There are only 37 press seats in the courtroom itself.

Sirhan remains in an isolated cell on the 13th floor of the Hall of Justice. He is said to be growing increasingly nervous as the trial approaches.

It is expected that as many as 200 witnesses may be called during the trial, but Superior Court Judge Herbert V. Walker, who will preside, may try to cut this list down.

Several witnesses will be those who were in the crowded kitchen area of the Ambassador Hotel, where Kennedy was shot shortly after midnight June 5.

Sirhan was arrested in the kitchen immediately following the shooting.

Although Sirhan has pleaded innocent, Cooper and his associates Russell B. Parsons and Emile Zola Berman are expected to seek a verdict which might find Sirhan guilty, but which would not warrant the death penalty — either second degree murder, or manslaughter.

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Sirhan Trial: Defense Hits Indictment

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Defense attorneys for Sirhan Bishara Sirhan, 24, accused as the slayer of Sen. Robert F. Kennedy, today resorted to seldom used legal stratagems in an attempt to have Sirhan's murder indictment set aside.

The defense mounted a major legal attack on the indictment, which, if successful, would return the young Jordanian immigrant to the status he had the day he was arrested for Kennedy's murder.

First move in the complex legal maneuver was a demand by Chief Defense Attorney Grant B. Cooper that Sirhan's plea of not guilty be set aside.

If this is successful, the way would be cleared to assail the indictment through an attack on the 1968 Los Angeles County grand jury which returned it.

Should that attack succeed, Sirhan would become simply an

individual arrested by Los Angeles police for the June 5 slaying, and the process of bringing him to trial would have to start again.

If Cooper's attack on the indictment fails, Sirhan would still have the right to restore his plea of not guilty.

Cooper has indicated that testimony he wants to introduce in support of one of his maneuvers will be lengthy. At one point yesterday he suggested a 30-day delay to iron out legal points.

Cooper's suggestion, which never reached the formal motion stage, was brushed aside by Superior Court Judge Herbert V. Walker, presiding over the trial.

Cooper has made it clear that the reason he wants the plea set aside is to lay the groundwork for an attack against the 1968 Los Angeles County Grand

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Jury, and California's Grand Jury selection system in general. (man of New York, joined his colleagues even later.)

al. In yesterday's proceedings

The system has been attacked before, and at the level of the State Supreme Court the attacks have been unsuccessful. However, Cooper points out that the attack against the system is being carried to the U.S. Supreme Court.

Cooper has assailed selection of the 1968 Grand Jury on the grounds that the system which permits judges to nominate Grand Jury candidates, who are then chosen by a spin of the wheel, inherently excludes "members of some minority groups and persons of some national background."

The legal concept of "timeliness" could mitigate against Cooper's move to withdraw the "not guilty" plea, even though withdrawal of the plea is but a technical maneuver. The concept's rationale is that there was a proper time and place for Cooper's argument, and that it may not have been made.

The chief defense counsel's answer to that is: "I wasn't, in the case then."

Cooper joined defense attorney Russell E. Parsons in the Sirhan case last month after conclusion of the Friars Club card cheating trial. The third defense lawyer, Emil Zola Ber-

man of New York, joined his colleagues even later.)

In yesterday's proceedings Cooper lost two of his moves. He failed:

• To get Judge Walker to agree to two juries in the case—one to hear the evidence, the other to set the penalty, should there be a first degree murder conviction.

• To get the jurist to assent to written, instead of oral, examination of prospective jurors. Chief Deputy District Attorney Lynn Compton, who heads the prosecution, opposed both moves. Walker rejected the two-jury request out of hand, and denied the plea for written examinations on the grounds that the jury prospects might act in collusion in filling out written questionnaires.

At a post session news conference yesterday Cooper confirmed speculation that the Sirhan defense will be based on legal and psychological grounds.

He said: "The defense will not deny Sirhan shot Kennedy. A lot of people saw him."

"The defense will be along other lines."



—Associated Press Photo

THREE DEPUTIES FORM DISTRICT ATTORNEY'S OFFICE, PROSECUTORS OF SIRHAN
From left, John Howard, David Fitts, and Lynn Compton arrive at hall of Justice for trial session

(Mount Clipping in Space Below)

Move for Mistrial May Be Made by Sirhan's Attorneys

BY DAVE SMITH
Times Staff Writer

The possibility of motions for a mistrial or a change of venue were raised Wednesday by two defense attorneys for Sirhan Bishara Sirhan, accused slayer of Sen. Robert F. Kennedy.

New York lawyer Emile Zola Berman told Superior Judge Herbert V. Walker that the defense would be prepared to present evidence in support of a motion this morning regarding "the saturation of publicity in this area."

During a 10-minute recess, co-counsel Russell B. Parsons said the defense is concerned about both the amount and character of publicity devoted by local news media to the Sirhan case.

Refuses to Answer Directly

Asked if this indicated the defense would seek to move the Sirhan trial elsewhere, Parsons refused to answer directly, but referred to earlier defense statements indicating it was felt that there were few places in the world where the case had not been greatly publicized.

Asked if a motion for mistrial seemed the more likely prospect, Parsons answered, "I would say a motion for mistrial is more likely."

But the specific character of the planned defense motion was discussed in Judge Walker's chambers during a closed meeting that brought Wednesday's court session to a close.

It was expected that after motions are dealt with this morning, the trial will recess until Monday morning, when jury selection will begin.

Court observers felt the prospects were not bright for either possible motion. Judge Walker has declared his impatience to get the trial moving and in denying a continuance Wednesday, cited a long list of delays in the case since the assassination of the New York senator last June.

Big Expense Cited

As to moving the trial to another county, observers cite the enormous expense already incurred and the massive security precautions undertaken to protect the defendant here. The money, manpower and time required to duplicate these precautions elsewhere could weigh heavily against Judge Walker's ruling favorably on a change of venue.

The observers add that Walker, 69, plans to retire in July with the Sirhan trial as the capstone of a career that has made him the dean of criminal judges in Los Angeles County.

Wednesday, only the second day of Sirhan's long-delayed trial, was marked like the first by defense efforts to forestall the immediate opening of the jury selection phase — a process expected to consume three to four weeks.

Defense counsel Grant B. Cooper moved for a 30-day continuance, which he said the defense team needed to compile its evidence in support of other motions left unresolved Wednesday by Judge Walker.

But Judge Walker denied a continuance of that length, and after a closed session in chambers, Co-

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per said defense and prosecution had agreed to begin questioning prospective jurors Monday.

Cooper suffered heavy going in arguing a series of motions aimed at gaining time. He first reintroduced a motion—denied Tuesday — that separate juries be impaneled—one to determine guilt or innocence, the other to fix the penalty if the 24-year-old Jordanian is convicted.

Cooper cited a pending case before the U.S. Supreme Court on grounds that the single verdict procedure forces a defendant to decide whether to offer mitigating evidence which could reduce the penalty but would also bring the risk of self-incrimination.

Cooper contended that the single verdict procedure poses a dilemma which violates the 5th and 14th Amendments.

Another Rejection

Judge Walker again denied the motion, repeating the opinion he expressed Tuesday — that Cooper could reintroduce the same motion at a later phase of the trial if circumstances warrant.

The judge also pointed out that an earlier defense motion to set aside Sirhan's plea of innocence was no longer required under recent penal code changes. These allow for quashing of an indictment—still another defense motion—even after a plea has been entered.

With Judge Walker's denial of the 30-day continuance plea, the jurist also pointed out that the motion to quash the indictment could be ruled upon at any time in the course of jury selection and that this phase should give the defense ample time to gather its evidence.

The bulk of Wednes-

day's court session was taken up with arguments on Cooper's motion to set aside the jury list, which the defense contends does not represent a broad cross-section of the population.

Cooper cited a long list of occupations which are excused from jury duty, including legislators, attorneys and their employes, clergymen, teachers, those in the medical profession and many others.

He then introduced Los Angeles County Jury Commissioner William A. Goodwin as a defense witness, said he had not had adequate time to question Goodwin in advance and asked to recall him later.

Begins Questions

But Judge Walker denied this request and Cooper launched a series of questions designed to support his contention that selection of jurors from voters' lists automatically involves exclusion of broad classes of citizens.

Goodwin testified that the list of jurors for the county's central district, in which the Sirhan case is contained, is drawn up by data processing machines which select every fifth name from every sixth precinct throughout the county.

Dep. Dist. Atty. John E. Howard, cross-examining Goodwin, asked if there was ever any exclusion of prospective jurors on the basis of political belief, race, religion, or occupation.

To each question, Goodwin replied, "No."

Cooper protested that the defense still was not prepared to present its evidence supporting the motions to set aside the

jury list and the indictment.

Judge Walker then ruled that both motions would be held open for later ruling, but that the trial would continue.

Waves to Mother

For the second day of his trial on charges of first-degree murder, Sirhan was quiet but seemed in generally good spirits. Upon entering the courtroom, flanked by two sheriff's deputies, the short, slim defendant waved at his mother and two brothers in the back row.

Once seated, he again turned to his family, smiled broadly and waved again. He held numerous whispered conferences with Parsons, at his immediate right, and followed the courtroom procedure with an alert air.

Sirhan's mother, Mary, 55, in a black and gold dress, sat with two of Sirhan's four brothers, Munir, 21, and Adel, 30, who live in the family home in Pasadena. Two other brothers, Sharif, 37, and Saidallah, 36, who also live in the area, have yet to attend their brother's trial.

(Mount Clipping in Space Below)

Fight Looms Over Sirhan Diaries Use

By John Douglas

Herald-Examiner Staff Writer

A major clash in the Sirhan Bishara Sirhan murder trial loomed today as prosecutors sought to put before the jury three diaries written by the admitted slayer of Sen. Robert F. Kennedy.

A preliminary skirmish in the battle of the notebooks was abruptly halted yesterday when the young Arab became visibly upset in the courtroom and his chief defense counsel, Grant B. Cooper, called for a recess.

Judge Herbert V. Walker, presiding over the trial, then adjourned for the day. Cooper and his associate, Russell E. Parsons, calmed Sirhan before he was returned to his cell.

The two attorneys declined to say what their client had told them, but Parsons indicated that Sirhan had misunderstood preliminary legal maneuvers and believed Judge Walker had admitted the diaries in evidence. Actually the judge will not make that ruling until today.

Sirhan's position is that "the notebooks are his and he does not want them read by anyone," Parsons said.

The lawyer charged police who searched the Sirhan home at 696 E. Howard St., Pasadena, following the shooting had "stolen" the diaries. Police admit they acted without a search warrant.

During examination of Police Sgt. William E. Brandt Sirhan rose in his chair and talked excitedly with his lawyers and Chief Defense Investigator Michael McCowan. He wiped his brow several times during their discussion.

Brandt, under questioning by Dep. Dist. Atty. John Howard, told the jury of eight men and four women that the defendant's brother, Adel Sirhan, 30, gave him permission to search the family home. He said he went to the Howard Street address from Pasadena Police Headquarters where he met both Adel and Munir Sirhan, another Cuneo that Sen. Kennedy might have fared better had he received different treatment at Central Receiving Hospital where he was taken immediately following the shooting in a pantry off the Ambassador Hotel's Embassy Ballroom.

Dr. Cuneo disputed this. He said he thought the physicians at Central Receiving had done all they could for Kennedy before transferring him to Good Samaritan.

A major portion of yesterday's trial session was taken up with the testimony of DeWayne Wolfer, Los Angeles Police Dept. ballistics expert.

Wolfer identified, and the jury was shown, bullet fragments removed from Kennedy's brain during surgery and at the subsequent autopsy. Also shown was a bullet taken from the slain senator's neck.

Wolfer identified this slug, as well as slugs taken from the wounds of three other persons injured in the shooting melee which claimed Kennedy's life, as having been fired by Sirhan's gun.

Shown the jury over Cooper's vigorous protests were autopsy photographs showing Kennedy's headwounds, which Cooper denounced as "inflammatory" to the jury.

His efforts to block the photos were unsuccessful as were those to cut short Dr. Cuneo's testimony, which the defense lawyer objected to as a "gross detail."

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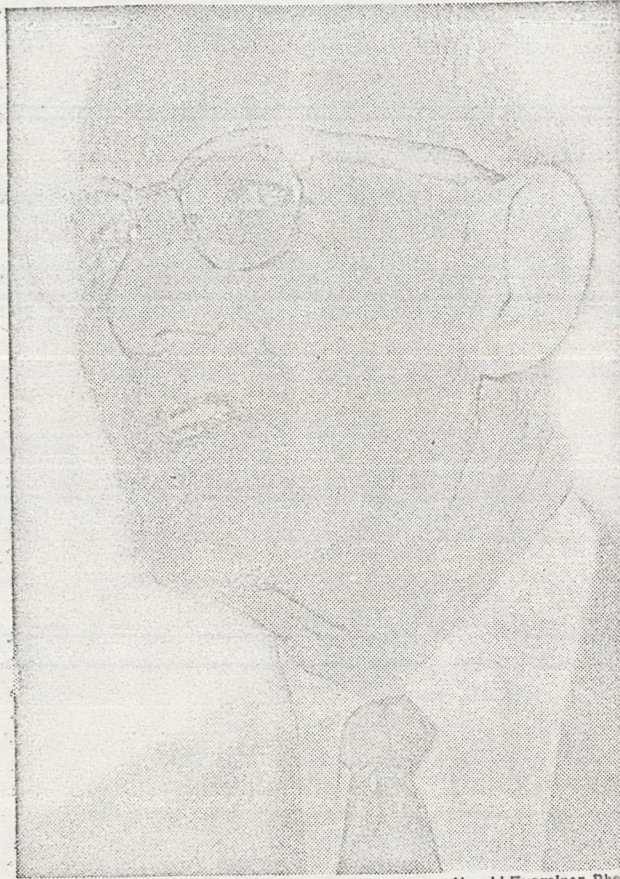
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—Herald-Examiner Photo

DR. HENRY CUNEO ENTERS COURT

—“We knew things were really bad”—



—Herald-Examiner Photo

SGT. W. E. BRANDT

He found diaries

(Mount Clipping in Space Below)

Coroner Noguchi Quits in Feud With Hollinger

Will Leave Office After He Testifies at Trial of Sirhan

BY RAY ZEMAN
Times County Bureau Chief

Dr. Thomas Noguchi resigned Tuesday as chief county medical examiner and coroner.

The sudden resignation climaxed a bitter feud with L. S. Hollinger, the county's chief administrative officer.

Last Friday Dr. Noguchi said Hollinger had threatened to file "some type of charge" against him if he didn't quit.

Dr. Noguchi will become a pathologist in the county medical service at no reduction in salary. He is paid \$31,104 a year.

His resignation will take effect March 4.

Called in Sirhan Case

"I have been called to testify as county coroner in the Sirhan case," Noguchi said. He referred to his autopsy last year in the assassination of Sen. Robert F. Kennedy.

"I've decided, as soon as that is completed, to give up my position as coroner so that I can devote all my time and energies to the practice of forensic pathology in which I am specially trained," he said.

"The administrative duties of the coroner take up a lot of time that I should like to spend in my professional field.

"I am fortified in my decision by my knowledge that as coroner I have contributed to improvement of the office and its ability to serve the public."

Passes Out Copies of Letter

Dr. Noguchi passed out copies of his letter of resignation in the Hall of Administration press room just 20 minutes after the supervisors had adjourned their regular session at noon.

The board had intended to go into executive session to hear Hollinger's analysis of complaints against the coroner. It adjourned amid reports that Dr. Noguchi's resignation was imminent.

Last Friday Dr. Noguchi defended his record, including the autopsy in the Kennedy assassination.

Hollinger insisted he was not referring to the Kennedy death when he issued a statement that he had received "a number" of complaints and charges about the way Dr. Noguchi runs his office."

Dr. Noguchi, 42, had been coroner since Dec. 19, 1967.

He was appointed by a 3-2 vote of the supervisors after the UCLA and USC schools of medicine opposed the appointment. The schools contended he was too young and too inexperienced for the job.

The supervisors will choose his successor after a civil service examination.

Dr. Noguchi, Japanese-born, is a naturalized citizen. He is a graduate of the Nippon Medical School and served his internship in the Tokyo Imperial Hospital and the Orange County General Hospital.

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Work Routine Criticized

Hollinger has complained that Dr. Noguchi spent too much time investigating routine deaths from natural causes and not enough on violent and suspicious cases.

He remained silent Tuesday about other complaints and charges he said he has received.

The compromise in transferring Dr. Noguchi averted publication of these charges and a long airing in civil service hearings.

Keeping Dr. Noguchi's salary at the same level when he transfers from the Coroner's Department to the Department of Hospitals will follow a county policy known as "Y-rating." This insures an employee against any cut in salary in an interdepartmental shift.



Dr. Thomas Noguchi

Times photo

(Mount Clipping in Space Below)

Sirhan Enraged, Wants to Plead Guilty, Get Death

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan, enraged at public disclosure of his writings and their admission into evidence at his murder trial, now wants to plead guilty and go to the gas chamber, his defense counsel said Tuesday.

"We're not going to let him," said Grant C. Cooper. "He's blown his top, that's all."

Sirhan's sudden change of heart came Tuesday morning in Superior Judge Herbert V. Walker's chambers, before the trial resumed with argument on admission of notebooks in which Sirhan wrote of his intent to assassinate Sen. Robert F. Kennedy.

Sirhan's writings describe the 24-year-old Jordanian immigrant's resentment of his poverty, his anger at the United States, a firm but obviously uninformed belief in communism and a growing determination to kill Sen. Kennedy.

Six pages of chaotic, sometimes illegible scribbling in a spiral notebook, along with samples of Sirhan's handwriting and two envelopes, were admitted into evidence. On one envelope, carelessly tossed into the

trash and found last June 6, hours after Sen. Kennedy died, was the note: "RFK must be disposed of like his brother was."

Before the ruling on the notebooks, it was learned that Sirhan told Judge Walker that if they were admitted, he would be railroaded into the gas chamber.

He reportedly told Judge Walker that he didn't want the judge "gloating over the fact that you made the people think I got a fair trial."

Instead, Sirhan is reported to have said, he would rather "stand up right now and plead guilty and go to the gas chamber."

It was learned that Sirhan said Judge Walker was not giving him a fair trial in letting the notebooks into evidence and claimed that prosecution use of the notebooks, taken from his Pasadena

home last June 5 without a search warrant, violated his constitutional rights.

Judge Walker reportedly told Sirhan that his best interests were being protected by his three-man defense team—Cooper, Emile Zola Berman and Russell B. Parsons—and that he should follow their advice.

Explodes Twice

But Sirhan apparently remained dubious Tuesday about staying with his not guilty plea, and twice exploded verbally in court during discussion of the notebooks' contents.

At his second outburst, moments after the afternoon session convened, Dep. Dist. Atty. David N. Pitts had just begun to describe the notebooks' contents to the jury when Sirhan raised his left hand in a commanding gesture and said, "Your honor, excuse me for interrupting."

Defense attorneys swooped down on their obviously agitated client, whispered urgently for several minutes and then requested a recess.

The jury was taken out, and Sirhan, normally led from the courtroom by two deputies, stalked quickly ahead of them to an adjacent holding room.

Half-Hour Huddle

There, for about half an hour defense attorneys, Sirhan's mother, Mary, and brother, Munir, 21, sought to calm the excited defendant and talk him out of changing his plea. Both the mother and brother appeared to have been crying when they reappeared.

(Indicate page, name of newspaper, city and state.)

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Cooper then was granted a continuance until this morning.

Cooper said Sirhan "apparently was calmed down" after their private huddle, but added, "I don't know what he'll do in the morning. He was highly excited."

Sirhan's wish to plead guilty and face the death penalty is a reversal of his position of two weeks ago, when both defense and prosecution attorneys were willing for Sirhan to plead guilty to first-degree murder with the understanding that he would receive a life sentence.

Judge Walker rejected that arrangement, insisting that the question of penalty — death or life imprisonment be left up to the jury.

At that, Sirhan, then unwilling to risk a possible death sentence, refused to change his plea.

Since then, the prosecution has laid out most of its case against Sirhan, including color photographs of Sen. Kennedy's fatal head wound and the diary with its repeated injunctions that Sen. Kennedy must be killed.

With so much prosecution evidence before the jury and no defense evidence to counterbalance it, the defense would run a risk if Sirhan now pleaded guilty and took a chance on escaping the gas chamber.

Another irony is the fact that while the prosecution regards Sirhan's notebooks as proof of premeditation, the defense regards them as indispensable evidence of Sirhan's psychological incapacity to premeditate and the most likely single avenue toward saving Sirhan's life.

Why is Sirhan so opposed to disclosure of the notebooks?

Fears Ridicule?

Sirhan is said to be intensely proud of his intellect and fearful of having his political views and inner thoughts held up to ridicule or criticism. Defense attorneys have said that Sirhan resents any implication that he might be mentally ill, and in fact he protested aloud in court when Berman referred to him as an "immature, emotionally disturbed and mentally ill youth."

Some months before he shot and killed Sen. Kennedy, Sirhan wrote:

"I advocate the overthrow of the current president of the United States of America. I have no absolute plans yet—but soon will compose some . . . I am poor."

This was in two pages—labeled "highly inflammatory and prejudicial to the defense" by Cooper—which were barred from evidence.

Denies New Curb

But Judge Walker denied Cooper's repeated plea to admonish all parties not to divulge their contents to the press.

"I don't think the court can restrict the press in any way," said the 69-year-old jurist.

The controversial two pages will be kept from the eyes of the jury, which is sequestered throughout the trial.

But Chief Dep. Dist. Atty. Lynn D. Compton argued — successfully — that the public had the right to know "what motivated the defendant." Compton also suggested that the contents of the two pages, inflammatory or not, illustrated Sirhan's thinking and thus underscored the "sole issue" in Sirhan's trial.

As Compton argued for release of the two pages, Sirhan sprang to his feet and shouted angrily in Arabic, gesticulating fiercely with his left hand.

The outburst, the most dramatic so far, came just as Compton referred to Sirhan's "advocating the overthrow of the country."

Court officials jumped to

Sirhan's side and defense attorneys pushed him down in his seat as Compton went out. Minutes after the angry shout, Sirhan was smiling again and whispering with his attorneys.

The defense has admitted all along that Sirhan killed Sen. Kennedy, but maintains that he did so in an obsessive frame of mind.

It was not clear when Sirhan wrote most of the material contained in the 8½-by-11-inch notebook.

The embattled two pages read:

"Equality before and AFTER the law.

"I advocate the overthrow of the current president of the —United States of America. I have no absolute plans yet—but soon will compose some . . . I am poor. This country's propoganda (sic) says that she is the best country in the world—I have not experienced this yet—the U.S. says that life in Russia is bad — WHY — Supposedly, no average American has ever lived in a slavic society so how can he tell if it is good or bad—isn't his gov't putting words in his mouth.

More of Writings

"Anyway—I believe that the U.S. is ready to start declining, not that it hasn't (sic) — it began in Nov. 23, '63, but it should decline at a faster rate so that the real utopia will not be to (sic) far from being realized during the early '70s in this country.

"I firmly support the communist cause and its people—wether (sic) Russian, Chinese, Albanian, Hungarian or whoever.

"Workers of the world unite, you have nothing to loose (sic) but your CHAINS and a world to win.

"Workers of the world unite, you have nothing to loose but your chains and a world to win—

"Workers of the world unite, you have nothing to

loose but your chains."

The rest of the page trails away in scribbles in English and Arabic, including his nickname, "Sol."

Elsewhere, Sirhan wrote variations on "RFK must die, RFK must be killed" across one entire page. At the top, Sirhan wrote: the date May 18, 9:45 a.m. '68, and the note, "My determination to eliminate RFK is becoming more the more (sic) of an unshakable obsession."

Further on he wrote: "Robert F. Kennedy must be assassinated assassinated assassinated assassinated . . ."

Opinion Supported

On two other pages, Sirhan neatly inscribed what appear to be quotations from another source that evidently supported his own dour assessment of U.S. life. That section ends with Sirhan's own summary, in characteristically messy writing:

"Well, my solution to this type of government, that is to do away with its leaders and declare anarchy the best form of gov't — or no gov't . . . The president elect is your best friend until he gets in power. Then he sucks every drop of blood out of you—and if he doesn't like you—you're dead."

On another page, Sirhan also wrote that "Ambassador Goldberg must be assassinated" — referring to former U.N. Ambassador Arthur Goldberg.

In a manifesto-like paragraph, similar to several other portions of the diary later to be cited by the defense as indicative of his obsessions, Sirhan wrote:

"The so-called president of the United States of America must be advised of their punishments for their reasonable crimes against the (sic) state more over we believe that the glorious United States of America will eventually be felled by a blow of an assassin's bullet—b—bullets bullets assassin's bullet . . ."

RFK must be
be disposed of
d d
disposed
disposed of
disposed
disposed properly
Robert Fitzgerald
Kennedy must have die
die die die die
be die die die die

ADMITTED INTO EVIDENCE—Envelope with hand-scribbling that was found in a trash can at home of Sirhan Sirhan after Robert F. Kennedy's death.

(Mount Clipping in Space Below)

Diary Use Triggers Sirhan's Outburst

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Sirhan Bishara Sirhan's emotional state has taken center stage in his murder trial and his lawyers doubt their ability to control him when diaries — in which he expressed his desire to kill Sen. Robert Kennedy — are read to his jury.

Sirhan tried twice yesterday to plead guilty and halt his trial, rather than allow the jury to learn the contents of three diaries he kept prior to June 5, 1968, when he admittedly shot the New York senator.

Both his attorneys and Judge Herbert V. Walker, who presides over the trial, refused to permit the change of plea, but Chief Defense Counsel Grant B. Cooper said later that there is no certainty Sirhan will not try the same tactic again.

Frustrated in his change of plea maneuver, Sirhan erupted in the courtroom, forcing a halt to his trial while counsel and family tried to calm him.

Emerging from a holding cell where he had reasoned with his client for more than an hour, Cooper said Sirhan was "relatively calm."

But the veteran trial lawyer warned, "he is very mercurial."

Cooper said he and his associates, Emile Zola Berman and Russell E. Parsons, would withdraw from the case before permitting Sirhan to plead guilty.

"He doesn't know what the hell he's doing," Cooper said.

Chief Deputy Dist. Atty. Lynn D. Compton disclosed that Sirhan had told Judge Walker:

"I'd rather plead guilty and die in the gas chamber than

have people think I'm getting a fair trial."

Explaining that remark, Cooper said, "Sirhan feels his constitutional rights were violated in taking these documents of his (the diaries) and offering them in evidence."

He said that in an in-chambers conference Sirhan, "blew up the same as he did this (yesterday) afternoon."

"He said he wanted to talk to the Judge."

"He told Judge Walker, in effect, that he didn't think he was right in admitting the diaries into evidence. He said he didn't think he was getting a fair trial."

Later in the conference, according to Cooper, Sirhan told Walker, "I want your honor to take my plea of guilty."

"Judge Walker told him," continued Cooper, "Mr. Sirhan, you are represented by three able counsel with your best interest at heart . . . Listen to their advice."

Cooper explained that even if Sirhan persists, Judge Walker is not bound to accept his plea.

If he persists, Cooper avowed, "first he has to discharge us. Neither I, nor Zook (Emile Zola) Berman, nor Ross (Russell E.) Parsons would consent to such a thing."

Cooper forecast that if Sirhan insisted on the plea change, Judge Walker would not act without lengthy consultation with the young Jordanian defendant. A psychiatric examination would also probably be ordered, Cooper said.

The defense lawyer disclosed that Judge Walker already has rejected a prosecution suggestion, voiced first by Compton and later by Dist. Atty. Evelle J. Younger that Sirhan be allowed to plead guilty and be

sentenced to an automatic life term.

The defense turned down an offer that the young Arab plead guilty to first-degree murder and throw himself on the mercy of the jury, Cooper reaffirmed.

After Sirhan's first courtroom outburst, the trial proceeded normally. But Cooper asked for a recess and then adjournment after the second.

That came as Dep. Dist. Atty. David N. Fitts sought to begin reading to the jury the diaries' contents.

Sirhan rose to his feet calling, "Forgive me your honor . . ."

In an instant, Inspector William Conroy, in charge of courtroom security, forced Sirhan into his seat. Conroy, Cooper and Chief Defense Investigator Michael McCowan huddled around him, vainly seeking to calm him.

Sirhan was removed from the courtroom and his three lawyers joined him in an antechamber. In a few minutes they sent for his mother, Mrs. Mary Sirhan. She emerged some 10

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minutes later, tears streaming down her face. Walker's permission. Cooper sought unsuccessfully to get Walker to forbid their publication. The defense lawyers and the

The defense lawyers and the prosecutors then conferred in chambers with Judge Walker, arranging for a halt in the day's proceedings.

When Sirhan was brought back to court for adjournment proceedings, his face was marked with tears. (obscenity) United States of America. . . "I firmly support the Communist cause and its people-

He was returned to the ante-chamber. He waited there until joined by his mother and brother, Munir. After 30 minutes they left, and Cooper said his client was "relatively calm."

None of Sirhan's behavior. In addition to the diaries, short of a change of plea, pre-notes Sirhan made on two envelopes will be read to the jury. The diaries' contents, Judge Walker this morning, has admitted most of them in. One, recovered from a garage and the reading of page can behind his home by them to the eight men and four Pasadena police reads: women jurors and their six al- "REFK must be disposed of ternates is today's first order of d d . . . disposed . . . business. . . disposed d of . . . dis-

Only two pages which the posed.
judge found "inflammatory". "Disposed of properly . . .
will be kept from the jury. Robert Fitzgerald (sic) Ken-
Compton released these pas-nedy must soon die die die die
said was the "public and na-die die die die die die."
tional" interest, with Judge The second envelope notation

In the so-called inflammatory passages, Sirhan wrote:

"I advocate the overthrow of the current president of the (obscenity) United States of America. . .

"I firmly support the Communist cause and its people—whether Russian, Chinese, Albanian, Hungarian or whatever—Workers of the World Unite.

This passage is signed "Sol Cord" and bears an Arabic inscription.

In addition to the diaries, notes Sirhan made on two envelopes will be read to the jury this morning.

One, recovered from a garbage can behind his home by Pasadena police reads:

"REK must be disposed of
d d d . . . disposed . . . dis-
posed . . . disposed d of . . . dis-
posed.

"Disposed of properly . . . Robert Fitzgerald (sic) Kennedy must soon die die die die die die die die die die."

The second envelope notation states, "RFK must be disposed of like his brother was . . . reactionary."

Sirhan prefaced a diary entry:

"My determination to eliminate R.F.K. is becoming more the more of an unshakable obsession."

He continued:

"Port wine . . . Port wine . . .
port wine . . .

"R.F.K. must die—R.F.K. must be killed, R.F.K. must be assassinated, R.F.K. must be assassinated . . . R.F.K. must be assassinated, must be assassinated . . .

RFK must be
be be disposed of
d 22
disposed

disposed of

disposed

disposed of properly

Robert Fitzgerald

Kennedy must soon die

die die die die

be die die die die

—UPI Photo

SIRHAN'S WRITING ON BACK OF ENVELOPE
Its introduction prompted defendant's tantrum

(Mount Clipping in Space Below)

Report on Sirhan 'Deal' Inaccurate, DA Says

BY RON EINSTOSS

Times Staff Writer

A report that the State Department "specifically approved" an agreement by which Sirhan Bishara Sirhan would change his plea to guilty in exchange for a sentence of life in prison was described Wednesday as "inaccurate" by Dist. Atty. Evelle J. Younger.

In a syndicated column appearing in many newspapers, Frank Mankiewicz and Tom Braden said Younger, after advising Secretary of State William Rogers that he was considering such an arrangement, was informed that the "proposed deal" was acceptable.

According to the columnists, the State Department—"as a matter of U.S. foreign policy"—felt that if a trial were avoided "it could only have a beneficial effect as far as the fierce and violent Middle East passions were concerned."

Mankiewicz and Braden reported that Younger even went to Washington "for some foreign policy advice and got it" after the offer by Sirhan to plead guilty with a guarantee of life imprisonment.

It was only after he was "armed with Rogers' approval" that Younger "approved the bargain" and with Sirhan's attorneys submitted the matter to Superior Judge Herbert V.

Walker for his consent, they wrote.

Contacted in Lima, Peru, where he is on temporary assignment, Mankiewicz said that he and Braden stand by their column.

Said Mankiewicz, "We obtained the facts that went into the column from an unimpeachable source in Los Angeles. Moreover, we double-checked them

with a high official in Secretary Rogers' office in the State Department."

In a statement issued Wednesday, Younger said Rogers never discussed the case with him and that "he (Rogers) did not approve, disapprove or otherwise comment upon any phase of the Sirhan case."

Younger noted that on Feb. 11 he disclosed that

he had offered "appropriate (government) officials" the opportunity to make any comments concerning the disposition of the case and that they "declined and made no comment or recommendation."

"This statement was true at the time. It is still true. Mr. Rogers has not discussed the Sirhan case

with me to this date. He has made no recommendations. I don't anticipate that he will," Younger said.

The Times first revealed on Feb. 12 the existence of an agreement whereby Sirhan had offered to plead guilty if he could be guaranteed life in prison.

A week later The Times reported that the deal fell through only because Judge Walker had refused

to give his required consent to the penalty stipulation.

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(Mount Clipping in Space Below)

Sirhan Warned to Calm Down or Get Another Attorney

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan, uneasy about his defense strategy and unruly at his murder trial this week, is "going to have to calm down or get another lawyer," one of his defense attorneys warned him Wednesday.

Two other warnings came from Superior Judge Herbert V. Walker:

1—If Sirhan should lose or fire his three-man defense team and then undertake his own defense, the jurist said, "There is one thing I have always told all (defendants acting as their own counsel): when they are being tried for murder in a case before me they usually go to the gas chamber."

2—If Sirhan doesn't control his courtroom outbursts, he will be physically restrained—perhaps by being strapped in his chair during court sessions.

These developments came to light Wednesday as the prosecution wound up its case against Sirhan and opened the way Friday—after a recess today—for the defense effort to prove that the admitted slayer of Robert F. Kennedy is not guilty, by reason of diminished mental capacity.

The defense team would not discuss its opening tactics. Attorney Grant Cooper, who earlier warned Sirhan about calming down, said "we have some problems," but would not amplify.

The problems were reliably reported, however, to involve Sirhan's frame of mind about the conduct of his defense.

Early Tuesday morning, before the trial resumed, Sirhan surprised

the judge, the prosecution and even his own defense counsel with the impulsive decision to change his plea of innocence to one of guilty of first-degree murder.

His attorneys calmed him at that point, only to have to calm him down after a outburst in court later in the morning, when Sirhan's writings were discussed. A second public outburst that afternoon caused an early adjournment and continued pacification efforts by defense attorneys.

Throughout court proceedings Wednesday, Sirhan appeared angry in conversation with his defense team, and for long periods sat in sullen silence. Cooper told newsmen, "we're trying to control him," but he appeared obviously uncertain how firm the controls were or how long they would last.

Just as court was convening Wednesday, even before Judge Walker was seated, Sirhan showed his displeasure at two documents handed him by defense investigator Michael McCann.

Shaking his head negatively and muttering, Sirhan grabbed a pen and quickly slashed through several paragraphs of one document described as a list of prospective defense witnesses.

He also shook his head in seeming disagreement as he read a list of legal points yet to be introduced by the defense. These were believed to relate to alleged childhood trauma, a likely foundation of the defense contention that Sirhan's capacity to premeditate Sen. Kennedy's death was diminished.

Munir Sirhan later sent Sirhan a note in Arabic, which read, "Please be good."

A transcript released Wednesday of an in-chambers session Tuesday morning confirmed that Sirhan wanted to change his plea from innocent to guilty, and that he'd nearly had a blowup Monday afternoon when the prosecution began its lengthy introduction of his controversial notebooks. It said in part:

"Your honor, if these notebooks are allowed in evidence, I will change my plea to guilty as charged."

"I will do so, sir, not so much that I want to be railroaded into that gas chamber, sir, but to deny you the pleasure, sir, of after convicting me turning around and telling the world: 'Well, I put that fellow in the gas chamber, but I first gave him a fair trial,' when you in fact, sir, will not have done so."

"The evidence, sir, that was taken from my home was illegally obtained, was stolen by the district attorney's people. They had no search warrant. I did not give them any permission, sir, to do what they did to my home."

"My brother Adel had no permission to give them permission to enter my own room and take what they took from my home, from my own room."

It was expected, however, that barring continued difficulty with their mercurial client, the defense would call Sirhan himself, his mother, Mary, and brothers Munir and Adel early in the defense.

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The prosecution case, though virtually complete, was not formally rested Wednesday.

Dep. Dist. Attys. John E. Howard and David N. Pitts and Chief Dep. Dist. Atty. Lynn D. Compton said they must organize prosecution exhibits and finish testimony from one witness, handwriting analyst Laurence Sloan, who is out of town until Monday.

The case can, however, be formally rested Friday with the stipulation that the defense case may be interrupted Monday to finish Sloan's testimony.

Transcript of another in-chambers session Tuesday afternoon revealed that counsel for both sides debated with Judge Walker whether Sirhan's outbursts might have been, in Compton's words, "malingering or putting on some kind of an act."

Cooper assured Judge Walker and Compton that Sirhan's behavior was not an act and that both de-

fense counsel and Sirhan's family had tried to curb his explosive behavior.

They debated whether to call in a psychiatrist to examine Sirhan Tuesday afternoon, but decided against it when all agreed there was no evidence that Sirhan's outbursts indicated he didn't understand the nature and import of the courtroom proceedings.

Oddly, Sirhan was composed and quiet Wednesday during the one thing he was most alarmed about Tuesday — jurors' examination of the notebook evidence.

The jurors appeared deeply absorbed as they read the chaotic scribbles of Sirhan's political views, mixed with unintelligible phrases and the repeated statement that he would kill Sen. Kennedy.

Several jurors looked frankly bewildered at what they read in the sometimes disjointed, sometimes repetitious narrative.

Howard drew from Police Lt. William C. Jordan the description of Sirhan after his arrest on June 3 as "extremely intelligent. He speaks very well. He denied any formal education

but speaks as if he were well-educated. He was emphatic on certain points and showed an inquiring mind.

"In 15 years (of Jordan's police work, I'd have to say he is one of the most alert, intelligent people I've ever interrogated, or attempted to interrogate."

Jordan testified, however, that Sirhan revealed almost nothing in the interrogation, not even his name.

But he admitted to Cooper that Sirhan, while uninformative, was "extremely polite. Under the circumstances, we had a very pleasant relationship."

"You talked about things unrelated to this case?" Cooper asked.

"We specifically avoided discussing this case," said Jordan.

"But in your talk, you laughed, and he laughed?" asked Cooper.

"Yes, sir," said Jordan.

Jordan said it was his opinion that Sirhan was not at that time under the influence of either alcohol or drugs, and thus he administered no test for drunkenness.

(Mount Clipping in Space Below)

Sirhan: Problem to Lawyer

Sirhan Due To Testify in Own Defense

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Sirhan Bishara Sirhan likely will be the lead-off witness when the defense opens its case at his murder trial Friday, according to Grant B. Cooper, chief defense counsel for the admitted slayer of Sen. Robert F. Kennedy.

Cooper revealed the potential defense strategy shortly after the prosecution completed presentation of its case yesterday.

The defense lawyer, who had lunched with Sirhan in his jail cell, was clearly worried about the turn the case has taken.

Superior Judge Herbert V. Walker, presiding over the trial, ordered a one-day break in the proceedings today, following the prosecution's completion of its presentation of evidence. However, the prosecution will not formally "rest" until court opens tomorrow.

Cooper refused to explain, but said several times, "I have problems . . . with my client."

Los Angeles County Coroner Dr. Thomas T. Noguchi was the final prosecution witness. It was one of his last official acts. He has resigned at the demand of County Administrative Officer L. S. Hollister, and said he would leave his post following his testimony in the Sirhan case.

Under examination by chief Dep. Dist. Atty. Lynn D. Comp-ton, Dr. Noguchi described the autopsy performed on Kennedy shortly after his death, 1:41 a.m., July 6, 1968.

A bullet fired at one-inch muzzle range, which pierced Kennedy's skull and brain was the cause of death, the Coroner said.

A second bullet, removed from the fleshy part of the Senator's neck, near the vertebrae, would not have caused death, Dr. Noguchi said.

Noguchi's testimony was cut short by Judge Walker, who acceded to Cooper's request that some of the "gory detail" be omitted. He agreed with the defense lawyer that a detailed account of the post mortem "is not necessary."

Dr. V. Fausten Bazilaukas, who attended Kennedy at Central Receiving Hospital where he was taken immediately following the shooting in the pantry off the Ambassador Hotel's Embassy Room, preceded Dr. Noguchi on the stand.

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He said Kennedy was "lifeless" when brought into Central Receiving. His breathing and pulse was restored through heart-lung machine, Dr. Bazilauskas testified.

He said Kennedy's condition was stable and his pulse and breathing "good" when he was transferred to Good Samaritan Hospital for surgery.

Dr. Bazilauskas was interrupted by a defense objection when he began to tell of Mrs. Ethel Kennedy's anguish as she stood at her husband's side in Central Receiving's treatment room No. 2.

"I was going to inject adrenaline directly into the heart (with a syringe and needle 10 inches long), which is occasionally a life-saving maneuver. But I looked into Mrs. Kennedy's eyes, she was standing just two feet away, and I don't think she could have taken it."

Cooper objected and the physician's reminiscences went no further.

Despite Cooper's forbodings, Sirhan remained calm, but tense throughout yesterday's session.

His lawyers spent more than an hour with him before court opened, calming him before his diaries were read to the jury of eight men and four women. During the 34 minutes the jury studied the diaries, in which Sirhan wrote of his "obsession" to slay Kennedy, the wiry Arab kept up a running conversation with one of his attorneys, Russell E. Parsons, but did not interrupt court proceedings, as he had Tuesday.

A transcript of a portion of a Tuesday in-chambers exchange between Sirhan and Walker revealed the admitted assassin had this to say about changing his plea to guilty rather than let the diaries go to the jury:

"I will do so, sir, not so much that I want to be railroaded into the gas chamber, sir, but to deny you the pleasure, sir, of returning to the prosecution for a brief period Monday. Laurence Stone, district attorney's hand-

Well, I put that fellow in the gas chamber but first I gave him a fair trial," when you in fact, sir, will not have done so.

"The evidence, sir, that was taken from a home (Sirhan's diaries were seized by police at his Pasadena residence) was illegally obtained, was stolen by the district attorney's people. They had no search warrant. I did not give them any permission, sir, to do what they did to my home."

While Cooper refused to say so, there is every indication that Sirhan is again insisting on taking an active part in plotting defense strategy.

Cooper has said that he and his associates are "not going to let the client run the case." But he has admitted he doubts his ability to control Sirhan.

Sirhan's petulance in the courtroom for the past two days contrasted markedly with an evaluation of him given by a police officer who testified yesterday.

Lt. William C. Jordan described Sirhan as "extremely polite."

"In 15 years as a policeman," Lt. Jordan said, "he is one of the most alert and intelligent people I ever interrogated or attempted to interrogate."

Telling of questioning Sirhan following his arrest at the Ambassador, Jordan said: "Under the circumstances, we had a very pleasant relationship."

Only mar to the relationship, Jordan testified, was suspicion on Sirhan's part of water and coffee offered him during interrogation. The lieutenant said Sirhan made him taste each cup for him.

Jordan said he asked Sirhan, "Do you think we're trying to poison you?" Sirhan did not answer.

While the defense will begin putting its witnesses on the stand tomorrow, the case will return to the prosecution for a brief period Monday. Laurence Stone, district attorney's handwriting expert who established the Sirhan diaries were in the defendant's handwriting, has not completed his testimony.

It was interrupted, by defense prosecution agreement, to permit Stone to attend a meeting in the East. It will be completed Monday.

Cooper said he expects to call 30 witnesses and take about three weeks to present his case. Lengthy prosecution cross examination could extend this estimate, he conceded.

Sirhan will testify, as will his mother, Mrs. Mary Sirhan, and brother, Munir, 21. Cooper disclosed he is also seeking to locate another Sirhan brother, Adel, 30, now believed in Washington state.

It is expected that the defense will call at least six psychologists and psychiatrists in its attempt to show Sirhan acted under diminished mental capacity in the shooting. That panel will be led by Dr. Bernard Diamond, nationally-famed forensic psychiatrist, who has worked with Sirhan for the past several months. Results of tests on the defendant performed while he was under hypnosis will be introduced.

The prosecution took nine days to present its case. It called 56 witnesses of 80 it had ready, and gave the jury 80 exhibits. Three more exhibits were prepared, but not admitted into evidence — including a passage from the Sirhan diaries ruled by Judge Walker to be too "inflammatory" for the jurors' eyes.

Compton said yesterday he would insert into the record, although not seek to present to the jury, statements taken from 200 other peripheral witnesses questioned in his investigation of the case.

"I don't want anyone to think we are hiding anything," he explained.

(Mount Clipping in Space Below)

Sirhan Defense To Hear 30 Testify

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Attorneys for Sirhan Bishara Sirhan, admitted killer of Sen. Robert F. Kennedy, open his defense today shortly after the prosecution officially "rests" its case.

Chief Dep. Dist. Atty. Lynn D. Compton will pronounce the rote phrase, "The prosecution rests," early in the session. Then it will be Grant Cooper's turn as chief defense counsel.

Cooper and his associates, Emilie Zola Berman and Russell E. Parsons, spent most of yesterday huddled behind closed doors in Cooper's office planning last-minute strategy.

While they were meeting, investigators for Cooper's staff circulated defense subpoenas in the Los Angeles area.

Cooper has said that he will call 30 witnesses in all.

Sirhan's trial was not in session yesterday. Judge Walker gave the attorneys one day to complete their preparations. They had sought an adjournment until Monday, but the jurist told them it was "out of reason" to expect the jury, which is locked up in the Biltmore Hotel, to remain idle that long.

There is a possibility that Sirhan will be the first witness in the defense case, but his mercurial emotions may prevent this. Cooper has halfwarned him that if he persists in emotional courtroom outbursts he may have to "get another lawyer."

Judge Walker said Sirhan's outbursts could lead to Sirhan being physically restrained in the armor-plated, eighth-floor Hall of Justice courtroom where his trial takes place under heavy guard.

Should Sirhan not testify today, his mother, 56-year-old Mrs. Mary Sirhan, probably will take the stand in her son's defense. The defense hopes her testimony, and that of the defendant's brother Munir, 21, will be acted under diminished mental capacity.

Cooper and his associates concede they have no chance of winning a acquittal for their client. They seek to induce the jury to spare his life, hoping to prove that his mental state was such that he could not have held within his heart and mind the "malice" necessary for first-degree murder.

In his opening remarks to the jury, Berman said that Sirhan was "in a trance and intoxicated" when he shot Kennedy. There has been speculation that Sirhan will testify that he was in a blackout when the shooting took place in a pantry off the Ambassador Hotel's Embassy Ballroom early the morning of June 5, 1968.

However, so-called blackout is almost a cliché in murder defenses, and it is probable that the defense will seek a more

sophisticated explanation of the mystery of Sirhan Sirhan for a jury that includes an engineering PhD, a computer programmer and a mathematician.

Also lined up for Sirhan's defense is a team of six psychiatrists and psychologists, led by Dr. Bernard Diamond, nationally famed alienist. They have tested Sirhan for several months and have examined him under hypnosis.

Purpose of the hypnosis was to recreate as nearly as possible the trance which Berman claims Sirhan was under when he shot Kennedy.

Should the jury believe Sirhan and his legal psychiatrists, presumably it would not condemn him to die.

There is another possibility. If during the trial Sirhan's mental state should deteriorate, the trial could be halted and he could be sent to a mental institution until he recovered.

(Indicate page, name of newspaper, city and state.)

A-1 Herald-Examiner
Los Angeles, Calif.

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Editor: Donald Goodenow
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3-3-69

(Mount Clipping in Space Below)

Lawyers Ask Sirhan Truce

By JOHN DOUGLAS
and
MYRNA OLIVER

Herald-Examiner Staff Writer

Sirhan Bishara Sirhan's defense team huddled with the admitted slayer of Sen. Robert F. Kennedy in his Hall of Justice isolation cell today in an attempt to reconcile the young Arab to their view of the defense.

The conference was hastily arranged yesterday at the end of an emotion packed court session in which:

• Sirhan tried to fire his lawyers, plead guilty and seek a death sentence.

• The attorneys — Grant B. Cooper, Emile Zola Berman and Russell E. Parsons—attempted, at Sirhan's demand, to withdraw from the case.

• Judge Herbert V. Walker, presiding over the trial, rejected both pleas and warned Sirhan that if he continued his courtroom outbursts he would be physically restrained.

Judge Walker, in a forceful scolding made it clear to Sirhan that he considered him "incompetent" either to change his plea or plot his own defense.

The drama-packed afternoon began with an outburst by Sirhan midway through the testimony of Pasadena Public Schools official John T. Harris who was reading Sirhan's school reports into the trial record.

The grades and test evaluations portrayed the 24-year-old Jordanian immigrant as an average student of limited potential.

Sirhan attempted to rise and speak and was shoved back into his chair by Inspector William Conroy, in charge of courtroom security.

Cooper asked that the jury be taken out of the courtroom and Sirhan be given permission to speak.

"I withdraw my original plea of not guilty and I say I am guilty of all counts. I request counsel to disassociate themselves with me.

"I will ask to be executed!" In clipped drum-fire phrases the young Arab spewed out this confession:

"I killed Robert Kennedy, fully, premeditatedly and with 20 years of malice aforethought."

Told by Judge Walker that, nevertheless, the trial must go forward, so that the evidence could be presented, Sirhan insisted, "I withdraw all evidence."

Judge Walker, then assuming that Sirhan wanted to defend himself, asked Sirhan to define the elements of first degree murder. When the defendant

could not, Walker snapped, "I find you incompetent."

Cooper explained the outburst was triggered by testimony showing Sirhan's poor school grades.

"He doesn't like to be demeaned . . ." he said. "He doesn't consider himself to be of diminished capacity."

Chief Deputy Dist. Atty. Lynn D. Compton said he was not surprised by the outburst. "It fits a perfect pattern. He's got a tremendous ego."

Following the outburst Walker recessed court to allow Cooper and his associates to confer with Sirhan. They were joined in the meeting, held in a holding cell off the armor-plated, eighth floor Hall of Justice courtroom, by the defendant's brother, Munir, 21.

Emerging from the holding cell Cooper demanded that the jury not be recalled, but that he be given permission to address the court.

Rising wearily to his feet he faced Judge Walker across the well of the court and said:

"Since we recessed, we as counsel have conferred with our client. He has advised us definitely, positively, unequivocally that he does not wish us to continue as his counsel.

"None of us has any desire to continue representing a client who does not desire our services. . . We have prepared what we feel, based on the facts of the law, a legal defense of diminished responsibility . . . There is a very violent difference of opinion as to how the defense should be conducted. . . We can not allow the defendant to run the lawsuit."

(Indicate page, name of newspaper, city and state.)

A-3 Herald-Examiner
Los Angeles, Calif.

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Edition: Latest News
Author: John Douglas and
Myrna Oliver
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At his request, Sirhan Bishara chair. Your trial will proceed. Sirhan, on trial for the murder of Sen. Robert F. Kennedy, was permitted to make a statement in court yesterday, in which he attempted to change his plea from not guilty to guilty.

Judge Herbert V. Walker denied the request.

The following is a partial text of the conversation between the defendant and the judge:

SIRHAN — I withdraw my original plea of not guilty and say I am guilty on all counts. I request counsel to disassociate themselves with me. I will ask to be executed.

JUDGE — You wish to plead guilty to murder in the first degree?

SIRHAN — Yes.

JUDGE — What penalty will you ask?

SIRHAN — I will ask to be executed.

JUDGE — I know of no law which permits a subject to plead guilty to first-degree murder after he has pleaded not

guilty . . . (in this way). Why do you want to do this?

SIRHAN — I believe it is in my best interest.

JUDGE — Why do you believe it is in your best interest?

SIRHAN — That is my prerogative.

JUDGE — It is not.

SIRHAN — I killed Robert Kennedy wilfully, premeditatedly and with 20 years of malice aforethought.

JUDGE — . . . Evidence showing that, or not, must be presented in your trial.

SIRHAN — I withdraw all evidence.

JUDGE — There is no such procedure. The court will not accept your plea. Furthermore, any further interruption by you in this trial will result in my having you restrained. Do you realize what that means? It means you will be put in a face mask so that you cannot talk. Your arms will be strapped to a

SIRHAN — I don't want counsel. I want to plead my own

JUDGE — You want to go proper (plead your own defense)?

SIRHAN — Yes.

JUDGE — What are the elements of murder?

SIRHAN — I don't know, but

JUDGE — I'll conduct the proceedings. What are the elements of defense in murder?

SIRHAN — I don't know.

JUDGE — You are incapable of representing yourself. I find you incompetent. Sit down and keep quiet or I will take steps to have you kept quiet. I will not accept your plea.

SIRHAN — I'm sorry, sir. I will not accept your words . . .

JUDGE — I will see you are kept quiet.

Judge Walker advised Sirhan to consult with his attorneys and recessed the court.

Cooper disclosed that during noon recess he arranged for an Arab international lawyer, Baron Sarkees Nahas, to speak with Sirhan in an attempt to convince him of the wisdom of the defense strategy. Baron Nahas, a former United Nations official, testified on Sirhan's behalf at the morning court session.

Cooper said members of Sirhan's family also remonstrated with him. The defendant's brother, Munir, apparently realized well in advance that his effect on his brother was nil. During a recess he turned to one of the deputies guarding the court and said, with a slight smile, "I told you it would be today."

Cooper pleaded with Judge Walker:

"We are perfectly willing, and in a sense anxious, to withdraw from the case and either let him represent himself or let him be represented by other counsel."

Judge Walker answered:

"I know of no law that permits counsel to withdraw in the middle of a case unless there is good cause. I don't feel this situation is good cause."

"He (Sirhan) is not capable of representing himself."

"I deny your motion to withdraw."

Cooper rejoined, "We are prepared and will go forward."

The examination of Harris was completed without further incident and the defense then called Mrs. Mary Sirhan, the Kennedy slayer's 35-year-old mother.

But the afternoon had taken a severe emotional toll on Mary Sirhan, who had several times burst into tears during her son's tantrums.

Even under the gentle questioning of Parsons associated with the case so long he is considered a family friend, Mrs. Sirhan could not go on. Teeth clenched, she attempted to answer Parsons' questions without breaking down, but to no avail.

She whimpered a few answers, and the tears came. Munir stepped to the rail of the court and asked Chief Defense Investigator Michael McCowan to intercede to end his mother's ordeal.

Judge Walker adjourned court for the weekend and in an unusual gesture told newsmen:

"I can't conceive of a worse set of circumstances under which a mother could be called to the stand. I think she showed great courage. . . Counsel requested the recess and that was why it was granted."

Earlier in the day a childhood friend of Sirhan's, Ziad Hashim, testified about their lives when both were refugee children in the walled city of Old Jerusalem.

Sirhan was terrified by the carnage of the Palestinian war, he said.

He described his friend of seven years as "sensitive and very honest," but painted a portrait of Sirhan that made the defendant see a person of overly prim ideas.

(Mount Clipping in Space Below)

'I Killed Robert

Kennedy'

SIRHAN

EXPLO

SION

(Indicate page, name of newspaper, city and state.)

I-3 Los Angeles Times
Los Angeles, Calif.

Change of Plus

Date: 3/1/69
Edition: Preview
Author: Dave Smith
Editor: Nick B. Williams
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1 MAR 3 1969	
FBI — LOS ANGELES	

Judge Rejects Defendant's Demand to Enter Guilty Plea

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan exploded in rage at his murder trial Friday afternoon and demanded to change his plea to guilty and go to the gas chamber.

In a 10-minute tirade before Superior Judge Herbert V. Walker he discharged his counsel, said "I will plead guilty as charged on all counts" and added "I will ask to be executed."

"I killed Robert F. Kennedy, willfully, premeditatedly and with 20 years of malicious forethought."

Judge Walker rejected the plea and ordered the trial to proceed, ignoring Sirhan's demand that he be permitted to act as his own counsel. The judge told Sirhan "now sit down and keep quiet or I'll see to it that you're kept quiet."

The judge threatened Sirhan with a face mask to silence him and adding that he would be strapped to his chair.

In earlier testimony, it was related that when he was about 10 in Jerusalem, Sirhan Bishara Sirhan went to the well one day for his mother. When he drew up the heavy rubber bucket, a severed human arm and hand floated in the water.

This and other childhood terrors, a former neighbor testified Friday, used to send Sirhan into fits of shaking and trembling—the forerunners of the trance-like states the defense will contend Sirhan was in when he shot and killed Robert F. Kennedy.

Defense witness Ziad Hashimeh, 23 and only a month older than the defendant, described his childhood playmate as a "very sensitive human being" subjected to poverty, a father's beatings and the repeated spectacle of violent deaths.

Hashimeh's testimony corroborated earlier descriptions of Sirhan family life given to The Times last year by other members of the Hashimeh family still living in Jerusalem.

The slim, dark-haired witness who said he last saw Sirhan in late 1956, exchanged frequent broad smiles with the defendant who greeted him with a happy shout as he entered the courtroom.

The Hashimeh family lived in the same large house as the Sirhans in the old walled city of Jerusalem. Hashimeh said nine families totaling about 50 people, lived in the building and shared a common toilet and adjacent well.

Hashimeh said the incident at the well occurred a year or two before the Sirhan family left Jerusalem in late 1956 for the United States. He said he and the neighbors ran out one day when Sirhan screamed "mother, mother."

They found Sirhan crying by the well, his body shaking, and in the bucket was the arm, Hashimeh said.

He also described other times when Sirhan, angered or frightened, would withdraw into silence and begin shaking. Once, he said, he

planned to steal an ice cream cone from a street vendor but Sirhan told him:

"Ziad, do not steal. The man is making his living on a few piastres a day to feed his whole family. It is wrong to steal from him."

Hashimeh said Sirhan was trembling with anger as he spoke and abruptly left for home. Hashimeh said he didn't steal the ice cream.

Another time, Hashimeh said, he lied to Sirhan and was told angrily:

"If you lie to people, they are clever enough to lie back to you. The greatest thing in the world is people. You can learn more from people than you can learn in school."

Hashimeh said Sirhan delivered this rebuff with his fists clenched and raised to his shoulders and then left Hashimeh and went home.

Still another incident was when they were playing football. Hashimeh testified.

He said Sirhan suddenly became nervous for no apparent reason and began to shake. Hashimeh asked if he were all right and Sirhan shouted "leave me alone, leave me alone" and then ran home.

Hashimeh also told of living with the sound of gunfire and bombings through the night and of one time when a nearby grocery store was bombed and its owner "was blown into pieces."

It was not brought out whether Sirhan witnessed this, as other former neighbors earlier have told newsmen.

Hashimeh testified that he visited the Sirhan

home nearly every day as a boy and that he frequently saw the father, Bishara, strike or push the mother, Mary—and Sirhan as well.

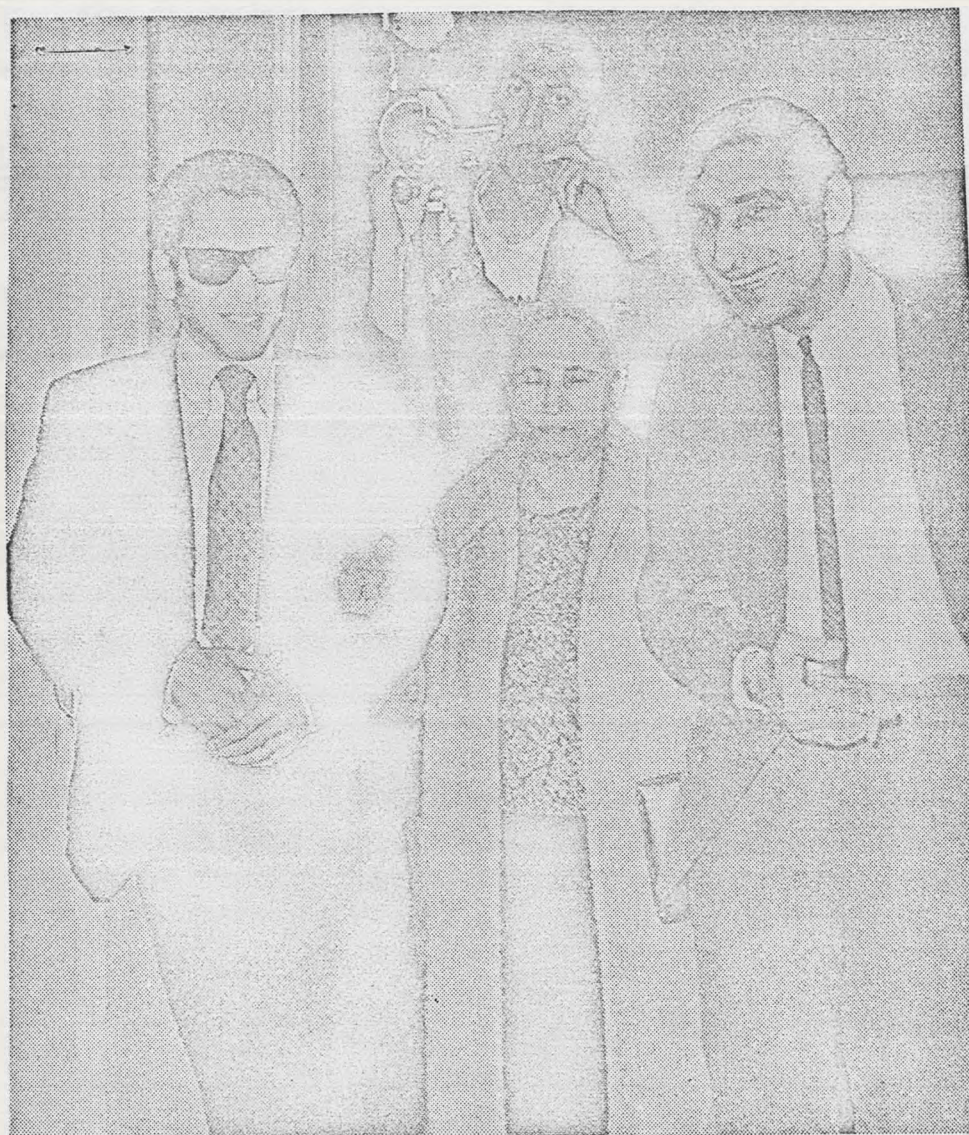
Bishara, Hashimeh said, "was too emotional," and said he struck Sirhan with sticks or his fists "on the bottom and the back," making Sirhan cry.

Bishara Sirhan divorced his wife in June of 1963, after a divorce action he first had instituted in 1957, the year he abandoned his wife and children in Pasadena.

Hashimeh said his family gave a going-away party for the Sirhans when they left Jerusalem and accompanied them in a car to one departure point.

He said Bishara "didn't want anyone to know they were leaving" and objected to being accompanied, but that the Hashimehs went because they were so fond of Mrs. Sirhan.

Throughout Hashimeh's testimony he referred to Jews and Arabs as Zionists and Palestinians, occasionally correcting himself when he used the word Jewish instead of Zionist.



DEFENSE WITNESS—Ziad Hashoneh, right, who once lived with the Sirhans, leaves courtroom with Sirhan B. Sirhan's mother and brother, Munir. Hashoneh testified for the defense in Sirhan's trial for the slaying of Robert Kennedy.

Times photo by Ben Olender

(Mount Clipping in Space Below)

Guilty and Wants to Be Executed, Sirhan Declares

Defendant Says He Had Planned Kennedy Death; Change of Plea Denied

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan, infuriated at disclosure of his school grades and his IQ of 89, flew into a rage at his murder trial Friday, tried to fire his defense team and demanded to change his plea to guilty and be executed.

In a firm but angry voice he said: "I killed Robert F. Kennedy willfully, premeditatedly and with 20 years of malice, aforethought."

Superior Judge Herbert V. Walker, obviously angered at the flareup, refused to accept the change of plea or the firing of the three-man defense team.

As Sirhan's 10-minute tirade verged on a shouting match with the veteran jurist, Judge Walker threatened the tiny defendant with a face mask to silence him and arm straps to keep him in his chair if there are further outbursts.

Slightly Below Average

The temper tantrum appeared triggered by the methodical disclosure of Sirhan's grades in Pasadena's junior high and high schools. A school official confirmed that Sirhan was a "C" student and said his intelligence quotient tested out at 89—slightly below the 90-110 range considered average. At that point Sirhan began to blow up.

After a quick, whispered conference with the 24-year-old defendant, attorney Russell B. Parsons asked for a recess.

The jury was led out and defense attorney Grant B. Cooper, obviously taken aback, explained that Sirhan had earlier said he would forbid the calling of about a dozen witnesses his lawyers believe should testify. Cooper said Sirhan had later calmed down and promised cooperation, but that he now wanted to speak up in court.

There followed this dramatic exchange between Judge Walker and Sirhan:

Judge Walker: There is something you wanted to say?

Sirhan: May I address the court in chambers, sir?

Walker: No.

Sirhan: I at this time, sir, withdraw my original plea of not guilty and submit the plea of guilty as charged on all counts. I also request that my counsel disassociate themselves from this case completely.

Walker: Do I understand—stand up—do I understand that you want

(Indicate page, name of newspaper, city and state.)

I-1 Los Angeles Times
Los Angeles, Calif.

Date: 3/1/69
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Author: Dave Smith
Editor: Nick B. Williams
Title: Kensalt

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Classification: 56-156
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FBI - LOS ANGELES	

to plead guilty to murder in the first degree?

Sirhan: Yes, sir, I do.

Walker: All right, and what do you want to do about the penalty?

Sirhan: I will offer no defense whatsoever.

Walker: The question is, what do you want to do about the penalty?

Sirhan: I will ask to be executed, sir.

Walker: Now, I know of nothing in the law that permits a defendant under any circumstances to enter a plea of guilty to murder of the first degree and ask for execution.

Sirhan: Well, I have, sir.

Walker: Well now, just a minute. Why do you want to do this?

Sirhan: I believe, sir, that is my business, isn't it?

Walker: You just believe it is your business?

Sirhan: That is my prerogative.

Walker: No, it isn't. Now, when we come to accepting a plea, you have to give me a reason.

Tells Why

Sirhan: I killed Robert F. Kennedy willfully, premeditatedly, with 20 years of malice aforethought, that is why.

Walker: Well, the evidence has to be produced here in court.

Sirhan: I withdraw all evidence, sir.

Walker: There is no such procedure.

Sirhan: To hell with it.

Walker: Well, the court will not accept the plea. Proceed with the trial. Let me give you to understand here and now that this

court will not put up with any more of your interrupting. You are to follow the advice of the court and just sit down there. Any further interruptions by you in this trial will result in you being restrained. You understand that?

Sirhan: Sir?

Walker: I mean by that that you will have a face mask put on you which will prohibit you from talking and, further, your arms will be strapped to your chair and the trial will proceed. You understand that?

Sirhan: I understand. However, sir, I intend to defend myself pro per (defendant representing himself). I don't want to be represented by these counsel.

Judge Refuses

Walker: You have retained counsel. Counsel is staying in the trial.

Sirhan: What I have said, I don't want anyone to have a trial shoved down my throat, sir, and you are not going to shove it down my throat, sir, in any way you want.

Walker: You say you want to go pro per?

Sirhan: Yes, I will.

Walker: What are the defenses, let me ask what are the elements of the crime of murder?

Sirhan: Sir, I don't know. I don't understand all of this legality. You let me—

Walker: I am conducting these proceedings, not you. What are the defenses to murder in the first degree?

Sirhan: I don't know.

Walker: I find you are incapable of representing

yourself. Sit down and keep quiet, and, if not, I intend to keep you quiet.

Sirhan: No, sir, I still maintain my original point. I plead guilty to murder and ask to be executed.

Walker: I thought I made it clear. The court will not accept the plea.

Sirhan: I am sorry. I will not accept it.

Walker: The law tells me what I can do and cannot do. Now, you understand from here on out you keep quiet, and if not, I will see to it that you are kept quiet.

Sirhan: I am sorry, but my original position stands.

Walker: Get the jury down.

Sirhan: Why not let me go into chambers? I insist.

Walker: You are not going to go in chambers. I let you go in there once and that was the beginning and the end. That procedure is over as far as I am concerned. We will proceed with the trial. Again, I will tell you to keep quiet and consult with your attorneys.

Finally Subsides

At this, Sirhan subsided and asked to talk with his defense team — Cooper, Parsons and Emile Zola Berman.

After a brief recess, and before jurors were brought back to the court, Cooper told Judge Walker that Sirhan was adamant and that "he has advised us definitely, positively and unequivocally that he does not desire us to continue to represent him."

Cooper then said the three-man defense team was "perfectly willing, as a matter of fact I might say anxious, to withdraw from the case and let him either represent himself or

be represented by other counsel."

Cooper added, however, that they would be equally willing to proceed with their defense and that they did not want to appear to be deserting Sirhan, except upon his insistence.

Judge Walker denied the offer to withdraw, saying good cause for such withdrawal had not been shown and adding that Sirhan appeared clearly unable to represent himself.

Throughout the stormy hour the scene consumed, Mrs. Mary Sirhan, 55, sat in her third row seat, alternately sobbing with her hands covering her

face or staring ahead, blinking rapidly as tears ran down her cheeks.

At Judge Walker's ruling that the trial would proceed, the jury was led in and Mrs. Sirhan was the next witness called.

Still blinking back tears, the tiny woman — not quite 5 feet tall — dressed in a black knit suit with gold embroidery, took the stand.

With a quavering voice, she said Sirhan was born March 29, 1944, in Jerusalem, where her family had lived "for hundreds of years . . . from generation to generation to generation."

Jerusalem, was called, she said, "the city of

peace." and with that her voice quavered into a sob.

Judge Walker quickly adjourned the trial as the sobbing Mrs. Sirhan was led from the courtroom. The jurist told spectators and newsmen:

"I can't conceive of a worse set of circumstances under which a mother could be called to testify. I think she shows great courage."

The emotional afternoon — by far the most dramatic of several outbursts by Sirhan this week — was preceded by what was for Sirhan an unusually sunny morning, as a childhood friend testified to Sirhan's twisted early years.

Ziad Hashimeh, 25 and only a month older than Sirhan, testified that:

When he was about 10 in Jerusalem, Sirhan went to the well one day for his mother. When he drew up the bucket, a severed human arm and hand floated in the water.

Stories of Childhood

This and other childhood horrors used to send Sirhan into fits of shaking and trembling—the fore-runners of the trance-like states the defense claims Sirhan was in when he killed Kennedy.

Hashimeh described his childhood playmate as a "very sensitive human being" subjected to poverty, a father's beatings and the repeated spectacle of violent deaths.

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Bishara Sirhan divorced his wife in June of 1968, after a divorce action he first had instituted in 1957, the year he abandoned his wife and children in Pasadena.



DEFENSE WITNESS—Ziad Hashimeh, right, leaves court with Sirhan B. Sirhan's mother and brother, Munir. Hashimeh testified for the defense in Sirhan's trial for the slaying of Sen. Robert F. Kennedy.
Times photo by Ben Olender

(Mount Clipping in Space Below)

Mary Sirhan Takes Stand in Son's Trial

By JOHN DOUGLAS

Herald-Examiner Staff Writer

A diminutive anguished Arab emigrant woman today took the stand in the trial of her son—the admitted slayer of Robert Francis Kennedy.

Mrs. Mary Sirhan was the first witness as the murder trial of Sirhan Bishara Sirhan moved into its 32nd day.

This is Mrs. Sirhan's third time in the witness box in her son's trial. Early in the trial she testified as to her impoverished economic state when defense lawyers sought quashing of the indictment charging Sirhan with first-degree murder in the Kennedy slaying.

Friday, Mrs. Sirhan was sworn as a witness at the end of an emotion-packed day in which her son sought unsuccessfully to fire his lawyers, plead guilty to first-degree murder, and be sentenced to death.

Mrs. Sirhan, buffeted by the emotional outburst of her son which literally ground his trial to a halt, could not testify. She tried, but the words she had for the jury of eight men and four women could not get by the sobs that welled in her throat.

She was excused for the weekend by the trial's presiding judge, Herbert V. Walker, who said she acted with "great courage."

Mrs. Sirhan will be a witness

in a trial which conceivably may not progress beyond her testimony.

Sirhan, programmed to follow his mother on the stand, remains in what his lawyers call a "highly mercurial state."

He has made it clear he violently resents the defense of diminished mental capacity they have prepared for him.

This defense states in effect that while Sirhan is not insane, his mental balance is precarious—so precarious that he gunned down Sen. Kennedy while incapable of calculating the nature and consequences of his act.

Sirhan, according to his chief defense lawyer, Grant B. Cooper, believes such a defense "de-means" him. He objects to what he believes was the heroic act of Kennedy's killing being described in terms of mental illness.

Because of this, he has twice sought to interrupt his trial. He may—indeed some observers expect that he will—interrupt it again.

If he does, Judge Walker has warned him, he will be strapped and gagged in his seat in the armor-plated eighth-floor Hall of Justice courtroom where the trial is taking place.

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Sirhan Takes Witness Stand, Admits He Killed Kennedy

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan admitted from the witness stand at his murder trial Monday that he killed Sen. Robert F. Kennedy and had "no doubt" he shot and wounded five other persons June 5.

"Did you, on or about the 5th of June, 1968, shoot Sen. Robert F. Kennedy?" asked defense attorney Grant B. Cooper.

"Yes, sir," the 24-year-old defendant replied firmly.

Asked if he also shot and wounded Paul Schrade, a United Auto Workers official and Kennedy supporter, Sirhan answered with a shrug and a grin:

"If that's what the indictment reads, I must have."

Did he know who Schrade was?

"Never heard of him."

Under Cooper's questioning, Sirhan denied any knowledge of, or malice toward, Irwin S. Galt, William Weiser, Elizabeth Evans or Ira Goldstein, who were also wounded.

"I was not aware of anything," Sirhan added.

The pale, slim defendant seemed almost to relish his turn on the witness stand. His answers came clearly and quickly, sometimes even before Cooper's questions were complete. At one point, Sirhan even supplied a word when Cooper groped for another term for bombing noises.

"Cannon sounds — how's that?" Sirhan offered with a smile.

After emotional blowups last week when he demanded to fire his three-man defense team, plead guilty and be executed, Sirhan's demeanor Monday was almost sunny — particularly in early testimony on his controversial notebooks.

Sirhan's first temper tantrums last

week came when the prosecution began introducing into evidence the notebooks on which Sirhan had written "Robert F. Kennedy must be assassinated."

The defendant told Superior Judge Herbert V. Walker that if the notebooks were admitted, he wouldn't be getting a fair trial.

But Monday, Cooper read that very page, with Sirhan following eagerly line-by-line, as Cooper intoned: "May 18, 9:45 a.m. '68. My determination to eliminate RFK is becoming more the more (sic) of an unshakeable obsession."

The handwriting was all his, Sirhan confirmed: the repeated phrase "Port Wine" was the name of a race horse; yes, he had written "please pay to the order of ..." several times; and the repeated injunction "RFK must be assassinated" was his.

Then Cooper shifted backward in time to the Sirhan family's life in war-torn Jerusalem, where Sirhan was born March 19, 1944.

Recalls Death

Sirhan testified that he recalled "quite vividly" the death of an Arab soldier who was blown up by dynamite one day when Sirhan was 3 or 4. Sirhan said he recalled the soldier's leg blown so high in the air it caught in the belfry of a church and was hanging there the next day, recognizable from the military boot.

The family fled during the 1948 Israeli-Arab hostilities from the new part of Jerusalem to the former Jewish quarter of the old Walled City, and Sirhan said he was told by family and friends of the reason for the flight:

"The Jews kicked us out of our homes. The Zionists kicked us out. We were terrorized out of leaving our homes."

As an example of the terror, Sirhan testified that after the April 9, 1948, massacre at the village of Dair Yasin, Arab girls with mutilated breasts "were paraded in front of us, to terrorize us and get us out of our homes."

Tells of Panic

Sirhan said the reasons he had been told, and subsequently, read of in history books, were that "the West wanted to bring the persecuted Jews from Germany in and expel the indigenous Palestinian Arabs from their homes."

Sirhan said he faintly recalled the family's flight to the old Walled City. "I was naked," he said, and the family was "in a state

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said, he heard bombings on an average of once a week from 1948 until the family left Jerusalem for the United States in 1956. Bombings were "so routine," he said, that when his mother began to make little balls of cotton for the children's ears, they knew another bombing was on the way and took refuge in the basement.

The Sirhans subsisted on United Nations Relief and Works Agency rations, he said—mostly brown sugar, margarine, flour, beans "and a gallon of kerosene, in the winter."

"How cold does it get there?" asked Cooper.

"Pretty damn' cold, sir,"

Sirhan said with a grin.

"Pardon me," said Cooper. "You watch your language, Sirhan."

The defendant looked abashed for a moment.

Sirhan said he didn't recall "any starvation pangs... We always had enough, but we always cleaned up what we had before us. We could have eaten more, had we had it. We were actually among the luckier people, because we had ration cards."

That's why we shared in Sirhan after the latter what we had to spare with Tell from a horse in September, 1966, while working as an exercise boy on a race horse ranch near Corona.

Sirhan also told of seeing a neighborhood shopkeeper's body after a bombing, and of being sickened by the sight of a human hand in a bucket of well water he drew one day.

Earlier testimony by his mother and a childhood friend described Sirhan as going into a shaking fit after the experience at the well and being sick for days.

Sirhan also told of one time when he was 11, playing with some friends near Zion's Gate in the south wall of the old Walled City.

Sirhan said the Arab wall guard let the boys up onto the wall with him to look down at the No Man's Land separating the Old Walled City from the Zionist sector.

"I could see the feelings and emotions of this man," said Sirhan. "He said 'That's our land out there, that's our property.' I couldn't understand what he meant then, but now I understand the import of what he said."

An older brother, Adel Sirhan, 30, testified earlier to many of the same incidents related by Sirhan and his mother. But Adel also told of a change

Adel described his younger brother before the fall as friendly, ambitious and "doing well in school except when our sister (Ayda, who died in 1963 of leukemia) was sick."

After the fall, Adel testified, Sirhan became irritable, nervous, stayed home more and read a great deal. He once had a

fight with his younger brother, Munir, 21, and sometimes argued with his family when they watched television newscasts of Middle East conflicts, demanding:

"How can you sit there and watch these things being done to people?"

Adel also told of hearing Sirhan talking to himself in his bedroom. Dep. Dist. Atty. David N. Fitts asked if Sirhan couldn't have been reading aloud or studying his German or Russian courses. Adel said he might have.

But Adel also told of finding Sirhan sitting in his room with a lighted candle on the desk before a mirror as he read from literature he got from the Rosicrucians, an order which espouses the development of one's mental powers over matter.

Mystical Tests

Friday, after Sirhan exploded in court and demanded to fire his lawyers, some experiment." Adel plead guilty and be said. "And he would say executed."

"I'm staring at the light. Mrs. Sirhan spoke with evident pride of the family's life up until 1948. It's supposed to turn green or yellow, or I'm going to see a cross in it, or whatever my mind decides."

Adel said his brother sometimes told him, "If you think something, it will actually happen." He said he and Sirhan frequently talked in this vein about Sirhan's mystical experiments.

The defense has claimed that Sirhan was in a virtual trance when he killed Sen. Kennedy—a trance similar to those he suffered at traumatic scenes in his childhood. They also claim he later induced such trances through his obsessive personality and his mystical experiments with self-hypnosis.

Monday morning, Mrs. Mary Sirhan, 35, related a series of grisly incidents she said Sirhan witnessed as a child. Each time, she said, he was seized by a fit of shaking, the color would drain from his face, his lips would go dry and he would sometimes "black out" remaining ill for days.

The 4-foot, 11-inch Mrs. Sirhan remained composed throughout her testimony. She burst into tears last

Friday, after Sirhan exploded in court and demanded to fire his lawyers, some experiment." Adel plead guilty and be said. "And he would say executed."

Expresses Regrets

Describing the dirt and poverty of that life, she was obviously embarrassed. In admitting the building had only one toilet for 11 families, she turned to the jury and said, "I'm sorry to speak this way."

She said the water supply was so filthy they would go without drinking for days at a time, and that when the family moved to the United States in 1957, Ayda "went into the toilet and flushed and flushed and flushed and then sprinkled water all around and said 'God bless America.'"

"We are lucky in this country," Mrs. Sirhan continued emotionally. "I want you to know this. Everybody is blessed in the United States."

The defendant sat with his head bowed in his

hands during this outburst, which Judge Walker ended by asking Mrs. Sirhan to restrict her testimony to answering questions directly.

She described one incident at the Damascus Gate in 1947 when several people were killed by a bomb. Sirhan, on a postoffice errand with his father, came home shaking and crying, she said, and wouldn't leave the house for two weeks.

A few months later, she said, Sirhan's elder brother, Munir, then about 8, was run over by a car. A shout from Adel brought her and Sirhan running, she said, and when he saw the bloody body of his brother, she said, "it was hard for him. He was shaking and said 'Is it the same bomb, mama?'"

"He never forgot the Damascus Gate. He never forgot his brother. He used to cry and ask me, 'Why does he stay away so long? When can he come and play with me?' When I got another boy, I had to call him Munir."

(Mount Clipping in Space Below)

Gruesome Past Told By Sirhan

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Sirhan Bishara Sirhan goes back into the witness box in his murder trial today to continue testimony which began dramatically with his court admission he killed Sen. Robert F. Kennedy and shot and wounded five others.

A lengthy description on his childhood as a refugee in the walled city of Old Jerusalem is expected later during this morning's trial session.

Sirhan's testimony of yesterday was without incident. But his attorneys remain concerned over their client's volatile nature.

Twice his trial has been halted by his courtroom tantrums.

Sirhan took the oath with a clenched fist yesterday and then quickly admitted under questioning by his chief defense counsel, Grant B. Cooper, that he shot Kennedy.

Q—It is alleged that on the 5th day of June, 1968, you shot and killed Robert Francis Kennedy, a human being. Did you

on or about the 5th of June shoot Robert Kennedy?

A—Yes sir, I did.

Sirhan also confessed that he "must have" shot and wounded United Auto Workers official Paul Schrade and four others who were with Kennedy in the pantry off the Ambassador Hotel's Embassy Ballroom.

But, he insisted, "I was not aware of anything."

He said he did not know Schrade, nor the other victims — Ira Goldstein, Irwin Stroh, Mrs. Elizabeth Evans or newsman William Weisel. He insisted he bore them no "ill will."

Sirhan was tense but composed when he took the stand immediately after a mid-after-

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noon recess. He pulled nervously at a cigaret and gulped water before being called. His mother seated a few feet away from him outside the courtroom rail, seemed more nervous than her son.

She sat on the edge of her chair in an attitude of prayer when he walked to the witness box. As his testimony began she struck an attitude as one rooting for a player in an athletic contest. She murmured in her native Arabic when she thought her son scored a point.

As soon as Cooper won from the admitted slayer the admission that he had fired the gun which took Kennedy's life, he handed him a photograph of an excerpt from a diary seized from Sirhan's home hours after the shooting.

The diary entry, timed and dated 9:45 a.m., May 18, 1968, read in part "my determination to eliminate RFK is becoming more and more an obsession."

The page concluded:

"Robert Kennedy must be assassinated before June 5, 1968." Sirhan readily admitted the entry was in his handwriting.

He had written the phrase "port wine" twice on the same page. He explained to Cooper that this was the name of a race horse.

The diary entry established, Cooper quickly moved the questioning away from the events of the murder to the time Sirhan's early childhood—first on New Jerusalem's St. Paul's Road, and then as a refugee in the abandoned Jewish Quarter of the walled city of Old Jerusalem.

Sirhan, now 24, testified his memory of his homeland went back to 1947, when he was three.

That year he said, he recalled a dynamiting in which a British soldier was blown to bits.

"I recollect the dismembered soldier..." he swore.

Earlier in the day his mother, Mrs. Mary Sirhan, testified Sirhan was thrown into a fit of

"ague" by this and similar incidents of the Israeli war of independence.

The soldier's body "was exploded," Sirhan testified.

One of his legs was blown into the belfry of a nearby church. "I recall the leg with the soldier's boot on it," he said.

He also said he remembered the death of his brother Munir, who was run over in the street before the family home — his body tossed against a barbed-wire barrier which ran down the street separating the Zionist and Arab sectors of the city.

"I used to walk around his casket," he said.

Sirhan said he dimly recalled the family moving to their refugee quarters in Old Jerusalem.

"I remember something about moving... I was naked."

Sirhan said when he asked why the family had been displaced he learned:

"The Jews kicked us out of our homes... The Zionists kicked us out. We were terrorized into leaving our homes."

The young Arab also recounted how he was told of the Dair Nassim massacre in which some 250 persons were slain, Sirhan believes by Haganah—the Zionist provisional army of the 1940's.

Sirhan said that his mother told him of seeing Arab girls seized in that incident paraded in a truck through New Jerusalem.

Earlier, Mrs. Sirhan had testified that the girls were half naked, and that their Zionist captives clapped and boasted, "See what we can do."

He had no personal recollection of events connected with the massacre, Sirhan admitted.

Telling of his life in the walled city, Sirhan said that while he never suffered "pangs of star-

vation or hunger," he could have eaten more than the family's rations, provided by the United Nations.

This ration included margarine, brown sugar, flour, beans and a monthly gallon of kerosene, he said.

He said the family, who lived in one room in a damaged house, was often cold in winter.

Q — How cold did it get?

A — Pretty damn cold, sir.

"Watch your language, sir,"

Cooper warned.

One of Sirhan's most vivid recollections, he said, was of a slum and dump near his home.

This place was a "run down tenement... dirty... unclean... sickening, really..." he testified.

Often, in Old Jerusalem, Sirhan said, the family was forced to flee to the cellar because of bombing raids.

His mother would stuff the children's ears with cotton, he said.

One of the bombings, which he heard, but did not see, destroyed a small shop near his home, Sirhan testified.

After this incident, he said, he saw the dismembered body of the shopkeeper — a friend — on the ground before the shop.

This incident, his mother had testified earlier, sent Sirhan, then eight, into a trance from which it took him several days to recover.

A brother of the defendant, Adel, 30, who preceded the young defendant on the stand, also told of this incident.

Sirhan also repeated a story told three times in the trial—by a boyhood friend, his mother and brother — of finding a human hand in the family well. "It sickened me," he recalled.

"It was a piece of flesh, a hand up to the wrist..."

Telling of the sparking of the cause of Arab nationalism within him, Sirhan recalled playing beneath the Jerusalem wall with friends one day in the 1950's.



—UPI Telephoto

SIRHAN BROTHER, ATTORNEY OUTSIDE COURTHOUSE

Adel Sirhan, right, talking with Grant Cooper, testified briefly

(Mount Clipping in Space Below)

Sirhan: Hounded by Frustrations

Following is the dramatic and revealing testimony given yesterday by Sirhan Bishara Sirhan at his trial for the murder of U.S. Sen. Robert F. Kennedy:

Q—In your Arab schools what were your teachers?

A—They were Arabs, sir, but they had some foreign orientation.

Q—You mean they spoke English.

A—Yes sir.

Q—In 1956 you were 11 years old.

A—About that, yes.

Q—Do you remember anything about the Suez crisis?

A—Yes sir.

Q—How did you learn about it?

A—From news reports, and radio. We lived through it.

Q—What did you learn.

A—That Israel had launched another aggression against the Arab people . . . making more misery for the Arabs.

Q—What did the teacher tell you?

A—He gave us a lecture on this is the wrong way of what should be done. We should have negotiations . . . to discuss our differences and problems.

Q—A decision was made that you would come to the United States?

A—Yes, sir.

Q—I assume somebody in the family told you about it?

A—Yes, sir.

Q—What were your feelings?

A—I was hesitant. I didn't want to leave. I wanted to stay in my country with my people.

Q—What about the conditions in your country?

A—I thought, sir, they would subside eventually.

Q—You ran away?

A—Yes, sir, I did.

Q—Where did you go?

A—From Jerusalem to Ramallah, a distance of ten to 15 miles.

Q—You had relatives there?

A—Yes, sir, they all lived near us in 1948.

Q—When you ran away, did you stay all night?

A—After eight or nine hours, I became lonely, and I missed my family. I came back.

Q—Did you get a little hungry, too?

A—Yes.

Q—Then where did you go?

A—To New York.

Q—How many of the family were on the trip?

A—I, Munir, Adel, Ayda and my parents.

Q—Where were your other brothers?

A—They were in Jordan.

Q—And eventually you arrived in California?

A—Yes.

Q—Did you live with someone when you arrived?

A—Yes, we were met by our sponsor at the train. His name was Haldor Lillens.

Q—How long did you live with them?

A—I don't remember exactly. It was about two or three weeks.

Q—And did you go to school then?

A—Yes. Longfellow Elementary School.

Q—And then where did you live when you moved?

A—We secured a home of our own. We rented it. It was at 1321 N. Mentor St. That has been torn down now.

Q—And you went to school?

A—Yes, Munir and I did.

Q—Did your mother get a position of work.

A—Yes.

Q—Where was that?

A—In the nursery school at the Westminster Presbyterian Church.

Q—How long did your father remain with you?

A—About six or eight months.

Q—And when did you start school here?

A—In early February of 1957.

Q—And after six or seven months . . . ?

A—He returned to Jordan.

Q—And how long was he away from you?

A—Ever since.

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