

"It is my opinion that through chance, circumstances, and a succession or unrelated events, Sirhan found himself in the physical situation in which the assassination occurred. I am satisfied that he had not consciously planned to be in that situation. I am satisfied that if he had been fully conscious and in his usual mental state he would have been quite harmless.

"But he was confused, bewildered and partially intoxicated. The mirrors in the hotel lobby, the flashing lights, the general confusion—this was like pressing the button which starts the computer.

"I agree that this is an absurd and preposterous story, unlikely and incredible. I doubt that Sirhan himself agrees with me as to how everything happened.

"Sirhan would rather believe that he is the fanatical martyr who by his noble act of self-sacrifice has saved his people and become a great hero. He claims to be ready to die in the gas chamber for the glory of the Arab people.

"However, I see Sirhan as small and helpless, pitifully ill, with a demented, psychotic rage, out of control of his own consciousness and his own actions, subject to bizarre dissociated trances in some of which he programmed himself to be the instrument of assassination, and then in an almost accidentally induced twilight state he actually executed the crime, knowing next to nothing as to what was happening."

(Mount Clipping in Space Below)

Sirhan 'Programmed' Self To Kill RFK, Psychiatrist Says

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Sirhan Bishara Sirhan through self-hypnosis-programmed himself "like a computer" to assassinate Sen. Robert F. Kennedy.

This is the conclusion of Dr. Bernard L. Diamond, Berkeley criminologist and star of the psychiatric team testifying for the young Arab at his murder trial in the Hall of Justice.

Dr. Diamond climaxed two days of testimony yesterday by reading his opinion to Sirhan's jury of eight men and four women. He said:

"Without actual knowledge of what was happening, he gradually programmed himself for the coming assassination ... like a computer programs itself with magnetic tapes."

Dr. Diamond maintained that the programming took place in Sirhan's unconscious mind ... "the act of a sick paranoid."

"In his conscious mind, there was no awareness of such a plan or that he, Sirhan, would be the instrument by which it would happen."

Sirhan was a mail-order hypnotist, Dr. Diamond found. He learned the tricks of self-mesmerized him by the Kioserucian Order, mystic lodge of which he was a member.

The lights and mirrors, said Dr. Diamond, the noise and tension of the Ambassador Hotel the night of June 4 mesmerized the young Arab so that "he became confused." Minutes later, shortly after midnight June

5, he fired the shot that took Kennedy's life.

Sirhan, in Dr. Diamond's analysis:

"Through chance, circumstances and a succession of relatively unrelated events, he found himself in the situation which resulted in the assassination."

"He had not consciously planned to be in that situation."

"But he was confused, bewildered and partially intoxicated."

"The mirrors, the flashing lights and general confusion were like pressing the button that starts the computer ... Just like in his experiments."

"Only this time it was very real. This time there was no pencil in his hand ... only a loaded gun."

"With a pencil, Dr. Diamond testified, Sirhan while hypnotized in his isolated Hall of Justice jail cell, engaged in "automatic writing," which closely paralleled the diaries seized at his home on Pasadena's East Howard St.

From this hypnotism session, Dr. Diamond said he learned that the young Arab made the

entries threatening Kennedy's life while he was self-hypnotized. He made similar writings during the jail cell session.

Dr. Diamond said:

"I asked him to write about Kennedy," Dr. Diamond said, "... he wrote Robert F. Kennedy, Robert F. Kennedy over and over again."

"I told him, 'tell us more.'" After a time, Dr. Diamond said, Sirhan, still hypnotized, wrote:

"Robert F. Kennedy, Robert F. Kennedy, RFK, RFK, RFK, Robert F. Kennedy must die, Robert F. Kennedy must die, Robert F. Kennedy must die, Robert F. Kennedy must die, Robert F. Kennedy must die, Robert F. Kennedy must die, Robert F. Kennedy must die, Robert F. Kennedy must die."

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The hypnosis session took place Feb. 1 in the presence of Dr. Seymour Pollack, prosecution psychiatrist, Dr. Diamond said.

Sirhan would not answer the question, "Who killed Kennedy?"

His only reply—"I don't know."

In hypnosis Sirhan fought the idea that Kennedy was dead.

Asked, "Is Kennedy dead?" he replied, "No, no, no!"

"Is Kennedy alive?" ... "Yes, yes, yes."

Sirhan wrote that he had no help in killing Kennedy and received no money for the assassination, Dr. Diamond said.

Groaning in agony in his hypnotic state, Sirhan then told Dr. Diamond that he had written his diaries while under self-hypnosis. When he awoke he had no conscious memory of the writing he had done, even though Dr. Diamond had given him a post-hypnotic suggestion demanding that he remember.

Sirhan always denied that he had been hypnotized ... although Diamond "put him under" several times. Finally, to convince him, the psychiatrist hypnotized him and told him he would act like a monkey and climb the bars of the his cell when he woke up.

Sirhan did, but still did not believe he was hypnotized. He claimed he was just exercising, even though he had mimicked a monkey for his deputy sheriff guards.

Sirhan was invariably hostile to him throughout six hypnotic sessions and other interviews, the psychiatrist said, and still disputes the findings.

"Sirhan does not agree with me. Sirhan prefers to deny his mental illness ... his trances.

He does this successfully through his loss of memory. I doubt that he believes it was truly his writing that threatened the assassination of Kennedy.

"Sirhan rather believes that he is a fanatical martyr

that he has saved his people and become a great hero. He is willing to die in the gas chamber for this.

"I see him as a small person ... acting in a demented psychotic rage ... subject to bizarre trances ... pitifully ill.

"In an almost accidentally induced twilight state, he executed the crime knowing next to nothing about what happened. This is how Sirhan came to kill Kennedy on the night of June 5, 1968."

Sirhan resists violently any suggestion that he is mentally ill, Dr. Diamond reported, but he fears mental illness, and he fears that he has learned to do with his experiments with the occult.

"He practiced his Rosicrucian lessons diligently until he became frightened ... His experience with these experiments convinced Sirhan he was losing his mind and going insane ... He concluded he was crazy and feared to let anyone know what was happening ... He was afraid of being locked up.

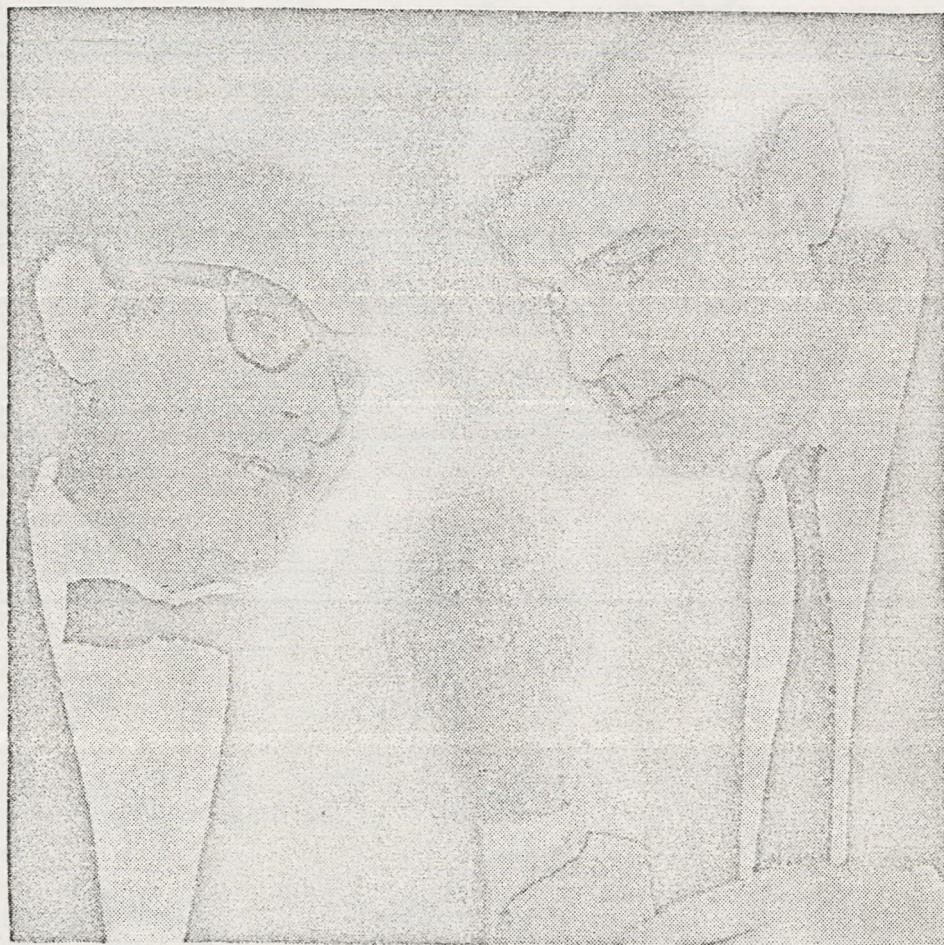
"Meanwhile, he was using every opportunity to shoot his gun ... as if every shot would make up for his impotence and failure."

Using his tricks of self-hypnosis, Sirhan after Kennedy pledged to give bombers to Israel if he became president, ... willed him to die so that the bombers would not go to Israel.

"It is as if one imagines something and thinks if I thought this hard enough it will happen."

Defense attorney Emile Zola Berman asked Dr. Diamond if he had an opinion about Sirhan's mental state at the precise moment of the shooting.

"Yes," answered the psychiatrist. "At the precise moment of firing the gun he was in a highly abnormal psychotic state ... a blind primitive reflex rage reaction ..."



—Herald-Examiner photo

DR. BERNARD DIAMOND, LEFT, INVESTIGATOR MIKE McCOWAN

(Mount Clipping in Space Below)

Sirhan in Trance on Assassination Night, Psychiatrist Insists

BY LINDA MATHEWS
Times Staff Writer

Under sharp cross-examination, a defense witness for Sirhan B. Sirhan maintained Wednesday that the Palestinian Arab was in a "dissociative state"—a sort of self-induced trance—the night he shot Sen. Robert F. Kennedy.

Dep. Dist. Atty. David N. Fitts repeatedly asked Dr. Bernard L. Diamond, a UC psychiatrist, what evidence he had to support his contention that Sirhan had had similar experiences previously.

"There is no one thing," Diamond said. "I'm satisfied from the descriptions offered by other members of his family, from his own descriptions, and from what I observed when I had him under hypnosis that he had been in that state before."

Statements Questioned

In this state, Diamond testified previously, Sirhan would have been disoriented and incapable of planning his own actions.

Fitts suggested to Diamond that Sirhan's mother, Mrs. Mary Sirhan, and his brother, Munir, might have told defense investigators and psychiatrists "what they wanted to hear" about Sirhan's mental state, believing it would work to his benefit.

"Did you take into consideration (when you interviewed them) the Sirhan family's willingness to be helpful generally . . . to look for excuses for his behavior?" Fitts asked.

Diamond said that, to the contrary, he often found the Sirhans unwilling to discuss many elements of their history, particularly anything related to Sirhan's father.

Fitts pressed the same point. "Didn't you get the impression that she (Mrs. Sirhan) was laying it on a little bit when she discussed the horrors of war and the effects of the war on her son?" the prosecutor persisted.

Diamond protested that suggestion.

"It is impossible to magnify the horrors of war," he retorted. "I definitely do not think Mrs. Sirhan was laying it on."

At this point, the 25-year-old defendant glanced anxiously at his mother and brother, who were sitting in second-row seats in the courtroom.

Transcript Shown

The prosecuting attorneys then produced the transcript of a conference between Diamond and five other psychiatrists and psychologists in defense attorney Grant Cooper's office Feb. 2.

Fitts asked Diamond to read an underlined section of the transcript, in which the witness was quoted as saying that "the whole Sirhan family alternated between the grossest kind of evasion and deception and a kind of suggestible state of telling you what you want to know."

"Didn't you make that statement?" the prosecutor asked Diamond.

Diamond agreed that he had but said the statement had been read out of context.

The Sirhans were evasive, he said, "only about a particular kind of information and certain events."

"If they were evasive and deceptive about one thing, might they not be evasive and deceptive about others?" Fitts demanded.

"The answer to that would be obvious, Mr. Fitts, if you would only allow me to tell you what they were deceptive about," Diamond snapped.

Tart Exchange

After much wrangling about whether Diamond should be able to explain that one matter, he managed to say that they were only evasive when discussing the head of the family, Bishara Sirhan.

In another tart exchange, Fitts charged that Diamond was dodging his questions about what triggered the shooting at the Ambassador.

Fitts drew the concession that Diamond believed that Sirhan in his normal state, even though he was a paranoid schizophrenic, would have been harmless had he not gone into a dissociative state.

But Diamond insisted that "is it just not that simple."

Childhood Events

"To explain this crime," he said, "you have to go back to Jerusalem in 1948, when Sirhan was a child, and study the whole series of events since then."

Fitts said he accepted that all those occurrences had shaped Sirhan but asked again whether the actual shooting had not been triggered by a dissociative state brought on by drinking and by mirrors and bright lights in the hotel.

The doctor again refused to accept this and said, "I won't let you put words in my mouth and say I said what I didn't say."

"Doctor, I don't know why you're dodging me," Fitts said.

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Planned Strategy

The prosecution was expected to attack the contention of Diamond and other psychiatrists called by the defense that Sirhan was incapable of premeditative murder.

One strategy, it is thought, will include introducing a film of Sen. Kennedy's victory speech to rebut claims that Sirhan became enraged by the senator's advocacy of more arms for Israel.

"It would be important to the jury to see that Sen. Kennedy did nothing that night to rekindle the flame," Dep. Dist. Atty. Lynn D. Compton told reporters. "That was an innocuous speech."

Diamond admitted that Sirhan lied on the witness stand when he denied prosecution witnesses' testimony that he practiced rapid firing with his pistol at a San Gabriel gun range last June 4. Diamond said Sirhan lied because he feared the truth might

reveal the depth of his emotional illness.

Fitts, through several questions, sought to elicit from Diamond an admission that Sirhan had "concocted" his story of the assassination to put himself in a favorable light.

But at that suggestion, Diamond smiled and said that if Sirhan had concocted his story, it was a story "that couldn't possibly help him. He was willing to admit he killed Sen. Kennedy, hated him and carried out the assassination to prevent him from becoming President and keeping the bombers from Israel."

Fitts then quoted from Diamond's summation of his own testimony, where Diamond said, "I agree that this is an absurd, preposterous story, unlikely and incredible." Fitts asked Diamond who he "agreed" with.

Diamond smiled again and replied, "I agree with the public and the world."

Defense attorneys indicated they would conduct a brief redirect examination of Diamond today, call two final defense witnesses—two cultural anthropologists from Berkeley — and probably rest their case this afternoon.



WITNESS FOR SIRHAN—Dr. Bernard L. Diamond, UC psychiatrist.
Times photo

(Mount Clipping in Space Below)

SIRHAN 'TRANCE' FACES STATE ATTACK

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Prosecutors in the Sirhan Bishara Sirhan murder trial girded today to try to discredit defense psychiatric testimony conceded by an expert medical witness to be both "unlikely and incredible."

The testimony is that of Berkeley criminologist Dr. Bernard L. Diamond. It purports to show that the admitted slayer of Robert F. Kennedy was in a self-induced hypnotic trance when he fatally shot the New York senator June 5, 1968 at the Ambassador Hotel.

Assessing his lengthy evaluation of Sirhan for the jury of eight men and four women, Dr. Diamond said: "I agree that this is an absurd and preposterous story, unlikely and incredible."

Nevertheless, the famed alienist insisted, "These are the psychiatric findings in this case."

"They are absurd, preposterous, unlikely and incredible because the crime itself was a tragically absurd and preposterous event, unlikely and incredible," he testified. "But I am satisfied that this is how Sirhan Bishara Sirhan came to kill Sen. Robert F. Kennedy. . . ."

Chief Deputy Dist. Atty. Lynn D. Compton, is far from satisfied with the expert testimony.

He flatly refuses to believe Diamond when the psychiatrist says Sirhan was "subject to bizarre dissociated trances in some of which he programmed himself to be the instrument of assassination."

Compton, blunt, burly former UCLA football player, retains his belief that Sirhan is guilty of

first-degree murder in the Kennedy slaying.

He rejects Dr. Diamond's thesis that the killing happened when Sirhan was "in an almost accidentally induced twilight state" . . . that the young Arab "actually executed the crime knowing next to nothing what was happening."

But Compton, and his associates Dep. Dist. Atty. John Howard and David N. Fitts, were unprepared to attack Dr. Diamond's story when court convened yesterday. They won from Superior Court Judge Herbert V. Walker, presiding over the trial, a 24-hour reprieve in which to study the psychiatrist's testimony before beginning cross-examination.

Part of the reason for this delay was the mechanics of the Sirhan trial. Unlike the other psychiatrists and psychologists in the case, Dr. Diamond prepared no written report.

The official record of Dr. Diamond's testimony was not available to the prosecution until 10 p.m. Monday from the office court reporter.

But Compton and his partners could not have been unaware of the findings the Berkeley psychiatrist had prepared. Dr. Seymour Pollack, prosecution psychiatrist, was present in Sirhan's isolated Hall of Justice jail cell for part of Dr. Diamond's examination. Furthermore, before he began testifying, the Berkeley man permitted Dep. Dist. Atty. David N. Fitts to read his notes—the same notes he read to the jury.

Dr. Diamond put Sirhan under hypnosis in several of the jail cell interviews. Feb. 1, while Dr. Pollack looked on, he induced Sirhan to engage in automatic writing. The young Arab reproduced writings similar to his diaries in which he wrote of his plans to assassinate Kennedy.

In another hypnosis session, also carried out in Dr. Pollack's presence, Sirhan reenacted the Kennedy slaying. Based on these and other examinations, and on more than 100 hours study of the findings of other alienists who examined Sirhan, Dr. Diamond said he came to believe of his patient:

"With absolutely no knowledge or awareness of what was actually happening, in his Rosicrucian and occult experiments, he was gradually programming himself, exactly like a computer is programmed by its magnetic tape, programming himself for the coming assassination," he related.

"In his unconscious mind

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there existed a plan for the total fulfillment of his sick, paranoid hatred of Kennedy and all who might want to help the Jews. In his conscious mind there was no awareness of such a plan or that he, Sirhan, was to be the instrument of assassination."

The prosecution admits that Dr. Diamond, a world-famous forensic alienist and psychoanalyst, consultant to governors and presidents as well as murder defense teams, is an impressive witness.

Sirhan's usually poker-faced jurors were obviously fascinated in the two days Dr. Diamond was on the stand. Defense attorney Emile Zola Berman actually asked his witness very few questions. He made a few general inquiries and then sat back as the psychiatrist, school-masterlike, lectured the court and jury on the intricacies of the mind of Sirhan Bishara Sirhan.

The prosecutors tried, but were unable to sustain any serious objections to the Diamond testimony. Their biggest victory came when Judge Walker stopped the psychiatrist from explaining to the jury why they might find his story difficult to credit.

Compton will be "looking" for chinks in Dr. Diamond's armor when the cross-examination gets going. He will adopt the same strategy that Fitts used on another defense psychiatrist — Dr. Eric Marcus.

Fitts kept Marcus on the stand for two days and finally wrung from the West Los Angeles psychiatrist an admission that it was possible that Sirhan did premeditate Kennedy's killing, even though the premeditation could not have been "mature and meaningful."

Dr. Diamond has told Sirhan's jurors Sirhan is not the cold-blooded killer Compton and Fitts see. Rather, the alienist says:

"I see Sirhan as small and helpless, pitifully ill, with a demented, psychotic rage, out of control of his own consciousness and his own actions. . . ."

The basic issue of the Sirhan case — the degree of mental responsibility of the defendant — is four-square before the court in today's trial session.

Compton hopes that Dr. Diamond's diagnosis is so "absurd, preposterous, unlikely and incredible," that he will be able to demolish it in cross-examination.

(Mount Clipping in Space Below)

DEFENSE OF SIRHAN NEARS FINAL PHASE

Defense lawyers in the Sirhan-Eishara Sirhan murder trial will rest their case today, according to Grant B. Cooper, chief of the defense team.

Cooper, following a adjournment of yesterday's trial session, disclosed that he hoped to complete testimony of final witnesses for the admitted slayer of Sen. Robert F. Kennedy by noon. His comments came at the end of prosecution cross-examination of Dr. Bernard L. Diamond, star of the Sirhan psychiatric lineup.

Cooper's associate, Emile Zola Berman, will open redirect examination of Dr. Diamond today.

The remaining two witnesses, according to Michael McCowan, chief defense investigator, will be psychologists Dr. Georgiana Seward, UCLA, and Dr. George deVos, UC Berkeley. Both of these were originally retained by the prosecution, according to McCowan, but the defense believes their testimony is so valuable to the young Arab that it has subpoenaed them.

Diamond, on the stand yesterday, described his Berkeley colleague as the most distinguished psycho-anthropologist in America. A psycho-anthropologist studies the mental make-up of an individual in relation to his culture.

Dr. deVos was asked to examine Sirhan to determine if his being an Arab would affect the validity of the results of psychological tests he was given because the tests were designed for Americans.

Reportedly, deVos found that Sirhan, who claims that part of his motive for assassinating Kennedy was Arab patriotism, thinks like an American, i.e. a Middle Easterner.

Cross-examination of Dr. Diamond by Dep. Dist. Atty. David N. Fitts ended anti-climactically yesterday afternoon, with the two men squabbling over the meaning of some of the writings seized at Sirhan's home on Pasadena's East Howard St. June 6, 1968—the day following the shooting.

Sirhan, who had become angry during Fitts' morning cross-examination, paid little attention to the afternoon session of his trial. He spent his time leading an Arabic newspaper and barely glanced up as the

battle for his life swirled about him.

In the morning he had thumped the table with his fist and muttered obscenities at Fitts as the latter questioned the truth of some of his testimony in his own defense.

Fitts repeatedly questioned Dr. Diamond about Sirhan's labeling of several witnesses as "liars," those whom Sirhan claimed wrongly indicating he premeditated the shooting.

The prosecutor asked Dr. Diamond if Sirhan was in a "dissociated state" when he told Pasadena garbage man Alvin Clark that he planned to kill Kennedy. Clark testified that Sirhan made his threat in early April, 1968—shortly after the assassination of Dr. Martin Luther King, Jr.

Of Sirhan's reputed statement to Clark, Dr. Diamond said:

"I don't believe he said that, sir."

1968—the day the prosecution contends Sirhan staked out the Ambassador Hotel preparatory to shooting Kennedy early the morning of June 5.

Q. — On June 2, Sirhan wasn't commitable?

A. — I, for one, would certainly have recommended his commitment.

Q. — But he hadn't done anything wrong at that time?

A. — No, but I would have been very alarmed by his notebooks and his psychic experiments. For a paranoid to use self-hypnosis and write such things in his notebooks is a warning signal that no psychiatrist could ignore.

"Sirhan was a very dangerous individual," Dr. Diamond concluded.

Fitts and Diamond duelled late in the cross-examination over Sirhan's condition when he scribbled on the back of an envelope, "Robert F. Kennedy must be disposed of like his brother was ... Reactionary."

Diamond conceded that this writing was not the automatic product of self-hypnosis as he alleges were the threats against Kennedy in Sirhan's diaries. However, he insisted that from a psychiatric point of view, the envelope jotting was of little value.

Dr. Diamond also rejected Fitts' contention that Sirhan "was having fun-and-games with you under hypnosis."

Fitts' claim referred to Sirhan's mention under hypnosis of the "polka-dot girl" of the case, a woman falsely identified as a companion of the young Arab the night he shot Kennedy.

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—UPI Telephoto

In The Herald-Examiner story of the Sirhan Sirhan trial on March 10, 1969, we erroneously identified the above picture of Saidallah Sirhan, a brother of Sirhan Sirhan, as that of Sharif Sirhan, another brother of Sirhan Sirhan. The Herald-Examiner regrets the error.

(Mount Clipping in Space Below)

Psychiatric Terms Target of Attack by Sirhan Defense

BY DAVE SMITH

Times Staff Writer

Psychiatric terminology and the value of psychological testing came under attack Wednesday in the murder trial of Sirhan Bishara Sirhan, as the defense launched what it promises will be a harrowing cross-examination of Dr. Seymour Pollack, star psychiatry witness for the prosecution.

Pollack, in his third day on the witness stand, testified that he did not believe, as the defense contends, that Sirhan was in a dissociative state or hypnotic trance when he shot and killed Sen. Robert F. Kennedy last June 5.

While agreeing that Sirhan is mentally ill, Pollack steadfastly avoided terming him a paranoid schizophrenic, as seven previous psychiatrists and psychologists have called the Palestinian Arab defendant.

Witness' Face Reddens

But as defense attorney Grant B. Cooper warmed to his cross-examination, Pollack's face reddened and his voice rose as he admitted, after repeated questioning, that if he had more time to examine Sirhan, he "probably" would have found signs of more severe mental illness than he testified to.

Cooper's chief weapon in attempting to undermine Pollack's testimony was a report written last Feb. 5 by Pollack himself. The report used psychiatric terms much stronger than those in a later report, which he used on the stand.

In the trial, Pollack testified repeatedly that Sirhan was a "paranoid personality" but that he was not psychotic.

Cooper, however, quoted several sections of Pollack's earlier report in which he described Sirhan as a psychotic.

Explains His Testimony

Pollack, testifying in a high, rapid voice, explained that he meant Sirhan was not "clinically psychotic" and that the difference between "psychotic" and "clinically psychotic" was a matter of degree. He said his language in the earlier reports may not have been precise.

Pollack also testified that he relied on the testimony of witnesses who saw Sirhan around the time of the shooting in coming to his conclusion that Sirhan was not in a psychotic

state at the time. "They would have described a crazy-looking, crazy-acting Sirhan," said Pollack, "if the witnesses are to be believed."

Cooper then asked if Pollack had found "these inferences worthy of more consideration than inferences you drew from psychological data" which diagnosed Sirhan as a paranoid schizophrenic.

"Yes," Pollack answered, then added that he gave the psychological tests "a great deal of weight." He said he "didn't discard" the test data or conclusions, but said he "couldn't give them as much weight" as witnesses' testimony.

Cooper then read excerpts from Pollack's later report, in which he told the prosecution that "many psychiatrists" regard

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psychological testing as had spent about 25 hours "unreliable" and have "a negative attitude" toward June and Feb. 1, and such tests. admitted that he later

Cooper asked Pollack if, after a meeting with defense psychologists and psychiatrists last Feb. 2, he hadn't admitted he was

satisfied with the test results except that he might prefer even one more test. Pollack admitted he had.

Cooper then asked if Pollack himself had a negative attitude toward psychological tests, or was merely mentioning that others did. Pollack said his attitude was a positive one.

Pollack admitted that it was he who asked for the evaluations of two clinical psychologists called as witnesses by the defense. The two, Dr. Georgene Seward and Dr. George DeVos, both examined two

separate series of psychological tests and each concluded that Sirhan was a psychotic paranoid schizophrenic.

Pollack also conceded that he had also used the terms "paranoid," "psychotic" and "schizophrenic" in describing Sirhan in his Feb. 5 report.

Pollack testified that he had spent about 25 hours with Sirhan between last June and Feb. 1, and admitted that he later wrote that longer sessions would "probably" uncover more serious signs of psychosis.

"This defendant is on trial for his life," Cooper interrupted. "If you felt it was probable you would find signs of psychosis, don't you think you

should have asked for more time with him?"

Pollack, obviously angry, replied that the chief defense psychiatrist, Dr. Bernard L. Diamond, had become "angry and resent-

ful" at Pollack's reluctance to divulge his conclusions at the Feb. 2 meeting and that he therefore had not sought further meetings with the defendant.



WITNESS—Dr. Seymour Pollack, left, with prosecuting attorney Lynn Compton, answers questions on

his testimony in Sirhan trial, in which he doubted assassin of Sen. Kennedy was in hypnotic trance.
Times photo by Fitzgerald Whitney

(Mount Clipping in Space Below)

Sirhan Defense Rests, Admits Account of Slaying Is 'Absurd'

Jury Hears for First Time Transcript of Chamber Session in Which Defendant Accused Judge of 'Railroading' Him

BY DAVE SMITH

Times Staff Writer

The defense for Sirhan Bishara Sirhan rested its case Thursday, hanging its hopes on an admittedly "absurd" story of how the Palestinian Arab came to kill Sen. Robert F. Kennedy. Psychiatrist Bernard L. Diamond conceded that Sirhan's story of killing Kennedy "raises the gravest problems of credibility" and reads "like a script that would never be acceptable in a Class B motion picture."

After testimony from 29 witnesses, including seven psychologists and psychiatrists, defense attorney Grant B. Cooper read, for the first time in the jury's hearing, the transcript of a Feb. 25 chamber session in which Sirhan accused Superior Judge Herbert V. Walker of "railroading" him into the gas chamber. Having underscored that blowup, Cooper cleared the way for the prosecution to begin rebuttal testimony today.

Dep. Dist. Attys. John E. Howard and David N. Pitts sought unsuccessfully to open rebuttal with a 12-minute color film of Kennedy's ebullient victory speech the night of last June 4, minutes before he was fatally shot.

Defense Strenuously Objects

Howard argued that the film would show that Kennedy's speech contained nothing that could be construed as a "triggering mechanism" for the dissociative emotional state in which the defense claims Sirhan killed Kennedy.

After strenuous objection from Cooper that the film was immaterial, Judge Walker concurred, on two grounds: (1) that no one ever claimed Kennedy had said anything that night that precipitated Sirhan's alleged trance or even claimed that Sirhan had actually heard the speech, and (2) a film of the happy, victorious senator could have an inflammatory effect on the jury outweighing the film's possible value.

But, Diamond made it clear, he believes it.

Diamond, in brief redirect examination by defense attorney Emile Zola Berman, admitted he had termed his psychiatric findings on Sirhan as "an absurd and preposterous story, unlikely and incredible."

"In my opinion," Diamond said, "this is the ultimate absurdity—too illogical even for the theater of the absurd."

Diamond said that when he entered the Sirhan case, he had no idea he would find evidence of "voodoo thinking" or "mail-order mysticism" and self-hypnosis involved in the slaying of a U.S. presidential candidate.

Affect Destiny of World

The absurdity, he said, was that such superstitious elements could, through the killing of Sen. Kennedy, "affect the destiny of this country and the entire world."

As Diamond concluded this statement, Howard asked, "Did you just read something?"

"Yes," said Diamond.

"When did you write it?"

"Late last night," Diamond said, "about midnight."

The prosecution has clearly shown, without expressing it verbally, its disaffection for Diamond's vivid, eloquently worded expressions on Sirhan's mental illness, which Diamond has read in court from prepared statements.

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Shortly after Diamond, a full professor of law, criminology and psychiatry at UC Berkeley, was excused from the stand, it was read into the record that he served as the star defense psychiatric witness without fee.

USC psychology Prof. Georgene Seward was then called by the defense to testify on her evaluation of two batteries of psychological tests administered by two previous defense witnesses, clinical psychologists Martin M. Schorr and O. Roderick Richardson.

Dr. Seward said she agreed with both Schorr and Richardson, that five different tests combined to portray Sirhan as a paranoid schizophrenic.

At one point Dr. Seward said Sirhan's reaction to one test indicated the possibility of "latent homosexual tendencies."

At that, Sirhan glared at the doctor, leaned over to defense attorney Russell Parsons and snapped, "What kind of a son of a bitch do they think I am?"

Howard, cross-examining Dr. Seward, attempted to draw from her, as the prosecution has doggedly tried to do with six previous psychiatric experts, admissions that Sirhan's responses to the tests

could be construed as normal for a person in his circumstances, rather than psychotic.

But, as with the prior witnesses, Dr. Seward would concede that one question or another might be open to different interpretations, but that the main direction of all the tests, taken together, pointed to "a clear case of schizophrenic reaction, paranoid type."

At one point she said that "any good clinician" would never diagnose mental illness on the basis of only one question or even one test, but on the total picture.

Howard chuckled and said, "Yes, but a poor lawyer has to go through these tests one at a time."

Dr. Seward admitted that three of the tests administered to Sirhan have been criticized within the profession, but she defended their use. One test, the Bender-Gestalt, was designed only to indicate organic brain damage, and since Sirhan was found to have none, its results were not that significant to the issues in the trial, she said.

Another test, the well-known Rorschach, or "inkblot" test, is not properly described as a "test," she testified, but as a diagnostic method of laying bare a subject's subconscious way of thinking and perceiving the world.

She said criticism of the Rorschach test has come largely from people who expect it to give quantitative answers which they can break down into evenly divided percentage categories. She said the critics have also complained that it offers no standard of comparison for one subject to another, but added that that was not the Rorschach test's purpose.

The final defense witness was psychologist and cultural anthropologist George DeVos of UC Berkeley, who testified that he also examined Schorr's and Richardson's tests and arrived at the same diagnosis of paranoid schizophrenia without knowing they had, too.

Like Dr. Seward, Dr. DeVos admitted that the Rorschach test has been the subject of some criticism, but said he didn't doubt its validity and added that he had never seen a case of anyone successfully faking interpretations of the inkblots.

(Mount Clipping in Space Below)

Sirhan Judge Bars Films

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Films taken of Sen. Robert F. Kennedy's Ambassador Hotel victory celebration minutes before he was fatally shot by Sirhan Bishara Sirhan will not be shown to the jury in the young Arab's murder trial.

This was the edict handed down yesterday by the trial's presiding Judge — Herbert V. Walker.

Judge Walker found the 12 minute film, with which the prosecution hoped to open its rebuttal today, "inflammatory." He also heeded a defense objection that there had been no evidence during the "case in chief" that Sirhan was in the Ambassador's Embassy Ballroom when Kennedy made his California presidential primary victory speech midnight June 5.

Sirhan admittedly shot the New York senator in a pantry off the Embassy Ballroom as Kennedy walked from the podium following his speech.

Rejecting the plea of Dep. Dist. Atty. John Howard that the film be shown, the jurist said:

"I recollect no evidence . . . that this defendant heard any part of that speech. The evidence is not clear that he was

even in the room. None of the psychiatrists has testified that that speech, or any portion of that speech, was a triggering device that set him off in this so-called state."

Moreover, Walker continued, California law "permits the court to exclude evidence where it is felt that the probative value is exceeded by the inflammatory value."

"The court is not unmindful of the content of that speech. Here was a young man, who had just made a great victory. He was very happy, very gay. The contrast of that and what has happened in this court . . . would permit me to exclude this. . . . Permission is denied." Judge Walker's denial came immediately following the conclusion of the defense case in chief.

At 3:45 p.m. chief defense counsel Grant B. Cooper told the jurist, "the defendant rests."

Last witness for Sirhan was Dr. George deVos, Berkeley psycho-anthropologist who testified that Sirhan, despite his pretensions of Arab nationalism, thought like an American.

In all, 29 defense witnesses — including Sirhan himself — testified for the young Arab. When court adjourned yesterday 86 witnesses had been heard by the jury. Nearly 8000 pages of testimony have been taken in the case which has so far cost Los

Angeles County almost \$400,000.

Focus of the defense case has been the testimony of a team of psychiatrists. Dr. Bernard L. Diamond, foremost of these, said yesterday that "voodoo thinking and black magic" were elements of the Kennedy slaying for which he has testified the young Arab "programmed himself like a computer" through self-hypnosis.

Recapping his examination of Sirhan for the jury Dr. Diamond said:

"I was prepared for the usual case of the paranoid-fanatic with dreams of glory. I was not prepared for what I found when I first saw Sirhan — the astonishing instance of correspondence course hypnosis, trances and Rosicrucian black magic."

"That this primitive voodoo thinking could bring about the death of Sen. Kennedy and so affect the world is the ultimate preposterous absurdity. It is too illogical even for the theatre of the absurd."

Pressed further by defense lawyer Emile Zola Berman, Dr. Diamond said that the thing that struck him most forcefully about Sirhan's case was:

"... Its unlikely nature . . . the sequence of events . . . this mail order, correspondence course self-hypnosis . . . this innocuous superstition, which could, in this case, result in a tragic crime . . . affecting the destiny of this country and the entire world."

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SIRHAN'S MOTIVE POLITICS, UCLA EXPERT TESTIFIES

By MYRNA OLIVER

Herald-Examiner Staff Writer

Politics—not mental illness—drove Sirhan Bishara Sirhan to shoot Sen. Robert F. Kennedy, a prosecution psychiatrist believes.

Dr. Seymour Pollack, USC psychiatrist, took the stand yesterday at Sirhan's murder trial in rebuttal to testimony of defense psychologists and psychiatrists that Sirhan is so mentally ill he is incapable of "maturely and meaningfully premeditating murder."

"I consider Sirhan to be mentally disturbed," conceded Dr. Pollack, who said he spent about 40 hours interviewing Sirhan and his family and close to 200 hours reviewing all materials about the defendant, "about 10 times" the normal amount of time spent in criminal psychiatric investigation.

"But I believe his assassination of Senator Kennedy was motivated by political reasons that were, highly emotionally charged."

Dr. Pollack said he believed Sirhan to have a "paranoid personality," in which a person suffers from delusions of persecution and obsessions.

He disagreed with his defense contemporaries, however, that

Sirhan developed his mental illness at an early age. Despite the fact that Sirhan witnessed the horrors of the 1948 Arab-Israeli war as a child in Jerusalem, the doctor said, he "incurred less, rather than more, emotional disturbance" than did many other Arabs. Sirhan's mother protected him, the psychiatrist explained, and, "except for the fact he was a frightened child, there was no other evidence of peculiar behavior."

Sirhan arrived in the United States at the age of 12, he said, as "a hopeful, idealistic, well-behaved young man."

"I found no evidence of paranoia in Sirhan during his childhood and teen years," he said.

Dr. Pollack will continue his evaluation of Sirhan when court reconvenes Tuesday after a day of mourning for General Eisenhower. He indicated the paranoia began to develop in Sirhan's early 20's, triggered by the death of his sister, Ayda, and the arrest of his brother, Sharif, who was charged with tampering with an auto.

Deputy District Attorney David N. Pitts, indicated yesterday Dr. Pollack may be the final

rebuttal witness called by the state.

Prior to the psychiatrist's testimony, prosecution attorneys called handwriting expert Lawrence W. Sloan to discredit defense claims that Sirhan wrote threats on Kennedy's life while in a state of self-hypnosis.

Sloan said, after comparing the written threats in Sirhan's diaries and "automatic writing" which Sirhan did in his cell after being hypnotized by defense psychiatrist Dr. Bernard L. Diamond, that Sirhan was not "under a state of hypnosis" when he scribbled, "RFK must die, die, die."

District Attorney's investigator, George W. Murphy, Los Angeles Police Dept. Sgt. Adolph B. Melendres and LAPD Sgt. Frank J. Patchett, who spent several hours with Sirhan after his arrest, were also called to testify that the defendant was sober when he shot Kennedy.

Sirhan's attorneys, in trying to prove he was in a state of diminished capacity at the time of the shooting, have said he was self-hypnotized and at least partially drunk.

"I detected no odor of alcohol," said Melendres, who first met Sirhan minutes after his arrest for the June 5 Ambassador Hotel shooting. "His demeanor was that of a sober man."

Presiding Judge Herbert V. Walker, announcing Monday recess, said:

"Certainly this man (General Eisenhower) was one of the greatest Americans of our generation. He certainly deserves all the respect we can afford him."

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SIRHAN TRIAL COST PLACED AT \$858,595

Costs of the Sirhan trial are estimated to be \$858,595 thus far, according to Supervisor Kenneth Hahn.

"This undoubtedly is the most expensive trial in the history of Los Angeles, and will cost more than \$1 million before completion," Hahn prophesied.

Hahn said costs to the county currently stand at \$499,767 and police costs are estimated at more than \$359,000 since Sirhan's arrest June 5.

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Sharif Sirhan Free on Bond In Assault

Sharif Sirhan, brother of Sirhan Sirhan the admitted assassin of Sen. Robert F. Kennedy— is free on bond today after being arrested and booked for assaulting hospital attendants.

Sharif was booked on simple assault and disturbing the peace during a visit he made to his brother, Saidallah, 36, who suffered a fractured skull and broken leg when hit by a car while crossing a Pasadena street Thursday.

Attendants said Sharif beat hospital personnel, tried pulling the covers from Saidallah's bed and disturbed patients in the intensive care ward of St. Luke's Hospital in Pasadena.

Officers said the incident occurred after Sharif demanded to know his brother's condition and was unsatisfied by attendants' answers.

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3-Cell Ward, TV Readied At Vacaville

Sirhan is on trial, accused of first degree murder in the assassination of Kennedy last June 5. If the jury convicts him of that charge, it will choose between death and life imprisonment as the penalty.

If given a life sentence, Sirhan would be sent to the medical facility for "indefinite confinement—many months or even years," a standard procedure for prisoners with mental problems, Guthrie said.

"We'll need some reading of his frame of mind and we'll also want to assess the reaction of other inmates."

Guthrie added that the California Adult Authority is asking the legislature for special legislation so Sirhan could be held at Vacaville if he receives the death penalty instead of being sent, as state law requires, to Death Row at San Quentin Prison. He attributed the request to "questions brought up about Sirhan's mental condition" and Sirhan's "notoriety."

The three cells each are about 10 by 15 feet, Guthrie said.

One would be converted into a kitchen, equipped with a stainless steel stove and oven, where uniformed personnel would cook Sirhan's meals. This, Guthrie said, would "eliminate the risk of someone trying to poison his food."

The second cell would be a living room, equipped with a television set, where Sirhan could receive visitors.

The third cell would be Sirhan's bedroom.

The bathroom will be off the kitchen.

The cost of imprisoning Sirhan and keeping a 24-hour watch on him, would far outstrip the \$2,600 yearly spent on average prisoners.

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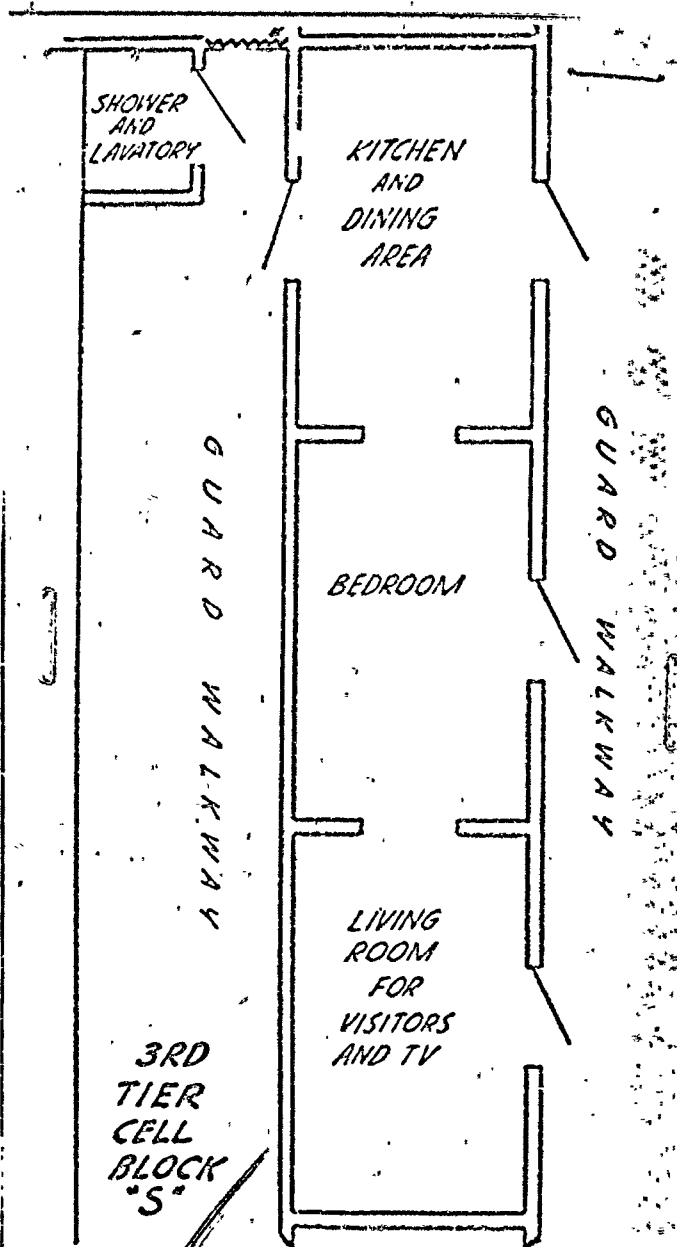
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PRIVATE QUARTERS AWAIT SIRHAN
Sketch shows apartment-like cell arrangement.

(Mount Clipping in Space Below)

'SUITE' LIFE FOR SIRHAN

By Associated Press

A three - cell suite is being built for Sirhan Bishara Sirhan at a state medical facility in case he is convicted of murdering Sen. Robert F. Kennedy and sentenced to life imprisonment, a state official said Sunday.

Sirhan's large quarters, now being walled off, will have a kitchen - dining room, a bedroom, a living room and a lavatory with shower, said Philip D. Guthrie of the California Adult Authority.

The cell, which Guthrie said would protect the occupant from other prisoners, is at the California Medical Facility at Vacaville, near Sacramento.

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Was Sirhan Capable Of Plotting Murder?

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Dr. Seymour Pollack, prosecution psychiatrist in the Sirhan Bishara Sirhan murder trial, today is expected to tell the young Arab's jury that despite his mental illness Sirhan was capable of plotting the killing of Sen. Robert F. Kennedy.

Dr. Pollack, set to take the stand for his second day of testimony, believes Sirhan suffers delusions of persecution, but refuses to label him a schizophrenic—a split personality.

A squad of defense psychiatrists and psychologists, led by Dr. Bernard L. Diamond of Berkeley, have testified that their examination leads them to believe that Sirhan is a paranoid schizophrenic who could

not "meaningly and maturely" have premeditated Kennedy's June 5, 1968, slaying. They also claim that the defendant's mental state has deteriorated since the time he admittedly shot Kennedy at the Ambassador Hotel.

Dr. Pollack testified Friday—prior to a three-day weekend recess—he had spent approximately 200 hours on the Sirhan case, including participating in several interviews and two hypnosis sessions with Dr. Diamond.

On the basis of this study, Dr. Pollack said that Kennedy was shot by Sirhan for "essentially political reasons." These, not his paranoia, were the motivating force for the young Arab, the psychiatrist believes.

According to Dep. Dist. Atty. David N. Fitts, Dr. Pollack may be the last rebuttal witness called by the prosecution. Fitts said that decision will be made today. It is expected that direct examination of Dr. Pollack will consume most of today with cross-examination by defense attorney Grant B. Cooper taking most of the following day.

Should Pollack be the last witness, the case could easily conclude this week. The defense is not expected to present a lengthy sur-rebuttal case.

End of rebuttal and sur-rebuttal leaves only the concluding statements and instructions to the jury from Superior Judge Herbert V. Walker, who presides over the trial.

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Isolated Cells Ready for Sirhan at Vacaville Medical Facility

BY JOHN KENDALL

Times Staff Writer

If and when Sirhan Bishara Sirhan reaches the California Medical Facility for prisoners at Vacaville, the admitted slayer of Sen. Robert F. Kennedy will be isolated in a tight little world all his own.

He will sleep, eat, bathe and receive visitors in three cells secured by heavy screens from other sections of the facility's maximum security cellblock.

He will be under the direct supervision of a guard 24 hours a day and his meals will be prepared individually, probably by a guard.

Prison officials are afraid the little 25-year-old Palestinian Arab might be killed if he were to mingle with other prisoners.

"We have unconfirmed grapevine reports that there are inmates that would want to kill him," said Phil Guthrie, information officer for the State Department of Corrections in Sacramento.

"Probably we have never had a more notorious case, if we get him. We have an obligation to keep people in but we have an equal obligation to protect them."

Sirhan's trial, under way since January, is expected to last at least another week. A penalty trial will follow if he is convicted of first-degree murder.

Anticipating Sirhan's eventual arrival, prison officials have ordered preparation of quarters on the third tier of one end of the maximum security cell block.

Guthrie said Sirhan would live in one 6-by 9-foot cell containing a bed, sink, toilet, writing stand and perhaps a couple of shelves.

The cell next to it, containing chairs, a table and possibly a television set, will be a visiting area where Sirhan, denied the usual facilities, will receive relatives or attorneys.

A shower will be installed in a third cell, across a corridor. Sirhan's food will be prepared in a small alcove.

Guthrie said officials had not decided whether to connect the living and visiting cells or to let the prisoner use the present doors.

"We can operate it any way that seems humane, and suitable when we see how Sirhan reacts to his surroundings," Guthrie said.

If the jury decrees that Sirhan must die for Kennedy's murder, the usual procedure would be to transfer him to San Quentin, but Guthrie said prison officials would ask that he be sent to Vacaville.

If Sirhan ends up in the special quarters being prepared for him, it may be his home for years.

"We think he would have to be held under tight security for a long time," Guthrie said. "We hope that it would be

possible, in time, to take him out of this confinement and put him in suitable facilities."

He disputed reports that Sirhan was to receive red carpet treatment.

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Sirhan's 'Illness' Report Disputed

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Defense attorneys in the Sirhan murder trial defense psychiatrists who spent weeks on the stand in an attempt to prove that Sirhan is a "minimal mental illness" did not prevent his premeditating Kennedy without really knowing what he was doing.

Defense lawyer Emile Zola Berman claims that the psychiatricist, Dr. Seymour Pollack, reported to Dist. Atty. Evelle J. Younger that Sirhan was mentally ill—suffering from paranoid schizophrenia. Then, according to Berman, Dr. Pollack changed his mind and his report.

In his testimony yesterday, Dr. Pollack averred:

• That any mental illness the admitted slayer of Kennedy has is slight.

• That the illness did not impair his ability to plot the Ambassador Hotel shooting, nor to harbor malice toward the New York senator.

• That Sirhan, the night of June 4, 1968, went to the hotel with the specific intention of assassinating Kennedy at his California Presidential Primary victory celebration.

• That for weeks before the shooting he practiced firing his handgun to become more proficient in his ability to kill Kennedy.

• That he had several drinks at the hotel to bolster his courage for the assassination.

• That, in Dr. Pollack's opinion, Sirhan was not in a self-induced trance at the time of the shooting.

The prosecution psychiatrist's testimony was in direct contradiction to that of a battery of learned that the defendant hypnotized himself frequently and was in a self-induced trance when he shot Kennedy.

However, Dr. Pollack said he found that Sirhan "blocked" under hypnosis. By this, he explained, he meant Sirhan, "gave very very little, if anything spontaneously . . ."

"He often would not answer direct questions. . . he would appear to fall asleep if questions about Kennedy or the night of June 5 were asked."

"I interpreted this as evidence of his blocking that Sirhan while hypnotized was still thinking, still reasoning like all people can under hypnosis. What he was saying by not answering was that he didn't want to talk about it."

Under questioning by Dep. Dist. Atty. John Howard, Dr. Pollack gave the opinion that Sirhan did not suffer from diminished capacity. When Kennedy was shot, the psychiatrist said, his admitted slayer had the capability to "meaningfully and maturely premeditate" the shooting.

The defense suffered a major blow in Dr. Pollack's testimony. The defense contends that Sirhan's mental capability is so badly impaired that he lacked the ability either to premeditate Kennedy's fatal shooting or to comprehend the gravity of his act.

If the jury of seven men and five women credit the defense theory, Sirhan probably will be spared the death penalty. If the jurors believe Pollack, the diminutive Jordanian immigrant could face the gas chamber.

Dr. Pollack, when court resumed, repeated his opinion that, "Sirhan's denial of recall of his written notes . . . (is) his attempt to avoid the serious consequences that would result . . . that would be attributed to these writings of planning and premeditation."

"That was my opinion of his reason for the blanket denial."

Sirhan did not have a genuine amnesia, Dr. Pollack insisted.

Dr. Pollack also disclosed that he had hypnotized Sirhan as part of his examination. Defense psychiatrist Dr. Bernard L. Diamond last week told of

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Psychiatrist's Testimony Sends Sirhan Into Rage

Blowup Follows Witness' Claim That Amnesia Is Attempt to Avoid Serious Consequences

BY DAVE SMITH
Times Staff Writer

Sirhan Bishara Sirhan, on trial for murder, flew into a rage Tuesday when a prosecution psychiatrist in effect called him a liar.

The blowup occurred as Dr. Seymour Pollack testified that he didn't believe Sirhan really couldn't remember writing in his notebook of his intent to kill Sen. Robert F. Kennedy.

Pollack said he regarded Sirhan's claimed amnesia as "an attempt to avoid the serious consequences that could result if the notebook was attributed as evidence of his premeditation to murder Kennedy."

Though Pollack did not use the word "lie," Sirhan quickly grasped the import of Pollack's testimony and jumped to his feet, shouting, "Your honor, sir . . . !"

Four husky deputies jammed the tiny Palestinian Arab back into his chair as Superior Judge Herbert V. Walker warned: "You settle down or I'll do what I told you I'd do."

(The judge told Sirhan at an outburst in February that he would have him gagged and tied in the courtroom if the outbursts continued.)

Taken From Room

But Sirhan didn't settle down. Eyes burning with anger, he snapped to defense attorney Russell Parsons, "I told the truth and I don't like him to call me a ——— liar."

Judge Walker hastily called a recess and ordered the jury to retire as the four burly deputies ushered the seething defendant out of the room, his arms held tightly at his sides. As he strode quickly out of the court, Sirhan muttered, "That son of a bitch."

During the 15-minute recess—in which Parsons calmed the ruffled defendant—Sirhan's mother, Mary, 55, and brother, Adel, 30, sat anxiously waiting to see if Sirhan would be bound and gagged upon his reappearance.

"He doesn't lie," Mrs. Sirhan insisted. "From the time he is a small boy, I always teach him not to lie, and he never does. The poor boy . . ."

The trial resumed with Parsons conveying Sirhan's apology to Judge Walker, who accepted, "but only under the distinct understanding that what I told him before I'd do, I'll do."

Pollack then reiterated his belief that Sirhan wasn't telling the truth about his alleged amnesia regarding the notebook writing.

In earlier testimony Tuesday,

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Pollack said he didn't believe that Sirhan was suffering psychotic delusions when he shot Sen. Kennedy last June 5.

He said he thinks Sirhan is "a developing paranoid personality," but his diagnosis stopped far short of the testimony of seven defense psychiatrists and psychologists who unanimously diagnosed Sirhan as a paranoid schizophrenic.

Pollack said he felt Sirhan's mental illness fell under the classification described as "psychosis, non-psychotic." He described this as a condition in which a person may exhibit psychotic tendencies without being psychotic in a clinical sense.

He drew an analogy between psychosis and polio, saying that while many persons have had polio, only a small percentage among them have suffered paralysis.

Laxness in Application Seen

Pollack indicated that he believes the psychiatric profession in America has perhaps been too lax in its application of the term "psychotic" to people "who even exhibit suspicious tendencies, even when there are minimal signs of psychosis." In Europe, he said, the profession is stricter in its use of the term.

Although he said Sirhan showed paranoid tendencies, Pollack said he found no evidence of paranoid delusions or of organic brain damage—which the defense has never claimed—nor had he found evidence of "peculiarity" in Sirhan's sexual fantasies or of "bizarre thinking" in his attitudes toward President Johnson, former U.N. Ambassador Arthur Goldberg, or Sen. Kennedy.

In his notebook, Sirhan had written over and over about two girls he had known slightly, and he also wrote of his desire to assassinate President Johnson and Goldberg as well as Kennedy.

Pollack said Sirhan's feelings toward these people were not delusory, but based on political disillusionment and a resentment of what he believed was hypocritical in American policy toward the Palestinian Arabs and the Israelis.

He said he thinks Sirhan planned to kill Kennedy because he wanted to "focus the attention of the world on the plight of the Arab, particularly the Palestinian Arab."

Sirhan, Pollack said, regarded Kennedy as a sellout to American Zionists whose votes he needed, and thus believed Kennedy, or anyone who agreed with him was, in effect,

no better than a murderer
—of Arabs.

With this attitude toward Kennedy in mind, Pollack said, Sirhan didn't believe he should be punished for killing such a person, because the killing was politically motivated and justified, in Sirhan's view.

With this attitude toward Kennedy in mind, Pollack said, Sirhan didn't believe he should be punished for killing such a person, because the killing was politically motivated and justified, in Sirhan's view.

"I don't believe Sirhan expected to be caught," Pollack said.

Pollack said Sirhan has shown no remorse for killing Kennedy but that Sirhan has had "some conflict" about the idea of killing another human be-

ing. It is his belief that Kennedy betrayed the Arabs, Pollack indicated, that enables him to feel no remorse for his act.

Pollack conceded that Sirhan's claimed amnesia could also be a retrograde amnesia rather than a deliberate lie. Retrograde amnesia, he said, is a form of amnesia that develops after an event, when a person cannot bear to face knowledge of what has happened.

Pollard said he also believes Sirhan's account of his activities up to the time of the killing, with one exception. "I believe," said Pollack, "that he went to the Ambassador Hotel with the conscious intention of killing Sen. Kennedy."

The psychiatrist also conceded that "it is probable that Sirhan had a

few drinks' the night of June 4, at political victory parties at the hotel. The defense claims Sirhan's shooting of Kennedy was done in a dissociative trance partly induced by drunkenness.

Pollack said he thinks the possibility that Sirhan might have been in a dissociative state or self-induced hypnotic trance when he shot Kennedy is "extremely remote." He said Sirhan "killed Kennedy because he hated him for what he stood for" and because Sirhan wanted to call attention to the plight of his people.

In answer to questions by Dep. Dist. Atty. John E. Howard, Pollack said he believes Sirhan was not suffering diminished mental capacity at the time of the shooting, but was quite able to harbor malice aforethought, form the intent to kill and reflect on the consequences.

Expert Retreats On Sirham Views

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shooting Kennedy June 5, 1963 at the Ambassador Hotel was one of the few points of concord the two men reached in a day's clogged cross-examination.

Throughout the rest of the day Cooper bore in hard in an attempt to discredit Dr. Pollack's earlier testimony that Sirhan's mental illness did not lessen his responsibility for Kennedy's death.

He wrung from Dr. Pollack the concession that his client had a "substantial" rather than "minimal" mental illness.

He forced Dr. Pollack to admit that when he reported on Sirhan's mental state to Younger he believed the young Arab's trial would not go forward, but that he would be permitted to plead guilty and be given a life sentence.

But Cooper was unable to shake the psychiatrist from his conviction that despite mental illness, Sirhan was capable of premeditating and did premeditate Kennedy's death.

Moreover, Dr. Pollack continued to insist that had Sirhan escaped capture after the Kennedy slaying, he would have attempted further political assassinations. The psychiatrist repeated his earlier testimony that former President Lyndon B. Johnson and former U.N. Ambassador Arthur Goldberg would have been likely Sirhan targets.

The best Cooper could do was to induce Dr. Pollack to agree

that Sirhan's mental capacity was less than 50 per cent of normal.

The two men frequently became angry during their courtroom duel and several times Cooper's probing left Dr. Pollack red-faced and stammering. Cooper's voice raised so loud that one of his associates, Emile Zola Berman, remonstrated with him.

Sirhan appeared to thoroughly enjoy the exchanges between the two. He smiled frequently and paid more attention to cross-examination of Dr. Pollack than he has to most of his trial proceedings.

A new picture of Sirhan in the days immediately following Kennedy's fatal shooting also emerged yesterday. Cooper read into the record the report of Dr. Marcus Crahan—County Jail physician who examined the defendant June 6 and 7.

Dr Crahan wrote: "(My) interviews revealed an unconcerned young male ... entirely pleased with himself ... showing no remorse, no regret."

He said he found Sirhan, whom defense psychiatrists insist was suffering from acute mental illness at the time, "alert, wary, impassive, unconcerned and well directed."

At this time, according to Crahan, Sirhan believed that Kennedy still lived ... that the shots had not been fatal.

Then an attorney visited the young Arab and told him of Kennedy's death. After this, according to Dr. Crahan:

"Sirhan appeared exhausted and complained he had had no sleep ... His attorney had no doubt told him his victim had expired. This may have accounted for his exhaustion ..."

Sirhan, Dr. Pollack testified, told him he believed he should receive a sentence of "a couple of years" for Kennedy's murder.

"He felt that was all the act deserved, if anything," the psychiatrist said.

(Mount Clipping in Space Below)

Doubted Sirhan Would Be Tried, Doctor Testifies

Psychiatrist in Diagnoses Clash Cites Agreement by Both Sides on Life Term

BY DAVE SMITH
Times Staff Writer

Prosecution psychiatrist, Seymour Pollack, flushed and at times almost shouting, admitted Thursday that when he wrote his first diagnosis of Sirhan Bishara Sirhan, he thought Sirhan would never be tried for the killing of Robert F. Kennedy.

In a confidential Feb. 5 report to Dist. Atty. Evelle J. Younger, Pollack described the Palestinian Arab as a "psychotic . . . suffering from a borderline schizophrenia with paranoid and hysterical features."

That was after a Feb. 2 meeting between Pollack and psychiatric and psychological consultants to the defense agreed that Sirhan was mentally ill. On the basis of that meeting, the defense and prosecution agreed to a plea of guilty to first-degree murder with life imprisonment.

But after Superior Judge Herbert V. Walker rejected the agreement and ordered the trial to proceed before a jury, defense attorney Grant B. Cooper charged Thursday, Pollack wrote another report, in which Sirhan's mental illness was described much less boldly.

In a 30-page report dated March 21, after the trial was already 2½ months along, Pollack termed Sirhan "a developing paranoid personality."

Almost a Shouting Match

In a rapid-fire exchange that nearly escalated to a shouting match, Cooper asked Pollack if he hadn't believed on Feb. 5 that Sirhan would never come to trial.

"I was led to believe that, yes," said Pollack.

Cooper then asked if he hadn't also believed that the Feb. 5 report thus would never have reached the hands of defense attorneys.

Pollack denied this, saying he knew it would have been entered in testimony if the case had come to trial.

Cooper then asked why Pollack's March 21 report did not term Sirhan a psychotic.

Pollack said he had intended that report only to discuss Sirhan's motive in killing Kennedy, not his mental state when he did it.

"But," Cooper snapped, "didn't you use this, practically read it into the record as the basis of your direct testimony?"

Pollack replied that he was concerned in that report only with the legal question of motivation.

At one point Pollack insisted, "I have said all along (in direct testimony) that I considered the defendant a borderline schizophrenic."

Stands by Diagnoses

Cooper challenged Pollack, insisting he had never used that term on direct examination by the prosecution, and Pollack agreed he may not have.

Pollack insisted that he stood by the diagnoses in both his first and second reports and insisted that they were not conflicting.

He denied implications that he had sought to minimize his earlier findings, in which agreement with defense arguments on Sirhan's mental condition seemed more apparent.

There were several heated exchanges as Cooper and Pollack parried for points in what essentially was a semantic argument. Pollack explained time and again that psychiatric "labels" in court cases are often misleading.

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Cooper charged that it was Pollack himself who applied the label of "paranoid personality" to Sirhan.

Pollack admitted he had used the label, but explained that different psychiatrists' interpretations of Sirhan's symptoms often were merely a matter of degree.

Mental illness, Pollack said in effect cannot be precisely measured and it is society's business, not psychiatrists', to determine when a mentally ill defendant's illness is a mitigating factor in his guilt.

Cooper returned to his previous statement of Pollack's that if he had had more than 25 hours with Sirhan he might have unearthed more definite signs of psychosis, but that on the basis of that limited time, he had not found strong symptoms.

Citing Sirhan's alleged delusions of persecution and his fantasies of destruction and death, mostly to Jews, Cooper asked if Pollack might not have seen these delusions if he had spent more time on the case.

Pollack, obviously flustered, admitted "If this is a criticism, I accept the criticism."

Noting that several psychological tests had unearthed such delusionary thinking, Cooper asked if perhaps the tests hadn't got farther beneath Sirhan's surface than Pollack had.

Pollack, his voice rising to a shout, said they might have, but only "as they applied to psychological material, not as they applied to reality."

He explained that tests showed what Sirhan's inner reality was like, but that he judged Sirhan's mental state on the basis of his outward behavior.

Cooper then read from Pollack's Feb. 5 report: "He (Sirhan) has been successful in hiding his psychotic symptoms from public view and able to avoid revealing such symptoms to psychiatrists in clinical interviews. During my clinical interviews with him, I detected none in the initial encounters; in later interviews with him, however, I believe that he revealed a degree of paranoid thinking with accompanying emotional responses that led me to suspect that there were psychotic characteristics in his personality . . ."

Question of Delusion

At one point Pollack said Sirhan believed it was good and right for him to kill Kennedy because of Kennedy's support for Israel.

Cooper asked if Sirhan's belief that it was good to kill Kennedy wasn't delusional thinking. Pollack said it wasn't.

Cooper then asked, with barely masked incredulity, if Pollack meant that Sirhan was not deluded in thinking it was good.

"Yes," said Pollack, then, "No, no, no, no, no!" as spectators chuckled.

Pollack said Sirhan believed it was good to kill the senator because of the kind of person Sirhan thought Kennedy was. And because of this view, Pollack added, Sirhan didn't believe he should get more than a couple of years in prison for killing such a person.

Cooper seized on this point, asking if Pollack felt this belief of Sirhan—that he should get only a couple years for killing a U.S. senator—was mature or meaningful.

Here the questioning bogged down in a lengthy dispute over the common-sense usages of "mature" and "meaningful" and the legal definitions of the terms.

Pollack insisted that the concept of mature or meaningful acts relates to the specific act intended, whether it be murder or "flying to the moon."

One key point in much of Pollack's testimony was his contention that Sirhan had shown no outward symptoms of psychosis. Sirhan's notebook writings of his intent to kill Kennedy, his mystical experiments with Rosicrucianism and his violently anti-Zionist political views, Pollack said, were not by themselves, considered separately, symptomatic of psychosis.

Cooper made it obvious that he felt these matters should not be dismissed one by one as unsymptomatic, but considered together, in light of psychological tests to which Pollack said he also gave less weight than eyewitness descriptions of Sirhan's outward behavior.

With obvious anger, Cooper asked Pollack, "Could the killing of Sen. Kennedy be considered a symptom of paranoid schizophrenia?"

After a long pause, Pollack said, "Yes, it could." He began to amplify his answer but Cooper cut him short.

Testimony ended Thursday on a dramatic high point as Cooper declaimed from Pollack's Feb. 5 report: ". . . I believe that Sirhan's mental illness was related to his act of assassination in that his paranoid convictions went beyond those of a normal personality in the average citizen."

"This mental illness should be considered a substantial mitigating factor on the issue of penalty."

Cooper skipped one portion for brief questioning of Pollack, then went back, minutes before adjournment, to read the omitted portion:

"Should a conviction of murder of the first-degree be obtained, I hope that Sirhan is able to avoid the death penalty and is sent for treatment to the California Medical Facility at Vacaville."

Pollack acknowledged that, "as you know, I am strongly opposed to capital punishment for moral and ethical reasons."

(Mount Clipping In Space Below)

Sharif Sirhan Disturbance Trial May 21

Sharif Sirhan, 37, brother of Sirhan Bishara Sirhan, will be tried by jury in Pasadena Municipal Court May 21 on a charge of disturbing the peace.

The brother of Sen. Robert Kennedy's admitted slayer was arrested March 27 at St. Luke's Hospital, Pasadena, following a disturbance there.

His trial date was set yesterday.

Sharif had reportedly become upset with hospital staff after another brother, Saidalla, 35, had been admitted with a broken leg and skull fracture following an auto accident.

Sharif was released yesterday on a \$125 bond.

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Film on Robert Kennedy Set

◦ A new documentary movie based on the life and times of the late Sen. Robert F. Kennedy will be produced for ABC's Movie of the Week airing in the fall. The project will be produced by David I. Wolper and directed by Mel Stuart.

◦ The 41st Awards program of the Academy of Motion Picture Arts and Sciences (April 14) is set for worldwide transmission via satellite for the first time, according to academy president Gregory Peck.

◦ The 1968-69 Tony Awards, honoring outstanding achievement on the Broadway stage, will be covered in a special, "Broadway '69—the Tony Awards," over NBC April 20. Yves Montand, Patty Duke, Dustin Hoffman and Bobby Morse have been signed as presenters.

◦ Bill Burrud's Animal World will begin a summer replacement run (in place of the Queen and I) on the CBS network beginning May 8.

◦ Paul Orr has been signed to produce the new syndicated Allan Ludden's Gallery, now in production at KTTV. Orr formerly pro-

duced the Joey Bishop show.

◦ Tammy Grimes has been cast in the lead role of Universal's World Premiere movie-for-TV, "The Other Man." She joins Roy Thinnes, Joan Hackett and Arthur Hill. The film will air on NBC.

Richard Caffey will produce Harold Robbins' The Survivors, ABC's new fall series starring Lana Turner, George Hamilton and Kevin McCarthy. Prior to his new assignment, Caffey was producer for Combat! and Garrison's Gorillas. Gordon Oliver is executive producer.

◦ Former TV newscaster Alex Dreier has been signed for his second guest appearance in It Takes a Thief. Dreier again appears as a "heavy" in the episode, "Mad in Japan."

◦ Edie Adams will be cohost with Vincent Price for Channel 9's 4th annual "Academy Awards Special" on April 13. Film clips

will highlight the nominees for best picture, best actor and actress, best supporting actor and actress. Part of the show includes the movie "To Catch a Thief," starring Cary Grant and Grace Kelly.

◦ The "Up, Down and Even" episode of NBC's Ironside has been made available through numerous requests to police organizations, church groups and high schools. The segment deals with the problem of drugs and high school students. It is scheduled for rerun in September.

◦ An all-new two-hour production of "David Copperfield" will be taped in England for release on NBC in the fall. It will star Ralph Richardson, Lawrence Olivier, Michael Redgrave and Edith Evans. Robin Phillips plays Copperfield.

◦ Patricia Smith has been signed as a regular on the new Debbie Reynolds

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comedy series, premiering
on NBC in the fall.

o Harold J. Stone will be
a featured regular in
NBC's new season series,
My World and Welcome to
It. Sheldon Leonard will
produce the series based
on the writings of humor-
ist James Thurber.

o James Schmerer has
been singed by David Dor-

tort to produce High Cha-
parral for NBC.

o Pearl Bailey will star in
her own special for ABC,
due in the fall. She recent-
ly co-starred with Carol
Channing in an ABC sa-
lute to the Broadway thea-
ter.

(Mount Clipping in Space Below)

Sirhan's Volatile Moods Blamed on 'Tantrums'

Tired of 'Being Bugged,'
Wanted to Plead Guilty,
Psychiatrist Tells Court

BY DAVE SMITH

Times Staff Writer

Prosecution psychiatrist Seymour Pollack said Friday that Sirhan Bishara Sirhan told him several times that "he was through with the whole damned thing. He was through with psychiatrists bugging him and he wanted out. He wanted to plead guilty."

Pollack said these incidents, like similar outbursts after his murder trial began, were "temper tantrums in a paranoid individual." Pollack said he did not believe Sirhan was faking the tantrums.

In final cross-examination, defense attorney Grant B. Cooper asked Pollack if he felt Sirhan had shown inappropriate responses for a man in his circumstances — overreacting, smiling at serious moments and paying little attention as the possibility of a death penalty was discussed.

Pollack said he had not seen "the degree of inappropriate response we see in a psychotic person," but said Sirhan's responses were more "impulsive and volatile" than those of a normal person on trial for his life. "I suspect he wishes he could control himself better," Pollack said.

'Gotten . . . to Like Sirhan'

Pollack said he had seen quite a lot of Sirhan since the killing of Robert F. Kennedy last June and confided, "I have actually gotten somewhat to like Sirhan. He may still think I'm an s.o.b."

Cooper asked if Pollack still believed that although Sirhan is mentally ill, his illness was not so severe as to diminish his mental capacity to maturely and meaningfully premeditate Kennedy's death.

Pollack replied that he did believe it "with reasonable medical certainty."

Cooper asked if he believed it "beyond reasonable doubt"—a condition on which a first degree murder conviction must be based.

Pollack said he regarded "beyond reasonable doubt" as a moral judgment which he, as a doctor, did not feel qualified to make. "Reasonable medical certainty," he said, is a medical judgment which does not equate with the moral concept.

Under redirect examination by Dep. Dist. Atty. John E. Howard, Pollack read at length from the transcript of a Feb. 2 meeting between psychiatrists and psychologists for both the defense and prosecution.

Agreed to Change Plea

It was after this meeting, at which there was general agreement that Sirhan was mentally ill to some degree, that the defense and prosecution agreed to change Sirhan's plea to guilty, with an understanding that he would be sentenced to life in prison.

However, the agreement fell through and the plea remained not guilty.

The transcript of the meeting revealed a sharp dispute between Pollack and defense psychiatrist Bernard L. Diamond, who expressed irritation at Pollack for not revealing his conclusions about Sirhan's mental state.

On Thursday, Pollack had contended that Diamond had given him to understand he could have no further interviews with Sirhan after his last interview on Feb. 1.

But the transcript showed that it was Pollack who first suggested that it would be of little further value for him to see Sirhan again. On Thursday, Pollack had testified that if he had had more than 25 hours with Sirhan, he might have seen clearer evidence of Sirhan's alleged psychotic symptoms.

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Diamond, on Feb. 2, told Pollack; "I do not feel, Seymour, that you have played fair." Diamond said Pollack had "evaded" and "quibbled" while defense psychiatrists and psychologists had made full disclosures, and said Pollack had "misused the conference" by holding back his opinions.

Pollack insisted, at that meeting and in his testimony this week, that at that time he had not come to any conclusions.

But he confirmed that two days after the meeting, on Feb. 4, he dictated an 18-page diagnosis in a confidential report to the district attorney's office.

At that time, Pollack confirmed Thursday, he had not thought the case would come to trial. But after Superior Judge Herbert V. Walker ordered the trial to proceed before a jury, Pollack wrote another report on March 21.

Judge Walker adjourned the trial at noon Friday until Monday morning. It appeared the case would go to the jury late next week, probably on Friday.

(Mount Clipping in Space Below)

SIRHAN FELT 'BUGGED'

Tried to Avoid Trial

By MYRNA OLIVER
Herald-Examiner Staff Writer

Sirhan Bishara Sirhan tried several times to avoid his almost-concluded murder trial by attempting to plead guilty to the murder of Sen. Robert F. Kennedy, a prosecution psychiatrist has said.

"In his interviews with me, he said he was through with the whole damned thing, that he was tired of the psychiatrists bugging him, that he wanted to plead guilty," Dr. Seymour Pollack, prosecution psychiatrist, said yesterday, concluding five days of testimony.

Dr. Pollack attempted to offset the testimony of two defense psychiatrists and six psychologists who said Sirhan was mentally incompetent to premeditate and carry out the murder of Kennedy June 5 in the Embassy Room pantry of the Ambassador Hotel.

Dr. Pollack maintains that, although Sirhan is mentally ill, he is still responsible for his act of shooting Kennedy.

Under long rapid-fire cross-examination by chief defense counsel Grant B. Cooper, Dr. Pollack steadfastly maintained that Sirhan's courtroom outbursts, in which he again stated his wish to plead guilty, were

not "normal" but were not serious indications of mental illness.

"It is my opinion that during none of these episodes . . . is there the kind or degree of inappropriateness present in psychotic behavior," the psychiatrist said.

Inappropriateness, the jury of seven men and five women heard, means laughing during a very solemn or sad event or other such incongruous behavior. Other psychiatrists had testified that Sirhan's lack of concern and his joviality after his arrest June 5, indicated an extreme mental disorder.

Dr. Pollack said that he considered Sirhan's outbursts in court and in Judge Herbert V. Walker's chambers "genuine" and that the young Arab defendant "wasn't doing it for effect, wasn't dramatizing . . . wasn't putting on a show for me."

He said he believed Sirhan "Felt what he said" but that it wasn't an "inappropriate" type of behavior.

In answer to a question by Cooper about one of Sirhan's outbursts in which he said he had premeditated Kennedy's assassination "with 20 years of malice aforethought," the psychiatrist replied: "In my opin-

ion Sirhan had not premeditated and deliberated for 20 years prior to the assassination."

He maintains, however, that Sirhan, now 25, did wilfully premeditate Kennedy's killing.

Sirhan's fate moved closer to jury deliberation with the conclusion of Dr. Pollack's testimony at noon yesterday, prior to the Easter recess. The Prosecution plans to introduce only one additional witness, USC psychologist Dr. Leonard Olin, and defense attorneys anticipate "less than five minutes" of sur-rebuttal Monday.

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Sirhan Case Last Expert On Stand

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Trial of Sirhan Bishara Sirhan for the murder of Sen. Robert F. Kennedy moves into what could be its final week today with but one more prosecution witness to be heard.

Defense attorneys say they have but five minutes more testimony to put before the jury of seven men and five women.

It is expected the jury will begin deliberations on the fate of the young Arab by Friday. At issue will be the degree of penalty to be fixed for his admitted slaying of Kennedy last June 5 at the Ambassador Hotel.

Defense lawyers hope that the jury will bring in a verdict of second degree murder, but they concede that they expect a first degree verdict.

If this happens, the jury will then have to decide what penalty Sirhan must pay: Death in San Quentin's gas chamber, or a life sentence—probably served at the Adult Authority's hospital facility at Vacaville. A suite—really an isolation cell complex—is already being readied for Sirhan there.

Should the jury find for the death penalty, there is a strong possibility that Sirhan would wait out his appeal time at Vacaville, rather than on San Quentin's death row. It is also probable that it would be many years before a capital sentence could be carried out—if in fact it ever could be carried out.

The batting order for this week's proceedings as lawyers for both sides see it is this:

Prosecution, psychologist Dr. Leonard Orlinger of USC will

take the stand when court opens today. It is expected he will be asked by the prosecutors to discredit the Rorschach, or ink-blot tests, used by defense psychologists in their determination that Sirhan is a split personality with delusions of persecution. There is no agreement in the psychology discipline as to the value of the Rorschach test.

Dep. Dist. Atty. John Howard says that Dr. Orlinger will be his last witness. Chief defense attorney Grant B. Cooper indicated, when court recessed for the Easter holiday last week, that his surrebuttal will take "less than five minutes." He did not elaborate.

Both sides, beginning with the defense will then sum up their cases for the jury. It will then become Judge Herbert V. Walker's turn to instruct the jury as to the law it is to consider in reaching its verdict.

Once the case goes to the jury there is no way of predicting how long reaching a verdict will take, or what that verdict will be. The jurors have four courses open to them:

- They can acquit Sirhan.
- They can find him guilty of manslaughter.
- They can bring in a verdict of second degree murder.
- They can decree murder in the first degree.

Should the jury do the latter, it then must decide if the 25-year-old Jordanian immigrant should live or die. This decision would come at the end of a second trial—called the penalty phase—at which Sirhan's lawyers can indicate why he should live, and the prosecution, if it so chooses, could say why Sirhan should be executed.

If jury deliberations are short, a decision in the Sirhan case could come this week.

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Sirhan Not as Sick as Painted, Witness Claims

Jurors Struggle With Psychiatric Terms as USC Expert Testifies

BY DAVE SMITH
Times Staff Writer

Like students in a classroom, jurors in Sirhan Bishara Sirhan's murder trial struggled Monday with the language of psychiatry as a 10th and final expert witness testified that Robert F. Kennedy's killer is not as sick as he has been painted.

Dr. Leonard B. Olinger, instructor in abnormal psychology at USC, disagreed with two previous clinical psychologists' diagnosis of Sirhan as a paranoid psychotic with schizophrenic reaction.

Olinger said he believed that Dr. Martin M. Schorr and Dr. O. Roderick Richardson, knowing they were testing the man who killed Kennedy, approached Sirhan with preconceived notions of what they should find, and subsequently interpreted test data in light of their expectations.

After his own analysis of the data only last month, Olinger testified, Sirhan appeared to him to be suffering "pseudo-neurotic schizophrenia"—a form of mental disturbance far less serious and more nearly normal than Schorr and Richardson and six other defense psychologists and psychiatrists diagnosed.

Affirmative Answers Cited

In disputing Schorr's diagnosis, Olinger said Sirhan was not showing paranoid tendencies but common sense when he gave affirmative answers to these true-false statements:

"I know who is responsible for my trouble."

"I am sure I am being talked about."

"I have been in trouble with the law."

"I have enemies who wish to harm me."

"I tend to be on guard around people who are friendlier than I expect them to be."

"I feel uneasy indoors."

As Sirhan had been jailed since June 5, Olinger said, his positive answers to all these indicated that he "had good contact with reality" and that his suspicions weren't paranoid but all too true.

Facial Expressions Vary

However, the effect of Olinger's testimony on the jury, while difficult to determine exactly, was hardly galvanizing. For more than a month they have listened to such psychiatric verbal shorthand as "C-prime response," "small animal movement," "inanimate movement," "large human movement," "pure form response," "large M and small fm," "large F and little c" and "TH column."

It is debatable how efficiently the jurors have been able to translate such arbitrary terms into their meaningful emotional equivalents. But the mere effort has exacted a toll that was apparent Monday as they listened to still more of the same with faces that ranged a gamut of expression from boredom to stupefaction.

Olinger enunciated what he termed the 10 basic precautions to be observed in administering psychological tests—two of which, he made clear, he felt Schorr and

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Richardson had violated.

These were "the law of parsimony, or Occam's Razor"—giving the simplest, most factual interpretation of data—and the "Procrustean Fallacy." This last derives from Greek mythology, in which the robber Procrustes thrust his victims into a bed and then stretched the short ones to fit the bed or lopped off the tall ones at the head or knees.

Ripples of amusement alternated with mutters of confusion in the courtroom as testimony translated into talk of how this or that interpretation was "fitted for a Procrustean bed."

Sirhan, meanwhile, seemed frankly disinter-

ested for most of the day.

Defense Attorney Grant B. Cooper began cross-examination by asking Olinger how he had been engaged by the prosecution.

Agreed to Testify

"I suggested myself to them," Olinger said, disclosing that he phoned Chief Dep. Dist. Atty. Lynn Compton last month, shortly after Schorr began testifying, and offered consultation.

Compton told reporters later that Olinger had not wanted to testify, but later agreed after he had examined the defense consultants' test results.

Cooper then asked Olinger whether an instructor or a professor held higher academic rank at USC.

Olinger said professors were of higher rank.

Then Cooper asked Olinger if he was aware that Dr. Georgene Seward of USC and Dr. George DeVos of UC Berkeley—both clinical psychologists and of professorial rank—had concurred in Schorr's and Richardson's diagnosis of Sirhan as a paranoid schizophrenic.

Olinger replied that he had not been.

(Mount Clipping in Space Below)

State Will Not Ask Death For Sirhan

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Prosecutors in the Sirhan Bishara Sirhan murder trial will not demand the death penalty for the admitted assassin of Sen. Robert F. Kennedy.

The state's decision was disclosed yesterday by Chief Deputy Dist. Atty. Lynn D. Compton as the case against the 25-year-old Jordanian immigrant neared its end.

Compton explained that on the basis of prosecution and defense evidence, much of it psychological in nature, the prosecution had decided it would not seek death in San Quentin's gas chamber for Sirhan.

However, the burly chief prosecutor emphasized the prosecution will not be a party to seeking leniency for Sirhan. His plan, he disclosed, is to tell the jury that in the opinion of the district attorney's office, either death, or life imprisonment is an "appropriate penalty" in the Sirhan case.

It is now expected that the Sirhan case will go to the jury either Friday or next Monday. The prosecution expects the seven men and five women to bring in a verdict of first degree murder. Defense attorneys hope for a lesser degree, but privately concede that first degree will be the decision. The issue of the death penalty would then arise in the next phase of the case, the so-called penalty trial.

If all goes according to schedule, the defense may begin its summation to the jury this afternoon.

When court resumes this morning, prosecution clinical psychologist Dr. Leonard Olinger will be back in the witness box.

Dr. Olinger, University of Southern California lecturer and psychologist in private practice, believes Sirhan is not seriously mentally ill. So concerned did he become by claims of defense alienists that the young Arab does suffer serious mental impairment, he volunteered his services to Deputy Dist. Atty. John Howard.

As Dr. Olinger sees Sirhan: He is . . . relatively intact . . . hardly impaired, gifted in certain imaginative ways, capable of seeing the overview, proceeding in a highly organized method, giving a harmonious kind of performance.

" . . . There is an indication that there is some measure of control over emotions, good ability to make judgments, even if these do not correspond to the judgments of other people, remarkably little distortion of the material or of the individual's perception of the outside world. . . . Despite his fundamental differences in political views, he holds to them on the basis of

ideas, notions, and value systems that are important to him . . . There are some indices of character disorder. Most indices are of neurosis . . . especially hysteria and obsessive compulsion. There are few indices of schizophrenia — (divided personality)."

Asked to pin a specific label on Sirhan, Dr. Olinger summed up, "He would be a borderline schizophrenia with principally neurotic features . . . suffering from pseudo-neurotic schizophrenia."

Howard then asked the psychologist if on June 5, 1968, when Sirhan admittedly shot Kennedy at the Ambassador Hotel

he had the capability to "meaningfully and maturely premeditate and carry out the killing."

Dr. Olinger replied:

"The (psychological) tests strongly suggest that he could."

Dr. Olinger treated with scorn the evaluation that defense psychologist Dr. Martin M. Schorr and his court-appointed colleague Dr. O. Roderick Richardson gave to a battery of psychological tests given Sirhan.

Their test scoring lacked "integrity," he testified.

Looking at the same tests, the psychologist said, he found Sirhan, "well within the range of normal."

He added that it was his belief that neither Dr. Schorr nor Dr. Richardson had given sufficient weight to the fact that Sirhan has been jailed for several months and faces a capital murder charge in evaluating his tests.

Sirhan has not seen the sun, nor the outdoors since early last June when he was transferred from the central county jail to an isolation cell in the Hall of Justice.

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Posters in Arab Nations Depict Sirhan as Hero

Above Picture Are Words 'A Commando,
Not Assassin'; Many in English, French

BY WILLIAM TUOHY

Times Staff Writer

BEIRUT--The Palestine Liberation Organization has begun distributing posters depicting Sirhan B. Sirhan—who is undergoing trial for the murder of Sen. Robert F. Kennedy—as a heroic Arab commando.

Several hundred thousand posters are reportedly being distributed in Arab countries, according to the PLO, while others have been printed in English and French for use in Europe.

A sample poster was recently carried on Page 1 in a Beirut Arabic-language newspaper. It carries a large picture of Sirhan, and in front of him is a drawing of a Palestinian guerrilla with a rifle.

Above the picture are the words: "Sirhan Bishara Sirhan: A commando not an assassin."

The poster adds that "Zionist quarters in America" were trying to distort the motive for Sirhan's action in slaying Sen. Kennedy.

Significant Development

The circulation of the posters—adopting Sirhan as a member of the Palestinian cause—is the most significant development in Arab reaction to the Sirhan trial, sources here say.

The trial has been widely reported in the Arab press and followed closely.

However, because of a decision by Arab governments to adopt a hands-off

policy on the Sirhan case, very little editorial comment has been made about the trial.

One of the few occasions when Arab editorialists complained came when psychiatric testimony at the trial suggested that Sirhan had killed Kennedy while mentally deranged.

"Sirhan is not a madman," argued one editor.

Indeed, the latest move by the PLO to establish Sirhan as a commando hero suggests that the Arabs consider that Sirhan is sane, and merely is behaving like a Palestinian patriot.

Position on Sanity

"There has been an awful lot of testimony at the trial in Los Angeles about Sirhan's sanity," says one veteran Arab affairs specialist here, "but if you go into one of those Palestinian refugee camps in Jordan, you will find a lot of people with the same mental makeup as Sirhan."

The commandos hope, in their widely distributed posters, to capitalize on the extremist view that Sirhan was acting rationally on behalf of the Palestinian guerrillas—to wipe out a hated enemy.

One Cairo paper suggested bringing Sirhan's defense lawyers to the Middle East so that "they can know what the Palestinian question really is."

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Questioning of 90th Witness Ends Testimony in Sirhan Trial

Both Sides Rest After Tough Defense Cross-Examination of Psychologist on Diagnosis of Defendant's Mental State

BY DAVE SMITH

Times Staff Writer

Prosecution and defense rested Tuesday in the murder trial of Sirhan Bishara Sirhan.

After 10 months in jail and three months of a harrowing and tedious trial, the 25-year-old assassin of Sen. Robert F. Kennedy betrayed not a flicker of interest as defense attorney Grant B. Cooper finished cross-examination of the prosecution's last witness, psychologist Leonard B. Olinger.

He was the 90th witness to testify in one of the longest trials in Los Angeles County history.

Olinger was the last of 10 psychologists and psychiatrists to testify as to Sirhan's mental state when he killed Kennedy. Olinger's opinion differed sharply not only with the eight expert witnesses for the defense but also with the prosecution's star witness, psychiatrist Seymour Pollack.

Defense testimony painted Sirhan as a paranoid psychotic with schizophrenic reaction, unaware of and unable to control his actions when he shot Kennedy last June 5.

Pollack termed Sirhan a paranoid personality with a borderline schizophrenia but held that his mental illness did not reduce his capacity to maturely and meaningfully premeditate and carry out murder.

Olinger, while agreeing with Pollack that Sirhan was not a victim of diminished capacity in his planning of Kennedy's death, diagnosed Sirhan as a "pseudo-neurotic schizophrenic"—which he said is not a recognized clinical label for real psychosis but a mere descriptive term for a condition much less

serious than even Pollack had found.

Olinger flushed frequently under a blistering cross-examination by Cooper, who sought to draw an admission that Olinger solicited his way into the case only last month.

Olinger said he telephoned the prosecution shortly after psychologist Martin M. Schorr began testimony. Olinger said he disagreed with inferences in Schorr's testimony that he had read in the newspapers.

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Citing Olinger's own testimony Monday about the care psychologists must take in interpreting clinical tests, Cooper asked if Olinger hadn't violated his own precautions in forming attitudes about the Sirhan case on the basis of newspaper accounts. Olinger said he hadn't.

Citing Olinger's testimony that Schorr and other psychologists, knowing whose tests they were evaluating, might have interpreted the tests in a way that matched their preconceived notions about Sirhan, Cooper then asked Olinger if he hadn't also known in advance whose tests he was interpreting and whether he hadn't been slightly influenced by that knowledge.

"Some," said Olinger.

Cooper also launched an defense witnesses, two of oblique attack on Olinger's professional qualifications as compared to those of whom, Cooper noted, were professors of psychiatry at USC and UC Berkeley. Olinger is a part-time instructor in abnormal psychology in USC's extension division.

Cooper asked repeatedly why Olinger had phoned the prosecution rather than the defense, and Olinger replied, "I believed I could be of help."

"Not to the defense," Cooper interjected.

"Not particularly to the defense," Olinger said.

"To the prosecution?" asked Cooper.

"Not particularly to the prosecution," said Olinger.

"Then whom did you believe you could help?" Cooper asked.

"I thought I could help justice," Olinger replied.

"In giving information to the prosecution?" asked Cooper.

"In this case, yes," Olinger said.

Bias Charged

Cooper reiterated his belief that Olinger had offered his services to only one side without having seen any of Sirhan's clinical tests and that in forming his opinions on the basis of publicity, Olinger was guilty of the same bias and distortion Olinger had laid to defense witnesses.

Olinger's appearance was the capstone of more than a month's obscure, technical psychiatric jargon, in which both the defense and the prosecution waged a hot war of psychiatric attrition.

The defense sought to command the jury's respect for their case by stunning them with expert witnesses of both solid and/or glittering reputation and with no fewer than six clinical psychologists who corroborated and confirmed and corroborated yet again the findings of the others.

The prosecution chose, with its two experts, to try to deflate the defense theories with sober, logical outlines of verifiable fact.

In cross-examination of defense experts they inched painstakingly, sometimes maddeningly, over and over the same tiny technical points.

Weak Spots Sought

The stated aim was to find and enlarge weak spots in the ornate psychiatric facade erected by the defense.

But the more likely aim appeared to be to thoroughly sicken the jury on all psychiatric testimony, pushing jurors from confusion through boredom and to such exasperation that they might wave aside all expert testimony on these facts:

That Sirhan hated Zionism and its allies, wrote of his intention to kill Kennedy, did so and isn't sorry.

As the prosecution prepared its final arguments, Chief Dep. Dist. Atty. Lynn Compton confirmed what has been common knowledge since early February—that the prosecution will not press for the death penalty for Sirhan. Nor will they ask the jury not to impose it.

(Mount Clipping in Space Below)

Sirhan Jury Hears Closing Arguments

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Closing defense and prosecution arguments in the Sirhan-Bishara Sirhan murder trial are set to open today when Dep. Dist. Atty. David N. Fitts begins summation of the case against the admitted slayer of Robert F. Kennedy before a jury of seven men and five women.

Fitts, number three man of the triumvirate of prosecutors who for the past three months have presented the case against Sirhan, will be followed by all three members of the young Arab's defense battery.

Prosecutors expect Fitts' address to the jury to consume most of today — the 37th day of the trial. When he concludes, Russell E. Parsons, defense lawyer whom Sirhan is said to be presented by Dep. Dist. Atty. regard almost as a "father fig-John Howard — toughest of the urc," will begin the defense summation. Parsons' a f g u s rhan ment, he says, will take about an hour.

He will be followed by his colleague, Emile Zola Berman, who also is scheduled for a relatively short speech.

Chief defense counsel Grant B. Cooper will deliver the defense's major push. It is expected that Cooper will take more than a day to conclude the case for the admitted assassin.

The defense is involved in an all-out attempt to save the life of the man who on June 5, 1963, fatally shot the New York Senator and presidential aspirant at the Ambassador Hotel. Cooper and his associates openly concede they have no chance of acquittal, and but a slim possibility of getting anything less than a first-degree murder verdict.

Should the jury return a verdict of first-degree murder, the trial will then move to another stage — the so-called penalty phase in which the jury will decide whether Sirhan is sentenced to death or life in prison. Chief Dep. Dist. Atty. Lynn D. Compton has said that the state will not demand the death penalty for Sirhan. But neither, he said, will it advise the jury to bring in a life sentence. Compton said the jurors will be told that the district attorney's office considers either life or death an "appropriate penalty" for the Kennedy slaying.

Compton will conclude the presentation of the prosecution case, under present plans, when the defense summation is concluded.

If there is a penalty trial, state's evidence in the case will be presented by Dep. Dist. Atty. John Howard — toughest of the three prosecutors confronting Sirhan.

Following the arguments on both sides, Judge Herbert V.

Walker, presiding over the trial, must sum up the law in the case for the jury. Defense and prosecution suggestions to the jurist on how this should be done

yesterday forced a halt to open proceedings in the trial.

Original plans called for Fitts to begin his summation at the afternoon session. However an in-chambers conference on Judge Walker's instructions called after the 90th and final witness — psychologist Dr. Leonard Olinger — completed his testimony ground the trial to a stop.

Howard said that part of the delay was caused by procedural matters and part by a disagreement over proposed instructions to the jury.

While neither side would comment on the disagreement, there were authoritative reports that the two sides were split as to the fine details of the law of "diminished capacity" in California. The defense of diminished capacity is the core of Sirhan's case.

The law provides, in effect, that if the jury believes that Sirhan lacks the mental capacity to "meaningfully and maturely" premeditate and carry out Sen. Kennedy's killing, he cannot be sentenced to death — even though he admits the slaying. A battery of defense and prosecution psychologists and psychiatrists have said he lacks this capacity. Dr. Olinger and psychiatrist Dr. Seymour Pollack have testified that in their opinion, he does have this capacity. Guided by the law as it is given them by Judge Walker, the jury will make the final decision.

Judge Walker has been at work on his instructions to the jury for the past several weeks. However, each side has the right to offer additional suggestions to the jurist at the close of the case.

Lawyer's summations and Judge Walker's instructions are expected to take the remainder of this week. It is now expected the jury will get the case Monday.

Meanwhile, Sirhan waits. Michael McCowan, chief defense investigator and a close friend of the 25-year-old defendant, reported yesterday that Sirhan is in good spirits.

He believes his attorneys have done "their best for him," McCowan told newsmen, and "hopes for the best."

Parsons added that Sirhan is so optimistic that he looks forward to a prison sentence of not too long duration and to returning to his native Jordan when he has served that sentence.

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State Opens Summary in Sirhan Murder Trial

1st-Degree Verdict Demanded in Spite of Mental Illness

BY DAVE SMITH
Times Staff Writer

Sirhan Bishara Sirhan is mentally sick, the prosecution conceded Wednesday, but not so sick that he could not plan, coolly, carefully and for a long time to murder Sen. Robert F. Kennedy.

Opening the summation of the prosecution's case against the 25-year-old defendant, Dep. Dist. Atty. David N. Fitts told the jury of five women seven men:

"The state will urge you to return a verdict of murder in the first degree."

In an impressive four-hour summation delivered entirely without notes, Fitts waved aside psychiatric theory and marshaled an imposing chronology leading up to the June 5 shooting of Kennedy on the eve of his victory in California's Democratic presidential primary.

As he piled up the facts one by one, Fitts said they showed a consistent, developing premeditation to murder Kennedy.

Outlines Course of Events

Fitts outlined this story:

On Feb. 5, 1968, Sirhan bought a pistol from a friend of his brother, Munir. The purchase took place on a street corner at night near Sirhan's home. Fitts said Sirhan may or may not have decided by that time to kill Kennedy, but he termed the gun purchase a "surreptitious transaction."

Before and after that time, Sirhan had been writing his political views in his notebooks—views that "were replete with hostility to the United States government" and ultimately took the form of statements that certain political figures must be killed.

On June 1, Sirhan went to a Corona gun range to practice, but was turned away because only large-bore weapons were permitted on the range that day.

Goes to Kennedy Reception

The next night, Sirhan went to the Ambassador for a Kennedy reception because, Sirhan said, he loved and admired Kennedy and wanted to shake his hand.

But at that reception, Sirhan was observed moving away from the crowded areas where Kennedy was, and later was seen in a kitchen area, through which Kennedy passed to avoid mobs. This, said Fitts, could have been merely a "familiarization run," or Sirhan may have planned to shoot Kennedy that night, if the chance arose.

Later, in the pantry area where Kennedy ultimately was shot, Sirhan asked employees if the senator "would be coming back this way"—indicating that Sirhan knew Kennedy had already passed that way once.

As for Kennedy's last-minute change of plan in going to the Colonial Room before the Ambassador Ballroom—which the defense claimed Sirhan couldn't have known about and thus confronted Kennedy by accident—Fitts said it wasn't an accident at all.

Kennedy was scheduled to go to both rooms anyway, using the pantry as his route, and when he did so would have been merely a matter of time. All Sirhan had to do was wait.

Sirhan's lack of identification

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when he was arrested also showed premeditation, Fitts said. Sirhan's wallet was later found in the glove compartment of his car, and Sirhan testified that he never carried his wallet on him.

But Fitts recalled an earlier witness' testimony that on one occasion when Sirhan needed his wallet, he simply pulled it from his hip pocket. Leaving the wallet behind on June 4, Fitts said, was a deliberate plan to avoid identification.

It was at this point that Sirhan, following Fitts' performance with piercing looks, erupted with "He's lying, he's lying, he's lying!"

The Palestinian Arab's voice rose and he began to struggle to his feet. Defense counsel and security officers plopped him back into his chair, quieted him and then ushered him out.

"I'm not going to put up with this —," Sirhan snapped as he strode out.

After cooling off in an adjacent room for 20 minutes, Sirhan was led back in and listened quietly but intently as Fitts continued.

Frank Contempt

Sirhan is expected to have a far harder time reining his temper when coprosecutors John E. Howard and Lynn D. Compton make their arguments. Both are considerably more blunt in expressing their disbelief in Sirhan's intricate psychiatric defense.

For all the relaxed precision of Fitts' summation, he was nonetheless frank in his contempt for defense witness Martin M. Schorr, a San Diego clinical psychologist who diagnosed Sirhan as a paranoid schizophrenic.

Terming the psychiatric testimony of 10 expert witnesses "a quagmire," Fitts told the jury: "Our psychiatric lesson begins in a most peculiar way. Dr. Schorr . . . I'm really sorry the defense started with him, because I'm afraid he may have left a bad taste in your mouths regarding the whole profession."

Letter to Defense Recalled

Fitts said a letter Schorr wrote to defense attorney Russell Parsons last July showed that he was "soliciting to be permitted to assist in selection of the jury." Fitts implied this was an attempt to stack the jury with people sympathetic to a defense of mental illness.

Fitts said Schorr's testimony was "disgraceful" and questioned Schorr's competence on several points, including Schorr's unsuccessful effort to tape his interviews with Sirhan.

Schorr testified that his recording equipment caused the tape to stick and said that he erased the partially garbled interviews so that he could use the tape again.

"In a case of this magnitude," said Fitts, Schorr's failure to produce tape recordings, or a verbatim record, or even to testify from full notes, was "inexplicable and deplorable."

Cites Errors

As to Schorr's interpretation of Sirhan's test responses, Fitts recalled one reference Schorr made to Nathan Hale as "the man without a country." Schorr later corrected himself, saying he had been reminded that Edward Everett Hale was "the man without a country."

Schorr was wrong both times, said Fitts. Edward Everett Hale was the author of a short story of that name, and the character was named Philip Nolan. Schorr's double-barreled error, Fitts said, "tells us a lot about the intellectual acumen he brings to this case."

Fitts also attacked the testimony of Dr. Bernard L. Diamond, UC Berkeley professor of criminology, psychiatry and law, with whom Fitts engaged in sharp courtroom clashes.

'Whole Cloth'

Fitts said Sirhan had been in jail for six months before Diamond entered the case, that Sirhan had "structured his story" of the crime, and that Diamond "bought" Sirhan's story "out of whole cloth."

Recalling Diamond's statement that he "agreed" that Sirhan's defense was "an absurd and preposterous story, unlikely and incredible," Fitts read his own question to Diamond about whom he was agreeing with. Diamond's reply was, "I agree with the world."

His voice dripping contempt and disbelief, Fitts said, "Well, I can't improve on Dr. Diamond—if that's what he thinks of his story. You realize it was impossible to have the last word on Dr. Diamond. So I'll let him have the last word."