

Around the Nation *A-12*

Prosecutor Is Doubtful On Sirhan's Execution

LOS ANGELES—District Attorney Evelle J. Younger said yesterday that the case of Sirhan Bishara Sirhan would be in appeals courts for years, and he implied that he doubted that the assassin of Robert F. Kennedy would be executed.

Grant B. Cooper, who headed the team of defense attorneys for Sirhan, filed a notice of appeal yesterday.

Younger called a news conference to make the declaration that his office was thoroughly satisfied that no one except Sirhan was involved in the assassination.

Younger said he was certain that would not lay the matter to rest, but his office and police had followed up thousands of leads and removed any question of conspiracy.

Meanwhile, in Baltimore, Arthur J. Goldberg, former Ambassador to the United Nations, said he made a plea for clemency for Sirhan in a letter sent yesterday to California Gov. Ronald Reagan.

Payment Clarified

NEW YORK—Officials of the United Methodist Church, emphasizing that they have offered no funds to a movement led by Black militant James Forman, called for a Church-wide emergency meeting of the

denomination's leadership to consider stepped-up expenditures to improve the status of blacks.

The call was issued in the wake of a special session of the executive committee of the church's Board of Missions, which voted Tuesday to commit \$1.3 million for "a program of economic empowerment of black people."

It was specified that the money is "to be administered by black members of the Board and black bishops," but officials said there apparently was a widespread misrepresentation about this provision among Methodists across the country.

Meanwhile in Atlanta, a United Methodist Church committee voted to ask 60 bishops across the Nation to accelerate efforts to raise a \$20-million Fund for Reconciliation for the benefit of black people and the poor.

Nebraska Bill Vetoed

LINCOLN, Neb.—A bill that would have permitted Nebraskans to use "any means necessary" to protect themselves and others from criminal acts was vetoed by Gov. Norbert T. Tiemann.

Tiemann said the measure would encourage the use of private force and "is most inappropriate at this time when Nebraskans are most

concerned with the rising level of violence."

Student Strippers

MONTEZUMA, Iowa—Public nudity received a dressing down here when eight Grinnell College students—five girls and three boys—were found guilty of indecent exposure after they held a "strip-in" in what they said was a protest of Playboy magazine's exploitation of sex.

A jury of eight women and four men deliberated 2½ hours before returning the guilty verdict, which could result in a six-month jail term or a \$200 fine for each defendant. District Judge R. G. Yoder set June 20 as the date for sentencing.

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The Washington Post Times Herald *A-12*
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No Evidence of Plot Found in Kennedy Slaying

Conclusion Disclosed by Younger After Intense Inquiry by Authorities

BY RON EINSTOSS

Times Staff Writer

There is no credible evidence to support a conspiracy theory in the assassination of Sen. Robert F. Kennedy, Dist. Atty. Evelle J. Younger said Wednesday.

He also labeled as "absurd" defense charges that his office reneged on an agreement not to seek the death penalty for Sirhan B. Sirhan and he described as "over-kill" defense psychiatric testimony during the trial.

Law enforcement agencies, including the Los Angeles police, FBI and his office, reached the conclusion that there was no conspiracy on the basis of more than 4,000 interviews of possible witnesses to any of the events which might have had some bearing on the slaying, Younger explained.

Younger made the statement at the first formal press conference he has held on the matter since shortly after Sen. Kennedy was shot June 5 by Sirhan. He said he could not comment on the case until now because of a court-imposed "gag" order.

Possibility Studied Immediately

Sirhan was sentenced to death a week ago today by Superior Judge Herbert V. Walker.

Younger said the possibility that Sirhan was "a member of a conspiracy whose objectives were not satisfied by the assassination of one political leader" became a concern immediately following the shooting of Sen. Kennedy.

No possible avenue of information, he said, was considered unworthy of investigation. Every allegation of a possible conspiracy was investigated in depth and will continue to be as they arise in the future, Younger added.

He noted that the information presented during the trial by both the prosecution and defense did not exceed 2% of the combined work product of the police and FBI investigators.

So that any doubting members of the public can satisfy themselves with the finding that Sirhan acted alone. A full disclosure of the results of the investigation will be made available "now that the constitutional rights of (Sirhan)" cannot be jeopardized by publicity, Younger said.

Duplicate copies of all documentary and photographic evidence will be available in the county clerk's criminal division located in the Hall of Justice, he revealed.

Police Chief Roger Murdock, according to Younger, also has agreed that "the interest of the public in law enforcement" can best be served by a full disclosure of all aspects of the investigation conducted by a special task force of police detectives.

Plea Bargaining Explained

The Los Angeles Police Department, he said, has "literally tons of information" in its files, all of which will be available for public review "to the fullest extent that security precautions and administrative resources will permit."

Commenting on the prosecution of Sirhan, Younger said, "It proved that our system of justice works."

The prosecution was willing to enter into so-called plea-bargaining negotiations early in the case, Younger explained, because at that time "it was my opinion and that of highly competent men on my staff" that the jury would not render a death verdict.

This, he said, was based primarily on the findings of the prosecution psychiatrist.

They did not at the time have the complete reports of defense psychiatrists and had no way of knowing then that defense psychiatric testi-

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

I-3 Los Angeles Times
Los Angeles, Calif.

Date: 5/29/69
Edition: Home
Author: Ron Einstoss
Editor: Nick B. Williams
Title: Kensalt

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Classification: 56-156
Submitting Office: Los Angeles

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mony—which he said included "far-reaching and absurd propositions"—would turn out to be as disastrous as it was, he said.

Younger said the jury arrived at the proper verdict and he committed his office to doing all it could to sustain the death penalty in the case.

It was not unusual for the prosecution to contact the Kennedy family regarding the handling of the case, Younger said, because his deputies often consult with interested parties, particularly the families of victims, to determine how they will react to proposed dispositions.

He said he believed it is a good policy to allow members of a victim's family to express their opinion on the outcome of any case in which they have an interest.

Asked if he thought Sirhan would ever be executed, Younger replied, "You know the track record on that as well as I do."

He said, however, that he did not anticipate that the appellate courts would find any deficiency in either the trial or the conviction of Sirhan.

In answer to a question regarding the role of former Coroner Thomas Noguchi in the case, Younger said he is satisfied that the autopsy on Sen. Kennedy was conducted in a proper manner.

The problems and pressures incident to the successful prosecution of Sirhan in many respects were without parallel in the history of American jurisprudence, according to Younger.

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SIRHAN 5/20 HC 3

NIGHT LD

LOS ANGELES (UPI)--SIRHAN B. SIRHAN WILL BE FORMALLY SENTENCED WEDNESDAY FOR THE MURDER OF SEN. ROBERT F. KENNEDY AND THEN WHISKED AWAY, PROBABLY WITHIN A FEW DAYS, TO DEATH ROW IN SAN QUENTIN PRISON.

A JURY DECREED THAT THE 25-YEAR-OLD ARAB IMMIGRANT DIE IN THE GAS CHAMBER FOR THE ASSASSINATION OF THE SENATOR AFTER A THREE AND ONE-HALF MONTH TRIAL.

SUPERIOR COURT JUDGE HERBERT V. WALKER HAS THE CONSTITUTIONAL AUTHORITY TO REDUCE THE SENTENCE TO LIFE. THE CHANCE OF THAT HAPPENING WAS CONSIDERED NIL. DURING HIS YEARS ON THE BENCH, WALKER HAS NEVER PASSED ANYTHING OTHER THAN A DEATH PENALTY FOR A CAPITAL OFFENSE ALTHOUGH HE DID LATER REDUCE ONE SENTENCE TO LIFE.

BEFORE SENTENCING, WALKER WILL HEAR ARGUMENTS BY CHIEF DEFENSE COUNSEL GRANT B. COOPER FOR A NEW TRIAL FOR THE ONE-TIME RACE TRACK EXERCISE BOY WHO KILLED KENNEDY IN THE AMBASSADOR HOTEL JUNE 5.

COOPER'S MAIN ARGUMENT WILL BE THAT WALKER ERRED IN REFUSING TO ACCEPT A PROSECUTION-DEFENSE "DEAL" UNDER WHICH SIRHAN WOULD PLEAD GUILTY TO FIRST DEGREE MURDER IN RETURN FOR A LIFE SENTENCE.

THE DEFENSE ALSO WILL CONTEND THAT THE PROSECUTION ILLEGALLY SEIZED DIARY NOTEBOOKS IN SIRHAN'S HOME IN WHICH THE DEFENDANT WROTE OF HIS INTENT TO ASSASSINATE KENNEDY. AFTER THE TRIAL, JURORS SAID IT WAS ONE OF THE PRINCIPAL BITS OF EVIDENCE SHOWING PREMEDITATION.

WALKER IS EXPECTED TO DENY THE NEW TRIAL MOTION IMMEDIATELY.

THE DEATH SENTENCE THEN GOES AUTOMATICALLY TO THE CALIFORNIA STATE SUPREME COURT FOR REVIEW. IF IT IS UPHELD, COOPER HAS PLEDGED TO BEGIN A SERIES OF APPEAL ACTIONS ALL THE WAY TO THE U.S. SUPREME COURT.

THAT WILL UNDOUBTEDLY REQUIRE SEVERAL YEARS AND THERE IS REASON TO BELIEVE SIRHAN WILL NEVER BE EXECUTED. AMONG OTHER THINGS, THERE IS A DRIVE IN THE LEGISLATURE TO OUTLAW CAPITAL PUNISHMENT.

THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT WAS EAGER TO GET RID OF SIRHAN AS QUICKLY AS POSSIBLE.

THE TINY JORDANIAN HAS BEEN HELD UNDER MAXIMUM SECURITY IN A 13TH FLOOR CELL SINCE HIS ARREST AND DURING THE TRIAL. HIS MEALS WERE ESPECIALLY PREPARED FOR HIM AND GUARDS WATCHED HIM DAY AND NIGHT.

A SPOKESMAN DECLINED TO SAY WHEN SIRHAN WOULD BE MOVED TO SAN QUENTIN OR HOW. IT WAS EXPECTED HE WOULD BE TRANSFERRED WITHOUT NOTICE AND UNDER HEAVY GUARD TO THE PRISON 15 MILES NORTH OF SAN FRANCISCO OVERLOOKING THE BAY NEAR THE GOLDEN GATE BRIDGE.

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FOR MR. TOLSON 167 MAY 23 1969
WASHINGTON CAPITAL NEWS SERVICE
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PRISON AUTHORITIES HAVE TAKEN SEVERE MEASURES TO TRY TO INSURE
THAT NO ATTEMPT ON SIRHAN'S LIFE CAN BE MADE BY OTHER PRISONERS.
HE WILL BE ASSIGNED A CELL IN "DEATH ROW NUMBER ONE" ON THE SIXTH
FLOOR ABOUT 125 FEET FROM THE APPLE GREEN GAS CHAMBER. SIRHAN WILL
OCCUPY THE NEXT TO LAST CELL IN A ROW OF 30 WITH THE TWO ADJACENT
CELLS EMPTY.
A SCREEN WILL FENCE THE OUTSIDE HALLWAY FOR THE THREE CELLS SO
THAT HE WILL BE ABLE TO EXERCISE WITHOUT COMING IN CONTACT WITH OTHER
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FOR MR. TOLSON

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BELLI 5/9 HC 746

TUCSON, ARIZ. (UPI)--ATTORNEY MELVIN BELLI, WHO DEFENDED JACK RUBY, SAID FRIDAY HE HAS BEEN INVITED TO HANDLE CONDEMNED KILLER SIRHAN B. SIRHAN'S APPEAL OF HIS MURDER CONVICTION IN THE DEATH OF SEN. ROBERT F. KENNEDY.

THE FLAMBOYANT SAN FRANCISCO ATTORNEY SAID, "THEY'VE (SIRHAN'S FAMILY) CONTACTED ME BEFORE. THEY WANT ME TO DO THE APPEAL."

BELLI DEFENDED RUBY AT HIS TRIAL FOR THE MURDER OF LEE HARVEY OSWALD, THE ASSASSIN OF KENNEDY'S BROTHER, PRESIDENT JOHN F. KENNEDY, WHO WAS SLAIN IN DALLAS NOV. 22, 1963.

IN PASADENA, CALIF., SIRHAN'S MOTHER, MARY, SAID OF BELLI'S STATEMENT: "I CAN'T COMMENT BECAUSE I DON'T KNOW THAT MUCH ABOUT IT."

GRANT COOPER, CHIEF DEFENSE COUNSEL DURING SIRHAN'S TRIAL, SAID IN LOS ANGELES HE KNEW NOTHING ABOUT BELLI ENTERING THE CASE.

BELLI SAID HE WAS GOING TO PASADENA TO MEET WITH SIRHAN'S FAMILY.

"THEY'RE NICE QUIET LITTLE PEOPLE," HE SAID. "IT'S HARD TO IMAGINE THEY HAD A SON WHO SHOT ROBERT KENNEDY."

ALTHOUGH SIRHAN'S MOTHER LIVES IN PASADENA, HIS FATHER IS IN PALESTINE AND HAS BEEN FOR A NUMBER OF YEARS.

IF SIRHAN IS GRANTED A NEW TRIAL, BELLI SAID "THERE'S ALWAYS BOUND TO BE A LOT OF STUFF THAT'S GOING TO COME OUT ABOUT THE DALLAS ASSASSINATION."

SIRHAN WAS CONDEMNED TO THE GAS CHAMBER APRIL 23 BY THE SAME FIVE-WOMAN, SEVEN-MEN LOS ANGELES JURY THAT EARLIER CONVICTED HIM OF FIRST DEGREE MURDER IN THE DEATH OF KENNEDY. THE SENATOR WAS SHOT DOWN IN THE AMBASSADOR HOTEL IN LOS ANGELES EARLY LAST JUNE 5, MINUTES AFTER HE HAD CLAIMED VICTORY IN THE CALIFORNIA DEMOCRATIC PRESIDENTIAL PRIMARY.

BELLI SAID SIRHAN WAS MENTALLY UNBALANCED AND ADDED, "SIRHAN'S NOT GOING TO DIE."

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FOR MR. TOLSON

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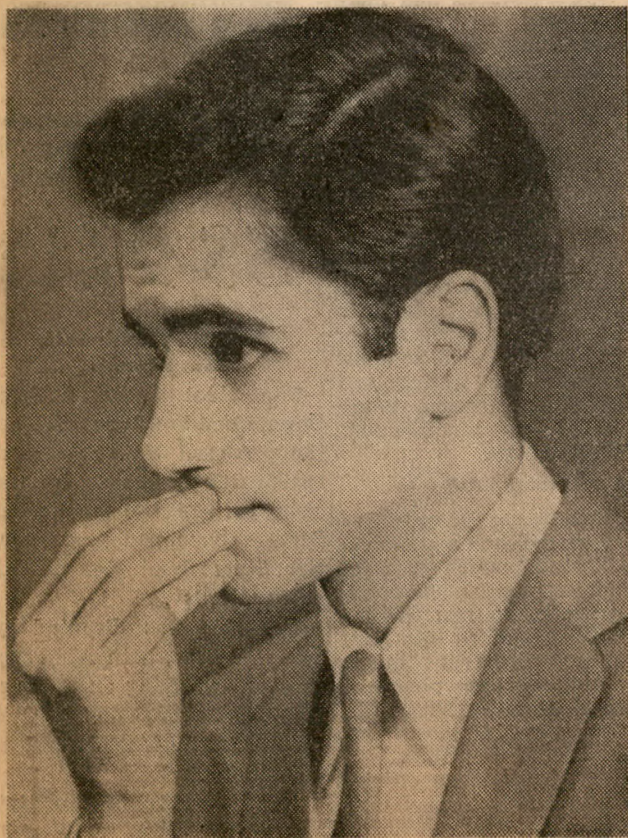
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Jurors Decree Death for Sirhan In RFK Slaying



SIRHAN BISHARA SIRHAN

... "Even Jesus Christ couldn't have saved me."

Judge Delays Sentencing Pending Plea

By George Lardner Jr.
Washington Post Staff Writer

LOS ANGELES, April 23—For the murder of one "Robert Francis Kennedy, a human being," a haggard jury decreed today that Sirhan Bishara Sirhan should die in the gas chamber at San Quentin State Prison.

The paranoid assassin, who shot Kennedy down at the high point on his quest for the presidency, took the verdict calmly.

"Even Jesus Christ couldn't have saved me," Sirhan told his lawyers. However, the death verdict can still be reduced to life imprisonment at the Superior Court Judge Herbert V. Walker. The judge put off sentencing until the 25-year-old Jordaman immigrant's lawyers submit a motion for a new trial. A hearing was set for May 14.

The jurors signaled a waiting courtroom full of guards, lawyers and newsmen at 11:04 a.m. after more than 11½ hours of deliberations over three days.

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A buzzer from the jury room ~~resped~~ twice ~~and then~~, after a hesitant pause, a third time, the code for a verdict.

A sheriff's deputy hurried upstairs to Sirhan's windowless cell on the Hall of Justice's 13th floor and told a guard, Frederick Davis, to alert him.

Clad in T-shirt and undershorts, Sirhan was staring into a polished steel mirror, combed his hair.

Davis told him a verdict was coming. He said, "Okay," put on a pair of black slacks and blue shirt, and was led downstairs. According to one of his lawyers who saw him earlier, Sirhan had been expecting the death penalty.

Sirhan showed no sign of it as he entered the antiquated courtroom, chewing gum. Grinning jauntily, he took his seat and began chatting with defense counsel Russell Parsons.

Head bowed, chief defense counsel Grant B. Cooper waited with a disconsolate look on his face.

"The weak ones crumbled—just like the first time," he said of the jurors who convicted Sirhan of first-degree murder last week.

Judge Walker settled himself at the bench, put a microphone around his neck and called the jurors in at 11:34 a.m. They filed to their seats with tired, solemn expressions.

Jury Foreman Bruce D. Elliott, a 29-year-old systems analyst with a Ph.D. in engineering, stood up and turned in the verdict on a slip of paper. Judge Walker's Japanese-American clerk read it aloud, the conclusion of Case A-233-421:

See SIRHAN, A4, Col. 4

SIRHAN, From A1

"We, the jury in the above-entitled action, having found the defendant, Sirhan Bishara Sirhan, guilty of murder in the first degree as charged in Count One of the indictment, now fix the penalty at death."

The verdict came against a backdrop of psychiatric testimony that Sirhan was mentally ill. But the verdict was one that American juries have unfailingly exacted for assassinations, and attempted assassinations involving other deaths, of major politicians—from President James Garfield to Harry S. Truman.

News men rushed to waiting phones outside, their shouts of "death . . . death . . . death" bouncing back into the courtroom as Mrs. Nishikawa began polling each of the seven men and five women on the jury. Sirhan sat still, looking almost indifferent, still chewing his gum.

One by one, the jurors voiced their approval, some loudly, some softly. One, Ruth A. Stillman, clasped her hand to her face.

"It's unanimous," the judge said. "record the verdict."

Mrs. Nishikawa lifted a heavy rubber stamp and brought it down with a loud thump. It had required only six minutes out of a trial that had taken up 66 days in courtroom sessions since Jan. 7.

Sirhan, who once testified that he was "willing to die" for the Arab cause, was promptly led to the "holding tank" adjacent to the armored courtroom. He nodded reassuringly at Parsons as he left.

The defense lawyers huddled

with him there minutes later. Cooper and defense investigator Michael McCowan came out with tears in their eyes.

"I told him we had done the very best we could," Cooper said at the press conference. "He said, 'don't be concerned. Even Jesus Christ couldn't have saved me.'"

Sirhan's brother, Adel, 30, was the only member of the family in the courtroom. Shaken by the prospect of the death penalty for her son, his 56-year-old mother, Mary, secluded herself at her home in Pasadena.

"I tried to call her, but I couldn't get through," Adel Sirhan said unhappily. "The phone was busy."

Chief prosecutor Lynn D.

Compton said it was impossible to tell whether Sirhan would ever actually be executed in light of the growing trend away from the death penalty in California and elsewhere.

"I wouldn't look for it in the near future; let's put it that way," he said.

No one has been sent to the gas chamber at San Quentin since April 12, 1967, when Aaron Mitchell of Sacramento was put to death for killing a policeman.

Despite this, Compton said he felt "a great majority of the American public favors capital punishment. And if they do, then I think this is the kind of case to invoke it."

Deputy District Attorney

David N. Fitts, the Stanford-educated lawyer who handled most of the courtroom work for the prosecution, said he felt Sirhan's defense faltered and perhaps fell apart because of the psychiatric testimony.

"I hope it would be less suspect in future cases," he said.

Asked where he thought it suspect, Fitts shot back: "You heard it."

Defense psychologists and psychiatrists claimed that Sirhan shot Kennedy in a hypnotic trance, "knowing next to nothing of what he was doing."

Apparently skeptical of some of the psychiatric claims himself, Cooper wound up by arguing simply for a second-degree murder verdict, claiming that Sirhan was at least

too twisted and immature to have been capable of cold-blooded, "meaningful" premeditation.

Sirhan claimed that his "love" for the New York Senator and Democratic presidential candidate turned to hate when he learned of Kennedy's support of Israel, especially his advocacy of U.S. Phantom jets for the Jewish nation.

Should Judge Walker sentence the dark-eyed assassin to death, an appeal direct to the California Supreme Court would be automatic. Cooper said he intended to press it despite earlier plans to withdraw from the case. He has been serving without fee and has put up several thousand dollars of his own money to cover expenses.

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Trial to Determine Sirhan's Sentence To Begin Monday



United Press International

ATTORNEY COOPER

... silent on Sirhan strategy

By George Lardser Jr.
Washington Post Staff Writer

LOS ANGELES, April 18—Sirhan Bishara Sirhan goes on trial again Monday with his life hanging in the balance and his lawyers keeping their strategy to themselves.

Convicted of first-degree murder Thursday for killing Sen. Robert F. Kennedy, Sirhan is now entitled under California law to a fresh trial before the same jurors before any penalty is fixed.

They have only two choices: life imprisonment or death in the gas chamber.

Could Impanel New Jury

Should they become deadlocked, Superior Court Judge Herbert V. Walker could impanel a new jury or he could take charge himself and give the frail-looking immigrant a life term. He could not sentence Sirhan to death.

The penalty trial is expected to go to the jury by Tuesday at the latest.

Chief Defense Counsel Grant B. Cooper has so far refused to disclose the witnesses he plans to call for fear, he said, of tipping his hand to the prosecution.

The State's own chief psychiatrist, Dr. Seymour Pollack, had offered to testify for the defense against a death penalty.

Cooper, however, has indicated that he intends simply to cite Dr. Pollack's statement since the psychiatrist has already said as much from the witness box.

State's Argument

The State will call no witnesses. Prosecutor John Howard said he expects to present only a 20-minute argument and then rest.

Should the verdict be death, Walker could reduce it to life. The Judge has, however, done this only once before out of some 20 opportunities.

Should the verdict be life, Sirhan would be sent, probably within several weeks, to Vacaville, the State's maximum security prison and mental hospital near Sacramento.

Technically, he would be eligible for parole in seven years. Prison officials say he would probably be kept behind bars far longer.

Average Prison Term

The first-degree lifers released from California prisons in 1968 served an average of 12.1 years. But, state prison spokesmen add, there are also another 50 inmates who have all been confined for 20 years or more. One has been behind bars for 51 years.

[In Israeli-occupied Jordan, Sirhan's father was quoted today by United Press International as saying, "I expected more from American democracy than this... Because the United States took this step against Sirhan, that means America will lose its standing before the Arabs and the world... All of the Arab countries are with Sirhan, they will kill more American leaders because America does this to this peaceful, good educated boy."]

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The Sirhan Verdict

IT would have been an incredible miscarriage of justice if the jury in the Sirhan Sirhan case had returned any other verdict than it did — murder in the first degree.

There never was any doubt at all that Sirhan assassinated Sen. Robert F. Kennedy. The act was seen by many, he was caught on the spot with a gun in his hand.

A verdict of either second degree murder or manslaughter would have been wholly disproportionate because there were no mitigating circumstances

— it was cold-blooded, deliberate murder.

Sirhan may be some kind of a nut. He had to be to commit the crime. But he was calculatingly dangerous and letting him back into society ever would be an appalling crime in itself.

One of the defense lawyers pleaded with the jury to bring in a lesser verdict so that everybody in the Arab world and elsewhere would know "that a man can get justice in America."

Anything less than the maximum verdict would have told the world that a fanatic could kill anybody, without reason, and get away with it in America.

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Prosecution Won't Press for Death Sentence

Sirhan Guilty: 1st Degree

LOS ANGELES, April 18 (UPI) — The prosecution in the trial of convicted murderer Sirhan B. Sirhan will tell the jury it is up to them to decide what happens to political assassins.

"We have no precedent in this country for what the appropriate penalty should be for political assassins," chief prosecutor Lynn Compton told newsmen yesterday, minutes after the jury found Sirhan guilty of first degree murder in the death of Sen. Robert F. Kennedy.

Mr. Compton said the prosecution would not ask directly for the death sentence in a separate trial starting Monday, but would tell the jurors their consciences must be their guides in determining if Sirhan gets life imprisonment or death in San Quentin's gas chamber.

17 HOURS

The panel of seven men and five women reached a first degree murder verdict yesterday after nearly 17 hours of deliberations.

The jurors interrupted their discussions only once, to return to the courtroom late Wednesday for a clarification of the judge's instructions concerning second degree murder.

The request triggered speculation that at least one juror had held out for the lesser charge.

Sirhan took the verdict stoically, staring straight ahead, but his attorneys said he was disappointed.

Dep. Dist. Atty. John Howard said the prosecution on Monday would stress Sirhan's apparent lack of remorse and would ask the jury to consider "the effect on the democratic process of political assassinations."

"I can't imagine any jury hearing this case and not considering that the motive for the crime was political assassination," Mr. Howard said.

The defense will ask the jury to reconsider psychiatric testimony that Sirhan was mentally ripped and unable to consider the consequences of his actions.

"Obviously we don't think the death penalty is proper," chief defense lawyer Grant Cooper said. This is the act of a sick mind."

Mr. Cooper had no regrets about the psychiatric angle used by the defense.

"I don't know of any other way we could have tried it," he said. "We did the best we could and we lost. That's all."

He said regardless of the penalty, there "probably" would be an appeal. All death sentences are automatically appealed to the California Supreme Court.

TEARS

The jurors were grim-faced when they returned to the courtroom, and one, Nellis Bortells, appeared near tears. Foreman Bruce Elliott had two bright spots of red color in his cheeks when he rose to hand sheafs of paper bearing the verdict to the bailiff.

The courtroom was filled with newsmen and sheriff's deputies when the verdict was read.

Mrs. Mary Sirhan, the defendant's mother, remained in her Pasadena home and received news of the verdict from United Press International.

She and her sons, Adel, 30, and Munir, 21, wept. Adel appeared in court for the afternoon session but said Munir "stayed home to take care of our mother. She is taking it badly, very badly."

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Sirhan's Conviction

There was, of course, never any question of guilt or innocence, as those terms are generally used, in the trial of Sirhan B. Sirhan for the assassination of Senator Robert F. Kennedy last June 5. The only real question was whether or to what extent he was mentally responsible for his act.

A Los Angeles jury, after deliberating for nearly 17 hours, has now resolved this by returning a verdict that Sirhan is guilty of murder in the first degree. All that remains is for the same jurors to meet again next week to determine whether the penalty he should pay will be death in the gas chamber or life imprisonment.

Counsel for Sirhan focused their efforts on trying to persuade the jury that the assassin was guilty of nothing more than murder in the second degree under the doctrine, not recognized as such in Washington, of "diminished responsibility." Under that doctrine the jury might have found that Sirhan's mental capacity was so impaired by mental illness, intoxication, or a combination of the two, that he was incapable of shooting Senator Kennedy with what is known in the law as "malice aforethought," and that therefore he was guilty only of murder in the second degree. This argument must have made an impression on some

of the jurors, for the jury returned to the courtroom Wednesday to have the trial judge read to them again his instructions on what constitutes second degree murder in California. Whatever doubts the jurors may have entertained apparently were dispelled by this second reading, for the first-degree finding came a few hours later.

A verdict of guilty in the second degree would not have been wholly surprising. Nevertheless, the evidence produced by the prosecution during the 15-week trial adequately supports the jury's finding.

The prevailing opinion among those who have been following the trial closely is that the jury will not impose the death penalty, and that if it should do so the death sentence will never be carried out. Certainly the trend in death penalties is in this direction. Should the jury decide on life imprisonment, Sirhan under California law would be eligible for parole in seven years. This would be a grossly inadequate punishment. But eligibility for parole is one thing, parole itself is something else. To say the least, it seems most unlikely that the authorities who have discretion to grant or not grant parole would unlock Sirhan's cell door after he had spent a mere seven years behind bars.

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(SIRHAN)

LOS ANGELES--SIRHAN B. SIRHAN'S MIND WAS WARPED BY THE HORRORS OF ISRAELI-ARAB WARFARE IN HIS NATIVE PALESTINE AND BY OTHER CHILDHOOD EXPERIENCES AND HE CANNOT BE HELD FULLY RESPONSIBLE FOR THE KILLING OF SEN. ROBERT F. KENNEDY, HIS ATTORNEYS ASSERTED TODAY.

SUMMING UP THE DEFENSE CONTENTION OF "DIMINISHED MENTAL CAPACITY"--A CONDITION NOT AS SEVERE AS INSANITY--COUNSEL ELILE ZOLA BERMAN SAID SIRHAN THOUGHT HE HAD SUPERNATURAL POWERS AND WAS "A BIG NO. 1 MAN WHEREAS THE FACT WAS HE WAS A SICK LITTLE BOY."

BERMAN AND RUSSELL E. PARSONS BEGAN THE FINAL ARGUMENT IN DEFENSE OF THE 25-YEAR-OLD DEFENDANT, SEEKING TO PERSUADE A JURY OF SEVEN MEN AND FIVE WOMEN HE SHOULD NOT BE SENTENCED TO DEATH IN THE GAS CHAMBER.

SIRHAN APPEARED COMPOSED WHILE THE ATTORNEYS VOICED THEIR DEFENSE. HE SOMETIMES SMILED CONDESCENDINGLY WHEN THEY DESCRIBED HIM AS MENTALLY ILL.

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SIRHAN 4/6 HC
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BY JOSEPH A. ST. AMANT

LOS ANGELES (UPI)--AFTER 14 WEEKS AND 89 WITNESSES, SIRHAN B. SIRHAN'S MURDER TRIAL WILL GO TO THE JURY THIS WEEK. THEN, THE PANEL OF SEVEN MEN AND FIVE WOMEN IS EXPECTED TO AGREE WITH THE DEFENDANT'S OWN CONTENTION THAT HE KILLED SEN. ROBERT F. KENNEDY.

THE TINY ARAB IMMIGRANT HAS ADMITTED HE KILLED THE NEW YORK SENATOR "FOR MY COUNTRY." IN FEBRUARY, DEFENSE COUNSEL GRANT B. COOPER TOLD A PROSPECTIVE ALTERNATE JUROR, "WE DO NOT EXPECT A NOT GUILTY VERDICT."

WHAT THE DEFENSE DOES EXPECT IS THE JURY'S DECISION TO SPARE SIRHAN FROM THE SAN QUENTIN GAS CHAMBER. THE PENALTY PHASE OF THE TRIAL WILL BEGIN IMMEDIATELY AFTER A VERDICT IS RETURNED.

IF SIRHAN GETS A LIFE SENTENCE, CALIFORNIA LAW COULD ALLOW HIM TO APPLY FOR PAROLE IN SEVEN YEARS. HOWEVER, COOPER FRIDAY DISMISSED THIS POSSIBILITY BECAUSE OF STRONG ANTI-SIRHAN SENTIMENT.

"I THINK AMERICAN PUBLIC OPINION WILL SEE TO IT THAT HE SERVES HIS LIFE IN PRISON," HE SAID.

THE STATE RESTS ITS CASE AFTER MONDAY'S FINAL WITNESS. THE JURY WILL HEAR CLOSING ARGUMENTS TUESDAY, WEDNESDAY AND THURSDAY.

THE PROSECUTION, WHICH WILL HAVE CALLED 60 WITNESSES BEFORE THE \$1 MILLION TRIAL IS OVER, HAS ARGUED THE 25-YEAR-OLD SIRHAN WAS INTELLECTUALLY CAPABLE OF PLOTTING THE ASSASSINATION OF KENNEDY. BUT ITS STAR PSYCHIATRIC WITNESS, OFTEN FLUSHED AND SHOUTING, RAN INTO TROUBLE LAST WEEK.

DR. SEYMOUR POLLACK WAS ACCUSED OF TRYING TO MINIMIZE A FEB. 5 REPORT IN WHICH HE SAID SIRHAN WAS "SUFFERING FROM A BORDERLINE SCHIZOPHRENIA WITH PARANOID AND HYSTERICAL FEATURES."

"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," HE WROTE.

A SUBSEQUENT REPORT BY POLLACK, AFTER JUDGE HERBERT V. WALKER REJECTED AN AGREEMENT TO CHANGE SIRHAN'S PLEA TO GUILTY OF FIRST-DEGREE MURDER AND ACCEPT A LIFE PRISON TERM, DESCRIBED SIRHAN'S MENTAL CONDITION IN MUCH SOFTER LANGUAGE.

BUT THE DOCTOR STUCK TO HIS OPINION THAT THE DEFENDANT COULD "MEANINGFULLY AND MATURELY" DELIBERATE THE ASSASSINATION. AND HE SAID HE WAS ACCEPTED AS A WITNESS BY THE PROSECUTION, WHICH KNEW "FULL WELL HOW STRONGLY OPPOSED I AM TO CAPITAL PUNISHMENT."

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SIRHAN 4/5 NX

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BY JACK V. FOX

LOS ANGELES (UPI)--IF SIRHAN B. SIRHAN GETS A "LIFE" SENTENCE FOR THE SLAYING OF ROBERT F. KENNEDY, HE WOULD TECHNICALLY BE ABLE TO APPLY FOR PAROLE IN SEVEN YEARS.

WITH JUST A WEEK TO GO BEFORE THE CASE GOES TO THE JURY, THE ODDS ARE THAT HE WILL GET LIFE, WHICH IN CALIFORNIA ACTUALLY MEANS 10 YEARS TO LIFE. WITH TIME OFF FOR GOOD BEHAVIOR IT CAN BE SHAVED TO SEVEN YEARS.

DEFENSE ATTORNEY GRANT COOPER TOLD NEWSMEN FRIDAY BEFORE THE TRIAL RECESSED FOR THE WEEKEND THAT HE THOUGHT THERE WAS NOT THE SLIGHTEST CHANCE SIRHAN WOULD BE RELEASED AFTER A RELATIVELY SHORT PRISON TERM.

"I THINK AMERICAN PUBLIC OPINION WILL SEE TO IT THAT HE SERVES HIS LIFE IN PRISON," COOPER SAID.

THE PROSECUTION HAD ONLY ONE MORE WITNESS TO CALL MONDAY BEFORE THE STATE RESTS ITS CASE. HE IS A PSYCHOLOGIST AND IS EXPECTED TO BE ON THE STAND ONLY BRIEFLY.

CLOSING ARGUMENTS BY BOTH SIDES ARE EXPECTED TO TAKE UP TUESDAY, WEDNESDAY AND THURSDAY, WITH THE CASE GOING TO THE JURY AT NOON NEXT FRIDAY AFTER INSTRUCTIONS FROM SUPERIOR COURT JUDGE HERBERT V. WALKER.

THERE HAVE BEEN 88 WITNESSES -- 59 FOR THE PROSECUTION AND 29 FOR THE DEFENSE -- SINCE THE TRIAL STARTED THREE MONTHS AGO.

THE NEXT TO LAST STATE WITNESS, PSYCHIATRIST SEYMOUR POLLACK, CONCLUDED HIS TESTIMONY FRIDAY. HE STUCK TO HIS OPINION THAT THE 25-YEAR-OLD ARAB COULD "MEANINGFULLY AND MATURELY" DELIBERATE THE ASSASSINATION OF KENNEDY.

THE DOCTOR SAID, HOWEVER, THAT HE FELT SIRHAN WAS MENTALLY ILL TO THE EXTENT THAT HE SHOULD NOT BE EXECUTED BUT BE GIVEN A LIFE SENTENCE AND TREATED AT A STATE MENTAL FACILITY.

IF THE JURY OF SEVEN MEN AND FIVE WOMEN RETURNS A VERDICT OF FIRST DEGREE MURDER, THE TRIAL WILL IMMEDIATELY MOVE INTO THE "PENALTY PHASE" IN WHICH THE JURY DECIDES ON THE SENTENCE -- EITHER DEATH OR LIFE.

BOTH SIDES WILL HAVE THE OPPORTUNITY TO CALL WITNESSES ALL OVER AGAIN BUT THE "SECOND TRIAL" IS EXPECTED TO BE QUITE BRIEF IF IT COMES TO THAT POINT.

IF THE JURY RETURNS A VERDICT OF SECOND DEGREE MURDER, THERE IS AN AUTOMATIC LIFE SENTENCE.

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(SIRHAN) LOS ANGELES--IF SIRHAN B. SIRHAN RECEIVED A LIFE SENTENCE FOR THE SLAYING OF SEN. ROBERT F. KENNEDY HE COULD START APPLYING FOR PAROLE IN SEVEN YEARS. SHOULD STAND.
 (WEATHER) UNDATED--THUNDERSTORMS, WITH TORNADOES, AHI, WINDS AND HEAVY RAINS, MAR

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Doctor Affirms His 'Doubt' on Sirhan Conduct

By George Lardner Jr.
Washington Post Staff Writer

LOS ANGELES, April 4—A gray-haired psychiatrist who concluded that Sirhan Bishara Sirhan was capable of first degree murder acknowledge today that he could not confirm the diagnosis "beyond a reasonable doubt."

Dr. Seymour Pollack said his was a medical judgment that could not be equated with the moral certainty required of Sirhan's jurors.

They are expected to begin deliberating on Sirhan's fate next Friday after closing arguments in the Arab immigrant's lengthy trial here for the assassination of Sen. Robert F. Kennedy.

In his last day on the witness stand, Pollack, the prosecution's chief psychiatrist, doggedly held to his claims that Sirhan was not genuinely or "clinically psychotic" when he killed Sen. Kennedy in the Ambassador Hotel here last June or even now after his long confinement in a windowless jail cell.

Chief defense counsel Grant B. Cooper cited Sirhan's repeated outbursts in the courtroom, his demands for his own execution, his grinning at bizarre moments and damning bits of testimony.

"Do you think the defendant was faking?" Cooper asked, dwelling particularly on Sirhan's attempts during the trial to dismiss his lawyers and plead guilty.

It Was Genuine

"No, I do not," Pollack said. "It was genuine. . . . He wasn't dramatizing by putting on a show for you or me."

"Do you think it was normal for a man on trial for first-degree murder?"

"No," Pollack replied again. The psychiatrist contended, however, that Sirhan's inappropriate conduct still fell short of what he would call psychotic behavior.

"Sirhan actually said somewhat the same thing to me," Pollack said, alluding to his pre-trial interviews with the 25-year-old defendant. He wanted to be "through with the whole damn thing . . . through with psychiatrists bugging him. He wanted out."

Time and again, but always in subtle fashion, Cooper underscored Pollack's apparent inconsistency in calling Sirhan "psychotic" in a Feb. 5 report before the actual trial began and then in steering away from the label once it had started.

In the report, the psychiatrist also said he felt Sirhan was suffering from "borderline schizophrenia with paranoid and hysterical features."

Pollack said he still felt that way, with the caveat that Sirhan was still not clinically or overtly psychotic and, in any event, still capable of premeditated murder.

Cooper asked the psychiatrist whether he honestly felt Sirhan had enough self-control to follow the laws of society if he chose, another requisite implicit in the murder charge lodged against him.

"Yes," Pollack said, adding that he considered it "a reasonable medical certainty."

"Do you equate that with 'beyond a reasonable doubt'?" Cooper prodded.

Pollack said he couldn't. The concept of reasonable doubt, he said, is "a moral question" that only the jurors can decide. Of his diagnosis, he said:

"That is not an absolute. I'd like to stress that."

Annoyed at Prosecution

It was a deftly handled cross-examination that wound up with Pollack actually more nettled at the prosecution than the defense. The psychiatrist's annoyance was prompted by Cooper's questioning him about snatches of his jail interviews with Sirhan that appeared on several network television programs earlier in the day.

Angrily, Pollack said that tape recordings of the interviews had been "leaked out." He said he was "very disturbed about it."

They had been released by chief Deputy District Attorney Lynn D. Compton. On leaving the witness stand, Pollack marched downstairs to lodge a sharp protest.

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Called a Liar, Sirhan Flies Into Tantrum

By George Lardner Jr.
Washington Post Staff Writer

LOS ANGELES, April 1—

Called a liar from the witness stand, Sirhan Bishara Sirhan interrupted his murder trial today with a shouting, fist-pounding tantrum.

Superior Court Judge Herbert V. Walker demanded, and got, an apology in open court from the 25-year-old Arab, reportedly as the price for not binding and gagging him.

The temperamental defendant's outburst came in the midst of damaging prosecution testimony that he was, at least subconsciously, faking the blackout he now claims came over him when he assassinated Sen. Robert F. Kennedy in the Ambassador Hotel last June.

The witness, psychiatrist Seymour Pollack, added that he put even less stock in Sirhan's claims that he could remember nothing of his written threats to kill Kennedy. They were scattered through notebooks found in his Pasadena home after the shooting.

Skeptically, Dr. Pollack pointed out that Sirhan has professed an inability to remember writing down even the most innocuous entries in the same notebooks, such as material from his courses at Pasadena City College.

'Blanket Denial'

The grey-haired psychiatrist called Sirhan's claims a "blanket denial" that he found impossible to accept as "genuine amnesia."

Rather, Dr. Pollack said, "It reflects an attempt to avoid the serious significance that would be attributed to these writings... evidence of planning and premeditation."

Sirhan cut the doctor off in mid-sentence, jumping to his feet and shouting at Judge Walker: "Your Honor, sir..."

Inspector William Conroy, the chief of security for the trial, and two deputies grabbed Sirhan by the shoulders and shoved him back down into his chair.

He sat there, shaking his head, pounding his fist on a table and murmuring "no... no" in muffled protest.

"You settle down or I'll do what I told you I was going to do," Judge Walker told him sternly.

The Judge excused the jury for a 15-minute recess and sent Sirhan to his "holding tank" next to the courtroom to cool off.

"That son of a bitch," Sirhan muttered, still seething at the psychiatrist, as the burley deputies hustled him off.

Sirhan Reaction

Chief defense investigator Michael A. McCowan, who accompanied him, said later that Sirhan told him: "I told the truth and I don't want him (Pollack) to call me a (obscenity) liar."

Judge Walker, meanwhile, held a conference with attorneys for both sides. Defense counsel Emile Zola Berman told reporters the Judge was talking "more seriously about restraints" for Sirhan and wanted, at the least, an apology in the courtroom.

It was delivered by attorney Russell L. Parsons when both Sirhan and his jurors had filed back into their seats.

Parsons said Sirhan "could not control himself" at being called a liar. "He was thrown completely off balance."

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Sirhan's advisers insisted that he wasn't faking, but the episode remained shot through with the ambivalence that has characterized much of the trial. Earlier in the morning, Sirhan had been smiling delightedly as Dr. Pollack told the courtroom why he did not consider the young assassin genuinely psychotic.

Calling the assessment his "very strong and firm clinical opinion," the psychiatrist said Sirhan had a "paranoid personality" but he noted that paranoid traits — feelings of persecution, resentment and

distrust — are present "in all of us to some degree."

"The big question," as Dr. Pollack put it, was whether Sirhan was suffering from psychotic delusions that would put him beyond the pale.

Sirhan, he testified, believed that "Sen. Kennedy was a bad person, that he was anti-Palestinian Arab, that the American Jews were supporting the Zionist cause, that the U.S. Government was a politically hypocritical setup, and that politicians are opportunists."

"Although I don't share those beliefs," Dr. Pollack went on, "at least not to the extent Sirhan did, there are a large number of people in the United States and elsewhere who do."

Sirhan's convictions, the jurors were told, might include mistaken beliefs—in a sense, delusions. But, Dr. Pollack said, that no more qualifies Sirhan as a psychotic than would the widespread conviction that an earthquake is about to send California sliding into the sea.

Bitterness Focused

In any event, the psychiatrist suggested, Sirhan focused his bitterness on Kennedy whom he saw as having "sold out" to the Israeli cause.

As a result, Dr. Pollack said he was convinced that the frustrated defendant "went to the Ambassador Hotel with the conscious intent of killing Sen. Kennedy and even hoped to escape in the pandemonium that was sure to follow."

To Sirhan, "the Kennedy image was the Jew image," Dr. Pollack declared. "Sirhan killed Kennedy because he hated him for what he stood for. Sirhan saw himself as a defender of the Arab cause," bent on commanding worldwide attention for it.

Reading from a sheaf of lengthy reports, the bespectacled psychiatrist indicated he was less skeptical of Sirhan's protestations that he cannot now remember the shooting—as distinct from his notebook threats.

But he was firm in ruling it out as a genuine blackout. If Sirhan has wiped the shooting from his mind, Dr. Pollack said, it was only later on, perhaps "a day or two after his apprehension," and largely out of fear of being sent to the gas chamber.

Verge of Amnesia

In short, Dr. Pollack said, far from waking from a spell of amnesia after the shooting, Sirhan was, at best, on the verge of plunging into one "as a technique to avoid full legal repercussions."

All this, the doctor said, was far from psychotic. He said he found no evidence of Sirhan's having been in a hypnotic trance at the time of the shooting and suggested that the few drinks he downed earlier that night were taken simply to "bolster his courage."