

Sirhan Will Not Deny Shooting, Attorney Says

But Cooper Tells Panel of Jury Prospects That Intent Must Be Established

BY DAVE SMITH
Times Staff Writer

"At the outset you should know that there will be no denial of the fact that our client fired a shot or shots that killed Sen. Kennedy."

Thus did chief defense attorney Grant B. Cooper address a group of 25 prospective jurors Monday as jury selection got under way at the trial of Sirhan Bishara Sirhan, accused assassin of New York Sen. Robert F. Kennedy.

It was the first time the senator's name had been uttered in open court since the trial began last Tuesday.

Cooper said admissibility of a prospective juror depended, in part, upon the juror's ability to separate knowledge of the 24-year-old Jordanian defendant's act in shooting Kennedy from a consideration of intent.

Both the act and the intent must be established, Cooper said, before the jury may return a verdict of first-degree murder. Such a verdict requires a penalty of death in the gas chamber or life imprisonment.

Of eight of the 25 prospective jurors questioned Monday, only one, Mrs. Rosa A. Molina, was passed provisionally by both defense and prosecution.

Four were quickly dismissed, two were asked to check with their employers whether they could retain their jobs over a prolonged trial, and the eighth, Miss Carolyn L. Freeman, was still being questioned by the defense at adjournment.

1st Prospective Juror Excused

The first prospective juror was George E. Doudle, who said he works on research and development for Aerospace Corp. Doudle answered Cooper's questions easily and quietly, and admitted that knowledge of Sirhan's shooting of Kennedy would render him unable to consider the question on motiva-

tion separately.

Dep. Dist. Atty. David N. Fitts cross-examined Doudle, paraphrasing Cooper's questions but getting the same answers.

"Well," said Fitts, "I guess we couldn't put it any plainer than that."

Doudle was excused.

The next two jurors excused were Guillermo Salvador, a machine operator and labor union member, who said a prolonged trial could cause him to lose his job, and Mrs. Lois E. Knowlton, who said her husband was in poor health and that "he can't eat in restaurants every night" if the trial draws on too long.

Mrs. Molina, a widowed nurse, was taken into Superior Judge Herbert V. Walker's chambers for a part of questioning that the defense and prosecution have agreed should not take place in open court.

Such questions reportedly involve the influence wide publicity has exerted on the juror's opinion.

Discussions Not Revealed

All parties to the closed sessions—attorneys for both sides, the prospective juror and the defendant—have been ordered not to reveal these discussions.

Mrs. Molina reappeared after 15 minutes of private questioning and thus presumably had cleared the preliminary high hurdles.

After lengthy questioning by both defense and prosecution whether she would be inclined to disregard testimony on possible diminished responsibility, (limited responsibility of a defendant for a crime)—which the defense indicates will be the major part of its defense effort—Mrs. Molina was passed, "for cause," by both sides.

This means that neither side found any legal objections to Mrs. Molina's serving as a juror.

Each side, however, is entitled to 20 peremptory challenges of any juror. This phase takes place after

Please Turn to Page 20, Col. 1

12 jurors have been accepted "for cause."

Following Mrs. Molina were Mrs. Betty J. Kraker, a food laboratory technician, and Max H. Jensen, a Southern California Edison employe. Both said they felt they could lose their jobs if the trial lasted two months or more, but Judge Walker directed them to ask their employers and report back today.

The seventh prospective

juror, Mrs. Nadine M. Echols, was excused after she told the court she has three children, 8, 10 and 13, and that the sequestering of the jury would be a family hardship.

Miss Freeman, a clerk for Pacific Telephone, said her company would pay her salary for the first month of jury duty, but added, "I live at home, so I could do without my salary after that."

The 25 prospective jurors—12 women and 13 men—were led in from a waiting room on an upper floor and through Judge Walker's chambers. They, unlike any other persons attending the trial thus far, are not being searched.

Admits Some Risk

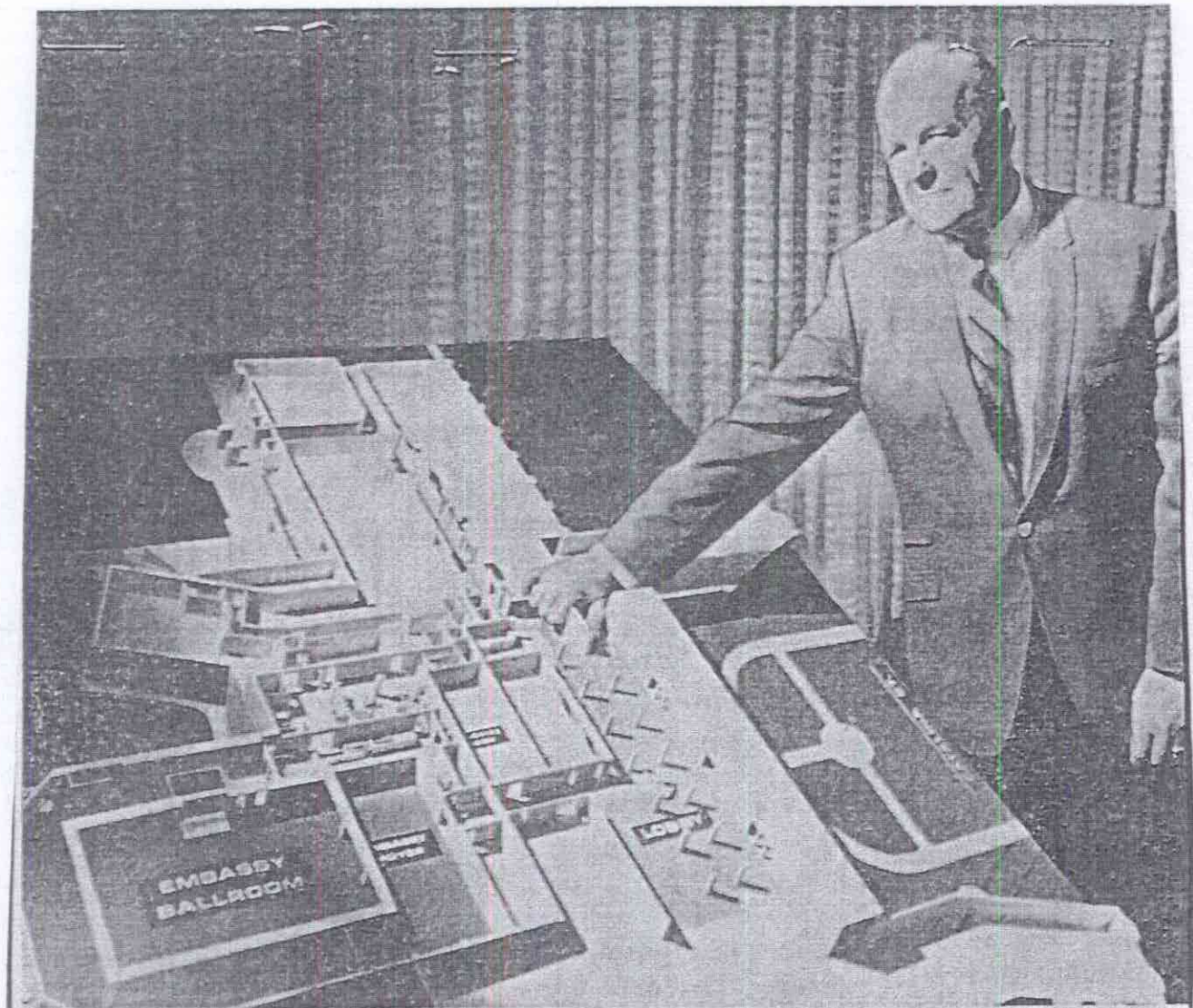
Asked if this introduced an element of possible risk to the diminutive defendant, Cooper admitted that there was some risk but added: "You just can't expect jurors to submit to searching. You have to trust somebody."

Cooper said Judge Walker originally intended that jurors be searched but that the defense objected.

The jurors sat soberly, sometimes nodding in assent, as Judge Walker, owl-faced but smiling, peered intently at them through tangled white eyebrows and instructed them in a grandfatherly tone on the limits of their function as jurors.

Judge Walker, 69, facing the biggest trial of his career before his planned retirement in July, told the jurors that whatever conception of the law they may have formed, or whatever instructions another judge may have given them in previous jury duty, they were to adhere solely to the concept of the law given to them from his own bench.

All nodded in agreement. They appeared equally sober as Judge Walker informed them that the 12-man jury and six alternates will be locked up at a downtown hotel throughout the entire trial—which could run two months or more—except for weekend visits



HOTEL LAYOUT — Chief of Detectives Robert Houghton examines mockup of Ambassador floor

where Sen. Robert F. Kennedy was slain. Model is expected to be used in trial of Sirhan B. Sirhan. Times photo by Bill Murphy

from a wife or husband.

Grins at Mother

As Sirhan entered the courtroom shortly after 10 a.m., he flashed a quick wave and a bright grin to his mother, Mary, and two brothers, Adel and Munir, who sat in the last row of the courtroom.

He turned to them frequently during the morning to exchange nods and smiles.

Throughout the judge's instructions to the jury and Cooper's initial questions, Sirhan was intent on the proceedings, often leaning forward in his swivel chair to catch jurors' responses.

At other times he tee-

tered gently in his chair and stared back at newsmen in the 75-seat courtroom, eyes roving solemnly from face to face.

The first business of the court Monday was quick disposal of a defense motion to set aside the trial jury list, on defense contentions that the list does not represent a fair cross section of the population.

After studying the four-volume, 1,010-page transcript of another case throughout the weekend, the defense was unable to find relevant points in that case that they felt supported their original motion to set aside the list.

Judge Walker denied the motion and jury selection began immediately.