

3 More Women Tentatively OK'd for Sirhan Jury

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Selection of Trio Helps
Accelerate Process That
May Require Three Weeks

BY DAVE SMITH
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Three more women jurors were provisionally accepted Tuesday as jury selection accelerated in the trial of Sirhan Bishara Sirhan, accused slayer of Robert F. Kennedy.

One woman was provisionally seated Monday.

Activity in the small courtroom of Superior Judge Herbert V. Walker centered on exhaustive and repetitious probing by prosecution and defense attorneys of prospective jurors.

Three of the most important areas of questioning involve the effect of the pretrial publicity on the jurors' opinions on the case, the jurors' views on the death penalty and their attitudes on psychiatry.

Carolyn L. Freeman was tentatively seated on the jury, but not until Grant B. Cooper, chief defense attorney, challenged her on the death penalty.

States Her Views

That was when Miss Freeman, a clerk for Pacific Telephone Co., said that in a case where she was completely convinced that willful, deliberate, premeditated murder had been proved "I think I would lean toward the death penalty."

Under questioning by Dep. Dist. Atty. David N. Fitts, Miss Freeman modified her answer, saying that her verdict "would depend on the mental attitude" of the defendant and whether he had been aggravated or provoked into murder.

"Now after all that fol-de-rol," said Cooper, "let me ask you again. If you were totally sure that first-degree had been proved, would you lean toward the death penalty or toward life?"

"I don't lean either way," she answered.

Judge Walker denied Cooper's

challenge.

Questioned on Prejudice

Cooper also asked Miss Freeman if she felt any prejudice or disregard for the science of psychiatry and its various diagnostic tools, such as hypnosis, lie-detector tests, sodium pentathol and ink-blot tests.

"No," she replied each time.

She said she could fairly weigh testimony the defense will introduce to show that Sirhan's state of mind before the killing was such as to diminish his responsibility for the killing.

Cooper has said repeatedly that the defense will not deny that Sirhan killed Sen. Kennedy, but that it will show that obsessive thinking and an emotional frame of mind affected his capacity to formulate the specific intent to commit first-degree murder.

For premeditated murder to be proven, the jury must be convinced that both the act of murder and the intent to murder were clearly demonstrated by evidence.

Since the defense has granted the former as an acknowledged fact, it is banking its defense of Sirhan on the hope that the jury will accept their evidence of Sirhan's limited capacity to plan first-degree murder and then find him guilty on a lesser charge.

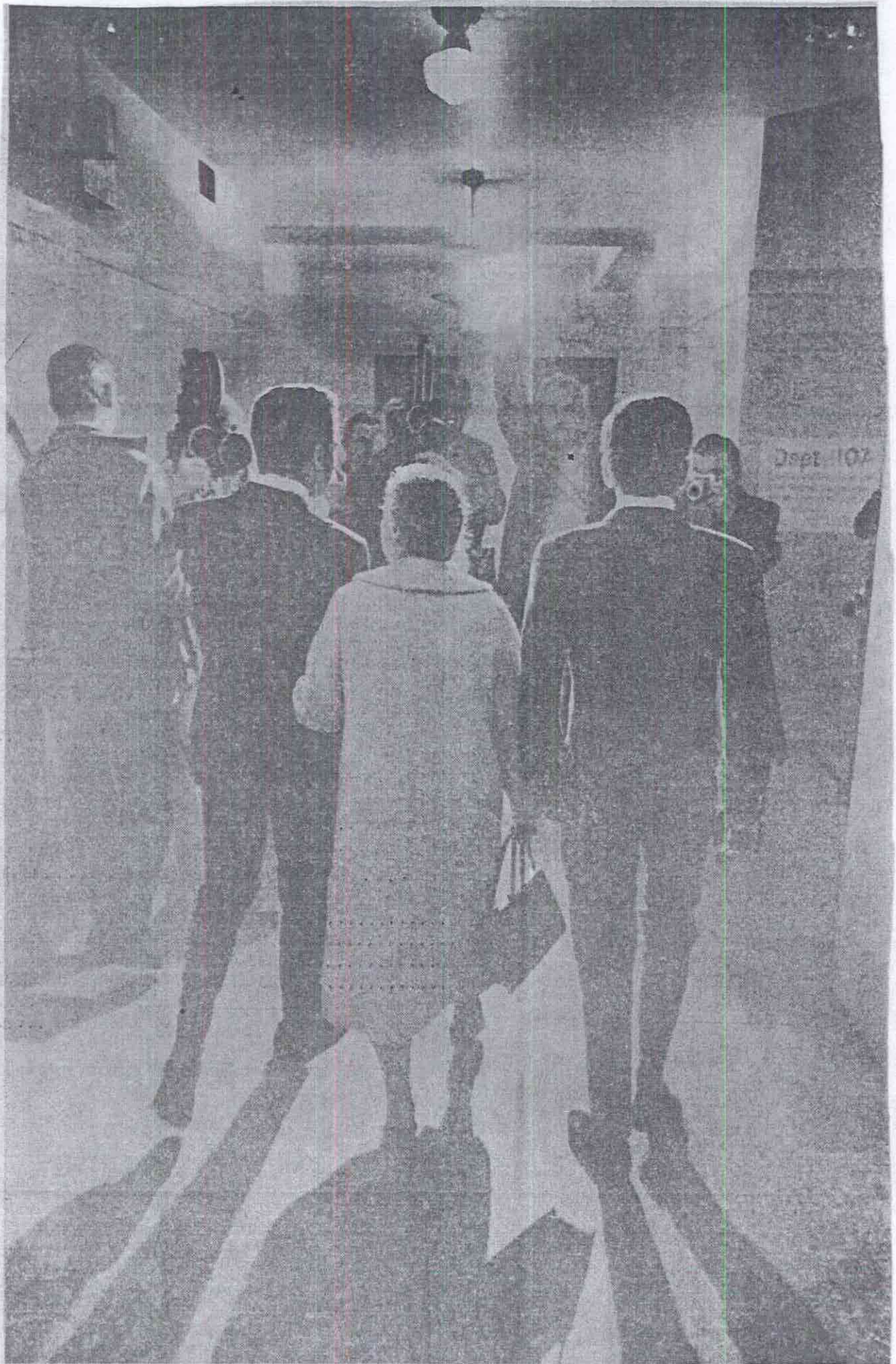
Charge Could Be Reduced

The first-degree murder charge could be reduced to second-degree murder, which carries a sentence of five years to life. First-degree murder convictions carry a penalty of life imprisonment or death in the gas chamber.

Following acceptance of Miss Freeman, defense and prosecution attorneys were fairly quick in approving Mrs. Alicia Duke, an accountant for the State Lands Division, and Mrs. Barbara L. Collins, a service representative for Pacific Telephone.

Cooper and Fitts both seemed impressed with Mrs. Duke, who answered questions quickly, in a clear direct tone.

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DAILY ROUTINE—Members of Sirhan B. Sirhan's family make their daily trek to court and face bat-

tery of lights and cameras. From left: Adel Sirhan, a brother, Mrs. Sirhan and a second brother, Munir.

Times photo by John Malmin

SIRHAN TRIAL

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She also provoked some laughter in the courtroom when she told Cooper she had read very little about the Sirhan case because "I don't read either of the Los Angeles newspapers."

"Why?" asked Cooper.

"Because I don't think the two Los Angeles daily papers are very well-written," she explained.

Has Own TV Set

She told Cooper that her reading included the sports section of The Times, "the New York Times when someone hands it to me," and two magazine subscriptions, to Time Magazine and Sports Illustrated.

She does own a television set, she said, but added, "my son is the only one who watches it."

In questioning Mrs. Collins, Fitts asked if she would be inclined to be lenient in her verdict on Sirhan because of his apparent youth.

"Would you give the kid a break just because he's a kid?" Fitts asked.

"No," said Mrs. Collins.

Mrs. Collins also said she believed that the murder of Kennedy made the case no bigger a murder simply because the victim was a prominent political figure.

'Most Difficult' Task

Fitts asked her, as he has each prospective juror, "Could you come down from the jury room and face Sirhan and tell him he must die in the gas chamber?"

"It would be the most difficult thing I've ever had to do," she said, "but I could do it."

Three jurors were excused Tuesday after telling the court they would suffer loss of pay or even their jobs if the trial were to take up the expected two or three months. A fourth was excused after he said the trial would be a per-

sonal hardship because of illness in his home.

At a news conference after adjournment, defense attorney Emile Zola Berman of New York said the selection of three jurors in one day made him feel "a lot more sanguine today than when we started," but he estimated that impaneling the jury will still take another 18 days.

After 12 jurors are provisionally seated, both defense and prosecution may exercise 20 peremptory challenges each to dispose of jurors about whom they have doubts.

Political Issue

Asked if the Arab-Israeli political situation was expected to figure in Sirhan's trial, Berman said the defense would not introduce the topic, but that it would figure insofar as it goes to explain Sirhan's motivations.

"We will offer scientific evidence as well as the history, background and problems of the defendant," Berman said, to support the defense contention that the "intellectual content necessary to a premeditated act is not present in this case. That's going to be our defense."

Berman confirmed that Sirhan has been placed under hypnosis and has been administered the Rorschach (ink-blot) test and the test for the XYY chromosome syndrome.

Plan Uncertain

But he did not say whether these tests would be introduced into evidence.

The XYY syndrome is a recent scientific development by some geneticists who claim that certain males are born with an extra Y chromosome for maleness, and that the presence of this extra chromosome carries with it a tendency to resort to aggressive behavior.