

3 MONTHS OF CONFINING TRIAL

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12 Sirhan Jurors Face Their Last Free Day

BY DAVE SMITH
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Eight men and four women—total strangers—may enjoy their last day with family and friends today before embarking on three months of grim and tedious confinement together.

If they are sworn in Thursday, as has been indicated, they will be kept day and night in a rigidly controlled environment in which diversions will be chosen for them, and precious few at best.

Their attention in almost every waking hour will be riveted on only one thing: giving Sirhan Bishara Sirhan his due.

That won't be easy.

On the surface the Sirhan case appears cut-and-dried. But three months from now these 12 jurors

will have to do the most sophisticated thinking of their lives to fairly assess one complex, intangible—and all-important—factor: Sirhan's state of mind.

That is what his trial is going to be about.

Dozens of people saw Sirhan kill Sen. Robert F. Kennedy at the Ambassador last June 5, and Mayor Sam Yorty gave a public airing over television of parts of a diary in which Sirhan wrote of his intent to assassinate the New York senator.

Even though the defense admits Sirhan killed Sen. Kennedy, the prosecution plans to spend a month in court proving the uncontested fact, to drive the point fully home before asking the jury to gas Sirhan to death.

Since none of the jurors has expressed any conscientious objection to the death penalty, theirs might seem a simple task.

But the defense hopes to impress the jury with a wide array of medical, psychological, political, sociological and perhaps even chemical and genetic evidence to show that Sirhan was incapable of responsible premeditation of murder, that emotional factors diminished his capacity to plan.

This is a legitimate defense under California law, one that takes account of mental imbalance less bizarre than the dithering lunacy normally required to buttress a defense of legal insanity.

The defense of diminished respon-

Please Turn to Page 17, Col. 1

Until that moment of truth arrives, the jurors will sit through one of the most cumbersome yet cautious trials in American history. They have already—in the two weeks of jury selection—had a taste of what it will be like:

Endless repetition, painstaking detail, confusing niceties of law, haggling over semantic nuances until the whole point is blunted by the monotonous drone.

Tug at Stomach

And then, at unexpected moments, the quick tug at the stomach whenever two recurrent details rear out of the fog like icebergs: Kennedy, bleeding to death on a kitchen floor. The impending decision on Sirhan's life or death.

Despite the frequent monotony that is handmaiden to American jurisprudence, the attentiveness of the jurors impaled last Friday indicates they sense something awesome in the spectacle of such complicated legal machinery cranked up to grind out justice for one little 120-pound sprig of humanity.

Despite the inconvenience the jurors will suffer in being kept out of touch with life in general

will be no photography—cameras are forbidden in the court—but the jurors know that their portraits will be shown in newspapers and on television all over the country.

Never See Portraits

They, ironically, may never see their portraits, unless someone saves them until after the long trial. The jurors are forbidden to read or listen to anything about the case until a verdict is reached. In the downtown hotel where they will be locked up nights and weekends, a bailiff will monitor their television and censor their reading, cutting out all reference to the Sirhan case.

These precautions, designed to protect the jurors from editorial persuasion and from harassment

by cranks, are at the order of Superior Judge Herbert V. Walker, who at 69 presides over the biggest case in a distinguished career that ends with his retirement in July.

Judge Walker is a portly man with a gruff face seamed by downward-drooping lines. His face is dominated by bushy white eyebrows which rise and

30, and Munir, 21, who sit in the rear of the court. And he hangs over the arm of the chair of one of his attorneys, Russell E. Parsons, a grandfatherly man of 69, for whom Sirhan has formed a deep attachment.

Mrs. Sirhan, 55, worries

about how much sleep Sirhan gets these days, and shakes her head like any hard-working mother over the problem of keeping her imprisoned son in a clean change of clothes. "This is the hardest time of my life," she admitted

one day last week. "It has always been a hard life, but now, now is the hardest.

"Every day when I come here, the deputies search me — my clothing, my purse, even my hair. Why don't they search my heart?"

084