

Sirhan Enraged 2-26-69 Wants to Plead Guilty, Get Death

BY DAVE SMITH

Times Staff Writer

Sirhan Bishara Sirhan, enraged at public disclosure of his writings and their admission into evidence at his murder trial, now wants to plead guilty and go to the gas chamber, his defense counsel said Tuesday.

"We're not going to let him," said Grant C. Cooper. "He's blown his top, that's all."

Sirhan's sudden change of heart came Tuesday morning in Superior Judge Herbert V. Walker's chambers, before the trial resumed with argument on admission of notebooks in which Sirhan wrote of his intent to assassinate Sen. Robert F. Kennedy.

Sirhan's writings describe the 24-year-old Jordanian immigrant's resentment of his poverty, his anger at the United States, a firm but obviously uninformed belief in communism and a growing determination to kill Sen. Kennedy.

Six pages of chaotic, sometimes illegible scribbling in a spiral notebook, along with samples of Sirhan's handwriting and two envelopes, were admitted into evidence. On one envelope carelessly tossed into the

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trash and found last June 6, hours after Sen. Kennedy died, was the note: "RFK must be disposed of like his brother was."

Before the ruling on the notebooks, it was learned that Sirhan told Judge Walker that if they were admitted, he would be railroaded into the gas chamber.

He reportedly told Judge Walker that he didn't want the judge "gloating over the fact that you made the people think I got a fair trial."

Instead, Sirhan is reported to have said, he would rather "stand up right now and plead guilty and go to the gas cham-

ber."

It was learned that Sirhan said Judge Walker was not giving him a fair trial in letting the notebooks into evidence and claimed that prosecution use of the notebooks, taken from his Pasadena home last June 5 without a search warrant, violated his constitutional rights.

Judge Walker reportedly told Sirhan that his best interests were being protected by his three-man defense team—Cooper, Emile Zola Berman and Russell B. Parsons—and that he should follow their advice.

Explodes Twice

But Sirhan apparently remained dubious Tuesday about staying with his not guilty plea, and twice exploded verbally in court during discussion of the notebooks' contents.

At his second outburst, moments after the afternoon session convened, Dep. Dist. Atty. David N. Fitts had just begun to describe the notebooks' contents to the jury when Sirhan raised his left hand in a commanding gesture and said, "Your honor, excuse me for interrupting."

Defense attorneys swooped down on their obviously agitated client, whispered urgently for several minutes and then requested a recess.

The jury was taken out, and Sirhan, normally led from the courtroom by two deputies, stalked quickly ahead of them to an adjacent holding room.

Half-Hour Huddle

There, for about half an hour defense attorneys, Sirhan's mother, Mary, and brother, Munir, 21, sought to calm the excited defendant and talk him out of changing his plea. Both the mother and brother appeared to have been crying when they reappeared.

Cooper then was granted a continuance until this morning.

Cooper said Sirhan "apparently was calmed down" after their private huddle, but added, "I don't know what he'll do in the morning. He was highly

excited."

Sirhan's wish to plead guilty and face the death penalty is a reversal of his position of two weeks ago, when both defense and prosecution attorneys were willing for Sirhan to plead guilty to first-degree murder with the understanding that he would receive a life sentence.

Judge Walker rejected that arrangement, insisting that the question of

penalty — death or life imprisonment be left up to the jury.

At that, Sirhan, then unwilling to risk a possible death sentence, refused to change his plea.

Since then, the prosecution has laid out most of its case against Sirhan, including color photographs of Sen. Kennedy's fatal head wound and the diary with its repeated injunctions that Sen. Kennedy must be killed.

With so much prosecution evidence before the jury and no defense evidence to counterbalance it, the defense would run a risk if Sirhan now pleaded guilty and took a chance on escaping the gas chamber.

Another irony is the fact that while the prosecution regards Sirhan's notebooks as proof of premeditation, the defense regards them as indispensable evidence of Sirhan's psychological incapacity to premeditate and the most likely single avenue toward saving Sirhan's life.

Why is Sirhan so opposed to disclosure of the notebooks?

Fears Ridicule?

Sirhan is said to be intensely proud of his intellect and fearful of having his political views and inner thoughts held up to ridicule or criticism. Defense attorneys have said that Sirhan resents any implication that he might be mentally ill, and in fact he protested aloud in court when Berman referred to him as an "immature, emotionally disturbed and mentally ill youth."

Some months before he

shot and killed Sen. Kennedy, Sirhan wrote:

"I advocate the overthrow of the current president of the—United States of America. I have no absolute plans yet—but soon will compose some . . . I am poor."

This was in two pages—labeled "highly inflammatory and prejudicial to the defense" by Cooper—which were barred from evidence.

Denies New Curb

But Judge Walker denied Cooper's repeated plea to admonish all parties not to divulge their contents to the press.

"I don't think the court can restrict the press in any way," said the 69-year-old jurist.

The controversial two pages will be kept from the eyes of the jury, which is sequestered throughout the trial.

But Chief Dep. Dist. Atty. Lynn D. Compton argued—successfully—that the public had the right to know "what motivated the defendant." Compton also suggested that the contents of the two pages, inflammatory or not, illustrated Sirhan's thinking and thus underscored the "sole issue" in Sirhan's trial.

As Compton argued for release of the two pages, Sirhan sprang to his feet and shouted angrily in Arabic, gesticulating fiercely with his left hand.

The outburst, the most dramatic so far, came just as Compton referred to Sirhan's "advocating the overthrow of the country."

Court officials jumped to

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Sirhan's side and defense attorneys pushed him down in his seat as Compton went out. Minutes after the angry shout, Sirhan was smiling again and whispering with his attorneys.

The defense has admitted all along that Sirhan killed Sen. Kennedy, but maintains that he did so in an obsessive frame of mind.

It was not clear when

Sirhan wrote most of the material contained in the 8½-by-11-inch notebook.

The embattled two pages read:

"Equality before and AFTER the law.

"I advocate the overthrow of the current president of the—United States of America. I have no absolute plans yet—but soon will compose some . . . I am poor. This country's propoganda (sic) says that she is the best country in the world—I have not experienced this yet—the U.S. says that life in Russia is bad—WHY—Supposedly no average American has ever lived in a slavic society so how can he tell if it is good or bad—isn't his gov't putting words in his mouth.

More of Writings

"Anyway—I believe that the U.S. is ready to start declining, not that it hasn't (sic) — it began in Nov. 23, '63, but it should decline at a faster rate so that the real utopia will not be to (sic) far from being realized during the early '70s in this country.

"I firmly support the communist cause and its people—wether (sic) Russian, Chinese, Albanian, Hungarian or whoever.

"Workers of the world unite, you have nothing to loose (sic) but your CHAINS and a world to win.

"Workers of the world unite, you have nothing to loose but your chains and a world to win—

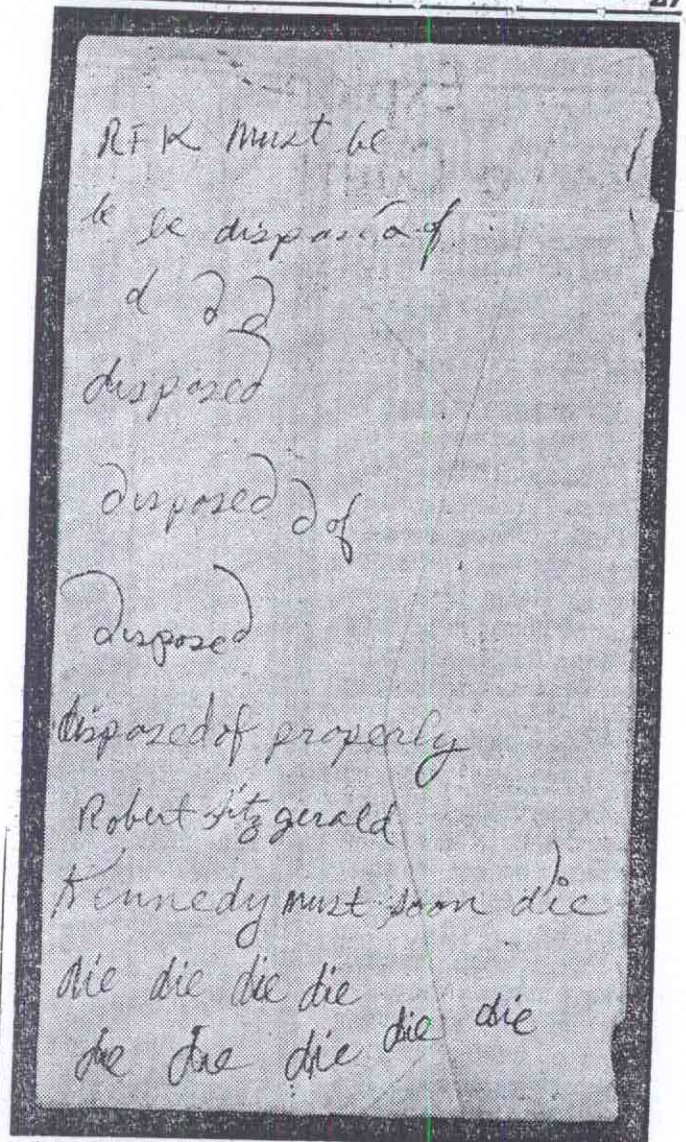
"Workers of the world unite, you have nothing to

lose but your chains."

The rest of the page trails away in scribbles in English and Arabic, including his nickname, "Sol."

Elsewhere, Sirhan wrote variations on "RFK must die, RFK must be killed" across one entire page. At the top, Sirhan wrote the date May 18, 9:45 a.m. '68, and the note, "My determination to eliminate RFK is becoming more the more (sic) of an unshakable obsession."

Further on he wrote: "Robert F. Kennedy must



ADMITTED INTO EVIDENCE—Envelope with hand-scribbling that was found in a trash can at home of Sirhan Sirhan after Robert F. Kennedy's death.

be assassinated assassinated assassinated assassinated.

Opinion Supported

On two other pages, Sirhan neatly inscribed what appear to be quotations from another source that evidently supported his own dour assessment of U.S. life. That section ends with Sirhan's own summary, in characteristically messy writing:

"Well, my solution to this type of government, that is to do away with its leaders and declare anarchy the best form of gov't — or no gov't . . . The president elect is your best friend until he gets in

power. Then he sucks every drop of blood out of you—and if he doesn't like you—you're dead."

On another page, Sirhan also wrote that "Ambassador Goldberg must be assassinated" — referring to former U.N. Ambassador Arthur Goldberg.

In a manifesto-like paragraph, similar to several other portions of the diary later to be cited by the defense as indicative of his obsessions, Sirhan wrote:

"The so-called president of the United States of America must be advised of their punishments for their reasonable crimes against the (sic) state more over we believe that the glorious United States of America will eventually be felled by a blow of an assassin's bullet—b—bullets bullets assassin's bullet..."