

SIRHAN PLEA TO DIE IS DENIED BY COURT

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Judge Rejects Request After Jordanian Tries to Admit Guilt on All Charges

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LOS ANGELES, Feb. 28—In a voice seething with anger, Sirhan B. Sirhan interrupted his trial today to demand that he be allowed to change his plea to guilty of the assassination and of Senator Robert F. Kennedy and his own to request execution.

"I want to withdraw my plea of not guilty and plead guilty to all counts as charged," he told a startled court. "I want to disassociate myself from my counsel."

After a short argument with Superior Court Judge Herbert Walker, who told the defendant he would put him in chains if he continued with his interruptions, the trial was recessed to allow the defendant to calm himself.

"I killed Robert Kennedy willfully and premeditatedly and with 20 years malice aforethought," Sirhan said at one point, his voice heavy with rage.

"That has to be proved in a court of law," Judge Walker answered.

I.Q. Rating Put at 89

During the argument, Judge Walker told Sirhan in an angry voice that "I know of nothing in the law which permits a defendant to enter a plea of guilty and ask for his own execution."

"I do," Sirhan replied, in a loud, emphatic voice.

Judge Walker finally denied Sirhan's request and, during a lecture on his behavior, warned him that if he was not quiet he would "be put in chains" and be forced to wear a face mask.

The defendant's latest outburst came on the first day of the defense's case in the small, crowded courtroom on the eighth floor of the Hall of Justice.

When the afternoon session

began shortly after 2 o'clock, the defense called John T. Harris, a personnel supervisor in the Pasadena, Calif., school system, who told the jury about Sirhan's grades in junior and senior high school.

After testifying for about thirty minutes, Mr. Harris told the court that Sirhan had an intelligence quotient of 89 when "normal" was from 90 to 110."

At this point, Sirhan, dressed in an open-necked blue shirt and dark trousers, rose to his

feet. He was immediately pushed back into his seat by two security officers. He appeared to be terribly agitated.

After a short conference at the bench by the attorneys, Grant B. Cooper, the chief defense lawyer, told the court that the defendant had "objected to our calling this witness to make known his grades," adding that last week the defendant was shown a long list of witnesses expected to be called.

"He rejected about a dozen whom we as lawyers thought were in his best interests," Mr. Cooper said.

The attorney then described arguments the defense had had with Sirhan during the last few days.

"Have I recited it correctly," he then asked the defendant.

"Yes, Sir, you have," Sirhan answered.

Then, Mr. Cooper informed the judge that his client had a statement to make. At this point Sirhan made the dramatic announcement that he wanted to change his plea.

None of the exchange was heard by the jury, who had been excused after Sirhan's initial outburst.

During his argument with Judge Walker, the dark-haired, 24-year-old Jordanian immigrant, kept his voice down although it trembled with anger. He insisted that he wanted to change counsel.

"What are the defenses for first degree murder," the judge asked Sirhan.

"I don't know," came the answer. Sirhan then sat down, his head almost on the defense table, his arms spread across the table. "Keep quiet or I'll see that you are kept quiet," the judge admonished him.

Following a 20-minute recess, Mr. Cooper, speaking for all the defense attorneys, offered to resign from the case. His offer was denied by the judge. It was the third time this week that Sirhan disrupted the court.

When the defendant came

back into the courtroom, he appeared relaxed. His mother, Mrs. Mary Sirhan, seated in the spectator section, was crying.

The Pasadena school official continued his testimony without further interruption. When he finished, Mrs. Sirhan, her face streaked with tears, was sworn in as a witness.

After one or two questions, Mrs. Sirhan was asked how long her family had lived in Jerusalem.

"For thousands of years, from generation to generation to generation," she said, tears pouring from her eyes.

Sirhan's brother, Munir, then approached the defense table and asked that his mother be excused. The defense made the motion and court was recessed until Monday.

When the jury had left the courtroom, Judge Walker told the attorneys and spectators that "I can't conceive of a worse set of circumstances for a mother to be called to the stand than these."

"I think she showed great courage," he said.

During the day, the defense sought to bring out the abysmal living conditions in the Old City of Jerusalem and some of the boyhood traumas experienced by the defendant.

One of the witnesses, 25-year-old Ziyad Hashimeh, told the court that as a boy he had known the Sirhan family after they had moved from the New City, outside the massive walls, into the crowded, squalid Old City where some 350,000 Arabs were living in quarters designed to accommodate about 100,000 persons.

Mr. Hashimeh, a Palestinian Arab with sharp features and a shock of black hair, testified that the Arab families could hear gunfire a good part of the time from fighting between Arabs and Zionists.

He told of how a grocery store only a short distance from the building where the Hashimeh and the Sirhan families lived was once blown up by a bomb and how the owner was killed.

"The year before Sirhan ran into the house crying 'mother, mother, come to the well.' He was crying and shaking."

"When we got to the well just outside the front door, he showed us a human hand and arm in the water bucket."

Mr. Hashimeh described young Sirhan as a "sensitive" boy who would not hesitate to take his friends to task for lying and stealing.

"Once when we were playing hopscotch, I lied to him and Sirhan began to shake," Mr. Hashimeh said. At this

point, the witness raised a clenched fist and shook it rapidly in imitation of how the defendant had reacted.

"He told me, 'you can learn more from people in this world when you don't lie,'" the witness continued.

Throughout Mr. Hashimeh's testimony, Sirhan alternately grinned and looked serious as his former friend described their life in Jerusalem.

The defense is seeking to prove that Sirhan, partly because of past traumas in his life, could not have given rational or mature consideration to the murder of Senator Kennedy. Under California law, the jury must find a defendant guilty of a lesser crime if the defense can prove that the accused had "diminished capacity" in that he was acting under "diminished capacity."

Sirhan has pleaded not guilty to first degree murder although his attorneys have already conceded that he shot the Senator last spring at the Ambassador Hotel.

In his testimony, Mr. Hashimeh said that the Sirhan family—all eight members—lived

in one room and shared a communal kitchen with eight other families in a two-story building that, he said, was "about 800 years old."