

TRIAL

Sirhan Defense

The defense was in a quandary when it opened its case in behalf of Sirhan B. Sirhan, accused of murdering Sen. Robert F. Kennedy at an Ambassador victory celebration last June.

Could their client be relied upon to testify without disrupting proceedings with vitriolic emotional outbursts? Attorneys were not sure.

Their caution was indeed warranted. Sirhan sat glumly through the testimony of witnesses who described his squalid childhood in Jerusalem. He squirmed as others recounted his low grades in Pasadena secondary schools and finally rose shouting to his feet when one recalled that Sirhan's IQ had been rated at only 89.

For the third time in five days, he demanded that his attorneys be dismissed and that he be allowed to plead guilty. And for the third time, Superior Judge Herbert V. Walker refused.

Before the prosecution rested its case at midweek, the proceedings had been interrupted several times by erratic behavior on the part of the 24-year-old defendant, finally resulting in a threat from Judge Walker that Sirhan might be bound and gagged if he caused any more commotion.

Sirhan had bounced from his seat Tuesday, exploding in protest against introduction of his secret writings that were replete with staccato threats to kill Kennedy. Typical of the writings was one passage that decreed that "RFK must die—RFK must be killed . . . Robert F. Kennedy must be assassinated, assassinated . . . Robert F. Kennedy must be assassinated before 5 June '68 . . ."

'Rather Plead Guilty'

Other notes, all contained in an eight-page sheaf seized in Sirhan's Pasadena bedroom last June while Kennedy lay dying, told of his avid support of Communist causes. But these were ruled by Judge Walker to be immaterial, prejudicial and too inflammatory to go to the jury.

While opposing attorneys argued over their admission during the jury's absence from the courtroom, Sirhan told Judge Walker that he

would "rather plead guilty and go to the gas chamber than have people think I'm getting a fair trial."

Sirhan's attorneys said they would refuse to permit him to change his plea and Judge Walker not only joined in the refusal but hinted strongly that he might overturn any jury-imposed death sentence.

In another transcript of in-chamber sessions, the judge defended Sirhan against a prosecution charge that he was "malingering or putting on some kind of an act" in the courtroom.

'One of the Most Alert . . .'

This seemed borne out when, the arguments over Sirhan's writings having ended for the moment, the prosecution moved on with a police lieutenant testifying that Sirhan was one of the sharpest suspects he ever sought to question.

His moodiness gone for the moment, Sirhan beamed broadly as Det. Lt. William C. Jordan said: "In my 15 years (of police work) I'd have to say that he is one of the most alert, intelligent people I've ever interrogated or attempted to interrogate."

Jordan related how Sirhan, apparently in fear of being poisoned, made him first taste everything that was served the prisoner in the way of food and drink. And as he testified, he again paid tribute to Sirhan's intelligence.

The defendant relaxed and grinned. Obviously, he was much more pleased with the prosecution witness' assessment of him than that of his own attorneys, who picture him as a mental cripple too ill to be capable of premeditated murder.