

ACLU Seeks to Enter Sirhan Case, Challenge Death Penalty

5-15-69
LAT

Attorneys for the American Civil Liberties Union asked Wednesday for permission to enter the Sirhan Bishara Sirhan case as friends of the court so they again can challenge the constitutionality of the death penalty.

In their request, A. L. Wirin, Fred Okrand and Laurence R. Sperber said they want to appear in the case, not out of concern for the life of Sirhan, but out of concern for "life" itself.

They noted they have appeared in court "frequently and consistently" in many cases, "no matter who the defendant or the nature of the offense for which he was convicted."

The ACLU attorneys contend that the death penalty is unconstitutional because it constitutes cruel and unusual punishment, because jurors are not given any guidelines upon which to base their verdict and because prospective jurors who op-

pose capital punishment are excluded from serving.

Sirhan is scheduled to appear before Superior Judge Herbert V. Walker for new trial arguments and sentencing next Wednesday.

The jury which heard his lengthy trial voted that Sirhan be given the death penalty.

Defense attorneys Grant B. Cooper and Russell Parsons also filed legal briefs Wednesday in support of their motion for a new trial.

Cooper has indicated he will seek a new trial on grounds that the grand jury that indicted Sirhan was unconstitutional and that Judge Walker committed judicial error in admitting into evidence the notebooks in which Sirhan wrote of his intent to kill Sen. Robert F. Kennedy.

The defense claims Sirhan's notebooks were improperly seized by police officers.