

Trial to Determine Sirhan's Sentence To Begin Monday



United Press International
ATTORNEY COOPER
... silent on Sirhan strategy

By George Lardser Jr.
Washington Post Staff Writer

LOS ANGELES, April 18—Sirhan Bishara Sirhan goes on trial again Monday with his life hanging in the balance and his lawyers keeping their strategy to themselves.

Convicted of first-degree murder Thursday for killing Sen. Robert F. Kennedy, Sirhan is now entitled under California law to a fresh trial before the same jurors before any penalty is fixed.

They have only two choices: life imprisonment or death in the gas chamber.

Could Impanel New Jury

Should they become deadlocked, Superior Court Judge Herbert V. Walker could impanel a new jury or he could take charge himself and give the frail-looking immigrant a life term. He could not sentence Sirhan to death.

The penalty trial is expected to go to the jury by Tuesday at the latest.

Chief Defense Counsel Grant B. Cooper has so far refused to disclose the witnesses he plans to call for fear, he said, of tipping his hand to the prosecution.

The State's own chief psychiatrist, Dr. Seymour Pollack, had offered to testify for the defense against a death penalty.

Cooper, however, has indicated that he intends simply to cite Dr. Pollack's statement since the psychiatrist has already said as much from the witness box.

State's Argument

The State will call no witnesses. Prosecutor John Howard said he expects to present only a 20-minute argument and then rest.

Should the verdict be death, Judge Walker could reduce it to life. The Judge has, how-

ever, done this only once before out of some 20 opportunities.

Should the verdict be life, Sirhan would be sent, probably within several weeks, to Vacaville, the State's maximum security prison and mental hospital near Sacramento.

Technically, he would be eligible for parole in seven years. Prison officials say he would probably be kept behind bars far longer.

Average Prison Term

The first-degree lifers released from California prisons in 1968 served an average of 12.1 years. But, state prison spokesmen add, there are also another 50 inmates who have all been confined for 20 years or more. One has been behind bars for 51 years.

[In Israeli-occupied Jordan, Sirhan's father was quoted today by United Press International as saying, "I expected more from American democracy than this... Because the United States took this step against Sirhan, that means America will lose its standing before the Arabs and the world... All of the Arab countries are with Sirhan, they will kill more American leaders because America does this to this peaceful, good educated boy."]

El-Biri again:

CBS 8 a.m. radio news quoted father as saying the decision was another indictment of "American democracy" (as though good democratic practise required the acquittal of a murdered - a political assassin) with the added threat that if the son was electrocuted, there would be vengeance on "American politicians". Here the threat was addressed not at any single politician but against politicians generally. The effect of the political assassinations has been to make politicians afraid, to intimidate those who might consider running for public office. The father's threat is consistent with the purposes served by these assassinations, by that committed by his son, by assassinations generally.