

Jury Told Sirhan Was Not Drunk

By George Lardner

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LOS ANGELES, Feb. 20—A mustachioed patrolman said today that Sirhan Bishara Sirhan showed no signs of intoxication after shooting Sen. Robert F. Kennedy, but the officer acknowledged that the Jordanian's eyes were "not completely normal."

Officer Travis White, one of two patrolmen who hustled Sirhan out of the Ambassador Hotel, made the admission under persistent cross-examination by Chief Defense Counsel Grant B. Cooper.

White said he felt Sirhan was simply frightened after being rushed past a gauntlet of outraged Kennedy supporters.

The officer's testimony under prodding by Cooper, however, was a turnabout on several points from what he had just told the prosecution.

The defense claims that Sirhan killed Kennedy in a psychotic, drunken state which made him only dimly aware of what he was doing.

Called to the witness stand by the prosecution, White said that he gave Sirhan a quick eye examination after taking him to an interrogation room at the Ramparts police station last June 5.

Checked With Light

Using a flashlight, he said, he checked Sirhan's eyes, then those of his partner, Rookie Patrolman Arthur Placencia, for comparison. White said he darkened the room for the test so that the pupils of their eyes would open wide. Under normal circumstances, they would then contract rapidly under a flashlight.

Sirhan's eyes, White told Prosecutor David N. Fitts, "contracted quickly . . . They grew smaller." So did Placencia's. From that, he said, he concluded that Sirhan was not intoxicated. The young immigrant, he added, showed no other signs of drunkenness.

Placencia, on the other hand, testified after a grueling

cross-examination earlier in the week that Sirhan's eyes were "real wide" and didn't react to his flashlight. The rookie said he gave Sirhan his own flashlight test in the patrol car on the way to the police station. White was driving.

Calmed Down Quickly

Cooper led White into a minute-by-minute account of the arrest. The officer, who has been on the force two years, said Sirhan was "very frightened" at first, but calmed down moments after getting into the police car, as soon as it got out of the hotel driveway.

"Did you ever see him in a nervous or frightened state thereafter?" Cooper asked him.

"No sir," White replied. He said he gave Sirhan his eye

ets tin an interrogation room about eight minutes later.

Cooper unloaded, stressing that the patrolman never mentioned the eye test in any reports until an interview with a superior officer last August. From there, the Defense Attorney jumped to a Sept. 13 deposition White gave to Chief Defense investigator Michael A. McCowan.

In State of Terror

On the ride to the police station, White said of Sirhan then, "he was still almost in a state of terror." The patrolman also said then that he couldn't recall for sure just where he gave Sirhan the eye test, and, of its results, said only that the suspect's pupils were "very near normal."

"I meant to check him (again) later after he was able to calm down," White also said in the Sept. 13 deposition, "but I was never able to."

On the witness stand today, the patrolman insisted that Sirhan was "much calmer" at the hotel but he admitted that his eyes "were still in a somewhat excited state."

"You attribute that to fright?" Cooper demanded.

White said he did, insisting that he meant to test Sirhan again only "ofr a double check" of his initial conclusion that liquor was not involved.

"As a matter of fact," Cooper suddenly challenged, "you didn't give him any eye examination that morning, did you?"

"Yes, I did," White said, visibly surprised by the question.

Mistrial Motion Denied

His questioning began after a closed, 40-minute session in Superior Court Judge Herbert V. Walker's chambers at which he denied a motion for a mistrial, a step usually made in open court. Neither judge for lawyers for either side offered an explanation for the unusual procedure, or even mentioned the motion, as they filed into open court.

The transcript, however, was made public later. Cooper

made the motion in protest against a front page Los Angeles Times story this morning, catching up with what other newspapers reported last week. The headlines: "Possibility of Guilty Plea by Sirhan Now Appears Remote."

The story attributed this to Superior Court Judge Walker's "insistence that the jury determine any penalty" at Sirhan's murder trial.

The source of the story was not identified. During a recess, however, Defense Counsel Emile Zola Berman told re-

porters that it "was a story that the Judge gave out."

Walker was reported in the Times last week as being inclined to accept a guilty plea if it were offered. This was incorrect.

Judge Walker denied the new motion for a mistrial on the grounds that the jurors have already been sequestered in a downtown hotel where their newspapers are censored. The defense contended, unsuccessfully, that their spouses might tell them about the story when they visit the jurors on weekends.