

Strategy Hangs on Reducing Charge

Sirhan Not Seeking Acquittal

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LOS ANGELES, Jan. 20—The defense strategy will virtually rule out an acquittal in Sirhan B. Sirhan's trial for the assassination of Sen. Robert F. Kennedy.

The court proceedings resume Tuesday with a decision on whether to accept the present panel of tentative jurors.

Sirhan could, technically, be set free. But the strategy envisioned by his defense lawyers, they admit privately, would preclude this.

On paper, the 24-year-old Jordanian immigrant has pleaded innocent. Yet, through his lawyers, he has admitted shooting down the

New York Senator in the Ambassador Hotel here last June 5. Presumably the best he could hope for is a conviction for manslaughter.

Against the admission, his attorneys are building a defense of "diminished responsibility" in an effort to show that he cannot be held to account for the charge of premeditated first-degree murder that has been lodged against him.

For this, Sirhan has already been hypnotized several times, presumably in an attempt to probe his so-called "obsession" with the Arab-Israeli conflict.

"Truth serum" (sodium pentothal) and lie detector tests will also be tried, if they have

not been already, in the effort to tie all this to Kennedy's advocacy of U.S. aid for Israel.

"Diminished responsibility" could bring the charge down to manslaughter—but not to an acquittal. Sirhan could conceivably get off by pleading innocent by reason of insanity—but he has not done so, and his attorneys say he has no intention of trying.

"You will see," he reportedly told authorities shortly after his arrest, "that I am no mendicant."

To Sirhan, it is widely believed, a plea of insanity would be begging.

As a consequence, it would be a major victory if chief defense counsel Grant B. Cooper

and his associates can win a manslaughter verdict, a finding that would mean, at most, ten years in prison.

A second-degree murder conviction, the next best step in the defense strategy, carries a penalty of five to 20 years.

Should the Sirhan jury return a verdict of first-degree murder, Cooper and company could still fight, at a separate trial dictated by California law, for a sentence of life imprisonment rather than death.

For Sirhan, in short, the death penalty is a long way off. By the time his appeals, if any, are finished, it may no longer exist in California.