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Jurors for Sirhan Trial to Be Questioned Secretly

Court Declares Long
Weekend Recess

By GEORGE ZUCKER

LOS ANGELES (AP) — Prospective jurors for the Sirhan Bishara Sirhan trial will be questioned secretly about opinions they might have gained from publicity about his case, one of his defenders said Thursday. The defense attorney called it an unusual procedure.

Attorney Grant B. Cooper announced the secret questioning after Sirhan and his lawyers, and attorneys prosecuting him on a charge he murdered Robert F. Kennedy, spent nine minutes in open court on the third day of his trial.

After the brief session, Judge Herbert V. Walker adjourned the trial until Monday, when Cooper predicted, "we'll start picking a jury, I'll bet all the tea in China."

Immediately after adjournment, radio newsmen spent several hours testifying secretly in

the judge's chambers. The defense tried to show Sirhan's case was damaged because of publicity.

Sirhan's attorneys also took initial steps in gaining evidence to support motions to quash his indictment and to obtain a new list of prospective jurors.

In a corridor news conference, Cooper said it "was the judge's own idea" to question prospective jurors in his chamber about any opinions they may have gained about Sirhan's case from newspapers, broadcast reports — or even from neighbors.

INDIVIDUAL QUESTIONING

The prospective jurors will be taken into chamber individually, Cooper said, because the purpose of the secret questioning is to keep some jurors from being coached or forming opinions from the answers of others.

Usually in California trials, all questioning of prospective jurors is done in open court. Cooper said the secrecy is "unprecedented in this jurisdiction."

In reply to a query, Cooper said questions about the death penalty will be asked of prospective Sirhan jurors in open court.

But he said questions about any preconceived opinions in the minds of prospective jurors are "of a sensitive nature." He defended the secrecy as "not an effort to be coy, but just something we have to do."

When the trial resumes at 9:30 a. m. Monday, Cooper said, the defense will go into the chamber immediately to present evidence supporting its move for new prospective jurors.

Only then, he said, will juror questioning begin, and "once we get rolling, we'll really roll."

One defense attorney, Emile Zola Berman, said evidence of a "saturation of publicity" surrounding Sirhan and lawyers in

the case would be used to try again to postpone proceedings for 30 days. The judge has denied two defense requests for such a continuance.

Asked whether the publicity might be used to request a change of venue, Berman's co-counsel, Russell B. Parsons, pointed out as he has before that there are few places in the world where the case hasn't been publicized.

He was asked if a motion for a mistrial would be more likely?

"I would say so," Parsons replied.

Sirhan's lawyers told the judge they would spend the weekend reading the recent de-

fense of a teacher indicted during a high school walkout. Lawyers for the teacher tried to show that Los Angeles County grand juries don't represent a cross-section of the community.

This would support a motion filed Monday to quash Sirhan's grand jury indictment, his lawyers said. The judge has postponed a ruling on the motion.

Sirhan, a 24-year-old Jordanian accused of shooting Kennedy last June 5 as the New York senator claimed victory in California's Democratic presidential primary, appeared in court in a new blue-gray suit and blue tie.

He walked in with a trace of a smile and tugged at his nose as he sat down with his attorneys. The smile faded into seriousness as he noticed his mother, Mary, and two brothers absent for the first time since his trial began.

Sirhan turned in his chair as attorneys and the judge discussed the high school teacher's transcript. Then all principals, including Sirhan, retired into the judge's chambers.