

Doctor Affirms His 'Doubt' on Sirhan Conduct

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LOS ANGELES, April 4—A gray-haired psychiatrist who concluded that Sirhan Bishara Sirhan was capable of first degree murder acknowledge today that he could not confirm the diagnosis "beyond a reasonable doubt."

Dr. Seymour Pollack said his was a medical judgment that could not be equated with the moral certainty required of Sirhan's jurors.

They are expected to begin deliberating on Sirhan's fate next Friday after closing arguments in the Arab immigrant's lengthy trial here for the assassination of Sen. Robert F. Kennedy.

In his last day on the witness stand, Pollack, the prosecution's chief psychiatrist, doggedly held to his claims that Sirhan was not genuinely or "clinically psychotic" when he killed Sen. Kennedy in the Ambassador Hotel here last June or even now after his long confinement in a windowless jail cell.

Chief defense counsel Grant B. Cooper cited Sirhan's repeated outbursts in the courtroom, his demands for his own execution, his grinning at bizarre moments and damning bits of testimony.

"Do you think the defendant was faking?" Cooper asked, dwelling particularly on Sirhan's attempts during the trial to dismiss his lawyers and plead guilty.

'It Was Genuine'

"No, I do not," Pollack said. It was genuine. . . . He wasn't dramatizing by putting on a show for you or me."

"Do you think it was normal for a man on trial for first-degree murder?"

"No," Pollack replied again. The psychiatrist contended, however, that Sirhan's inappropriate conduct still fell short of what he would call psy-

chotic behavior.

"Sirhan actually said somewhat the same thing to me," Pollack said, alluding to his pre-trial interviews with the 25-year-old defendant. He wanted to be "through with the whole damn thing . . . through with psychiatrists bugging him. He wanted out."

Time and again, but always in subtle fashion, Cooper underscored Pollack's apparent inconsistency in calling Sirhan "psychotic" in a Feb. 5 report before the actual trial began and then in steering away from the label once it had started.

In the report, the psychiatrist also said he felt Sirhan was suffering from "borderline schizophrenia with paranoid and hysterical features."

Pollack said he still felt that way, with the caveat that Sirhan was still not clinically or overtly psychotic and, in any event, still capable of premeditated murder.

Cooper asked the psychiatrist whether he honestly felt Sirhan had enough self-control to follow the laws of society if he chose, another requisite implicit in the murder charge lodged against him.

"Yes," Pollack said, adding that he considered it "a reasonable medical certainty."

"Do you equate that with 'beyond a reasonable doubt'?" Cooper prodded.

Pollack said he couldn't. The concept of reasonable doubt, he said, is "a moral question" that only the jurors can decide. Of his diagnosis, he said:

"That is not an absolute. I'd like to stress that."

Annoyed at Prosecution

It was a deftly handled cross-examination that wound up with Pollack actually more nettled at the prosecution than the defense. The psychiatrist's annoyance was prompted by Cooper's questioning him about snatches of his jail interviews with Sirhan that appeared on several network television programs earlier in the day.

Angrily, Pollack said that tape recordings of the interviews had been "leaked out." He said he was "very disturbed about it."

They had been released by chief Deputy District Attorney Lynn D. Compton. On leaving the witness stand, Pollack marched downstairs to lodge a sharp protest.