

Sirhan Depicted as 'Sick' but 'Calculating'

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LOS ANGELES, April 9—Sirhan B. Sirhan was portrayed today as a "sick man" who nevertheless was able to make a "cold and calculated decision" to kill Senator Robert F. Kennedy last June at the Ambassador Hotel.

The portrait was drawn by David N. Fitts, an assistant district attorney, in the prosecution's closing argument, which will call for Sirhan's conviction on a charge of first degree murder.

After reviewing many of the incidents leading to the shooting at the hotel, Mr. Fitts said that "to the police mind and the prosecutor's mind—which may be somewhat limited, I guess—they suggest a deliberate, premeditated murder with malice aforethought."

The assistant district attorney, speaking in a friendly low-keyed voice that a defense lawyer described as "very effective," also lashed out at the weeks of psychiatric testimony, labeling it a "venture into a quagmire."

Shortly before the usual mid-morning recess, Sirhan, who had been listening impassively at the defense table, suddenly became agitated at a suggestion by Mr. Fitts that the defendant had acted peculiarly in leaving his identification in his car the night of the shooting.

Led Out of Courtroom

"He's lying, he's lying, he's lying," Sirhan muttered to a lawyer sitting beside him. But before he could stage another angry outburst of the type that had disrupted the court on two occasions, security men led him from the courtroom and Superior Court Judge Herbert V. Walker declared a recess.

At the start of his closing Fitts led the jury back to the days before the shooting on the night of June 5, recalling the testimony of those who had seen and talked with Sirhan both on the night of the killing and during a previous visit to the hotel on June 2.

Describing the earlier visit, the prosecutor said that in his opinion it was a "familiarization run—an attempt to 'case' the joint."

He derided Sirhan's explanation that he had gone to the hotel on June 2 because "he had a heartfelt of love for the Senator" and suggested that an

Arabic proverb quoted by Sirhan that "the friend of my enemy is my enemy" was true.

In his opening remarks, Mr. Fitts also referred to Senator Kennedy as having been in an "exultant mood" on the night of the shooting, a man who was "probably tired" and on his way to an "unnecessary celebration at some nightclub."

Sirhan's Silence Recalled

It was one of the few times that the Senator had been injected into the trial as a celebrity rather than just another murder victim.

The assistant district attorney recalled the testimony of those who had tried to get Sirhan to talk in the few minutes after the shooting and how the defendant had said, "Do you think I am crazy enough to talk about it so you will use it in evidence against me?"

This comment, Mr. Fitts suggested, strongly indicated that Sirhan was aware of what he had done and the legal gravity of his predicament. The defense had insisted during the trial that Sirhan was in a self-induced trance shortly before, during and after the killing.

He again went through a description of many of the acts of Sirhan before the shooting—the visits to gun ranges to practice rapid-firing, his comment to a Pasadena trash collector that he was going to kill Senator Kennedy, his leaving a gun range on the evening of the shooting with his revolver loaded, and the leaving of his wallet in the glove compartment of his car near the Ambassador Hotel.

Referring to the identification left in the car, Mr. Fitts said that it was "typical of the

precaution that a reasonable assassin might take." It was at this point that Sirhan became angry.

The prosecutor, a tall, lean man with graying hair, drew smiles from the jury when he admitted that he had "received a whole education" in listening to the testimony of the numerous psychologists and psychiatrists who had taken the stand in recent weeks.

'Venture Into Quagmire'

He sympathized with the jury for their "venture into a quagmire" and left no doubt in the minds of many of those in the

courtroom as to how he stood on clinical psychology when he described it as an "abstruse art."

Mr. Fitts, in his gentle way, was particularly scornful of Dr. Martin M. Schorr, a San Diego psychologist who was the defense's lead-off witness in the parade of mental experts.

"I'm sorry they [the defense] started with Mr. Schorr, because he may have left a bad taste in your mouths for the field of psychology," Mr. Fitts said.

He cited what he called "a curious letter" from Dr. Schorr to the defense volunteering his services to help select a jury

that would be "sympathetic to the psychiatric needs of the defendant."

"Can you imagine a clinical psychologist who begins his task by urging the selection of a jury sympathetic to a sick man?" Mr. Fitts asked.

Mr. Fitts ridiculed the interpretations placed by Dr. Schorr on the answers to many of the personality test questions put to Sirhan in his jail cell, saying that "they are pure Schorr, rather than the inner feelings of the defendant."

He also described as "disgraceful and deplorable" the psychologist's testimony that he had destroyed tape recordings of his test sessions with Sirhan because the "tape kept sticking."

In discussing Sirhan's mental state, Mr. Fitts said the prosecution had conceded that the defendant "is a sick man." Just how sick, he added, would be up to the jury to decide.

He asserted, however, that the "state will urge you and will keep urging you to return a verdict of guilty of first degree murder."

Mr. Fitts spoke for almost four hours on this, the 57th day of the trial. Following the lunch break, he renewed his

attack on the psychological tests given Sirhan in jail, saying that such tests were designed "to give the emotional state of the individual at the time of the test."

'Cannot Predict Behavior'

"They cannot predict behavior," he said. "They cannot tell you whether on the night of June 4 Sirhan was able to plan and premeditate the murder of Senator Kennedy."

He scoffed at the diagnosis that Sirhan was a "schizophrenic paranoid psychotic." "We knew that whoever would shoot Senator Kennedy was someone out of the ordinary," he continued. "We can live with that and still have a trial for first degree murder."

Mr. Fitts also criticized the psychiatrists and psychologists who appeared for the defense as believing in the principal of "me too," in that they all supported the findings of the two psychologists who administered the tests.

"Psychologists all belong to the same fraternity," he said. "They operate with the same tools and they are reluctant to come out and knock the field."

Tomorrow the jury will probably hear two defense attorneys, Russell E. Parson and Emile Zola Berman. The chief defense lawyer, Grant B. Cooper, will probably end the

defense presentation on Friday, followed by the end of the prosecution's argument on Monday.

Prosecution, at Start of Final Argument, Also Decries Weeks of Psychiatric Views as 'Venture Into Quagmire'