

SIRHAN WILL TAKE STAND NEXT WEEK

Mother Will Also Testify in
Challenge to Indictment

By DOUGLAS E. KNEELAND
Special to The New York Times

LOS ANGELES, Jan. 30—Sirhan Bishara Sirhan will take the witness stand next week to testify in support of a defense motion to set aside the first-degree murder indictment against him.

Attorneys for the slight, dark youth, who is accused of killing Senator Robert F. Kennedy, are attacking the composition of the grand jury that indicted him, charging that it was unrepresentative of the community.

In California, Superior Court judges nominate people to serve on the grand jury. Sirhan's attorneys contend that this leads to "blue ribbonism." Because the nominees are limited to persons known by the judges, racial minorities, the poor and the young tend to be excluded, the defense maintains.

Grant B. Cooper, the chief defense counsel, has aimed most of his criticism at what he insists was the exclusion of the poor and the young from the grand jury that indicted the 24-year-old Jordanian immigrant. The Sirhan family came to the United States after suffering extreme poverty in Jerusalem and since 1957 has lived with limited means in Pasadena.

Plays Limited Role

Mr. Cooper said in court this afternoon that he would put Sirhan and his mother, Mrs. Mary Sirhan, on the stand next Tuesday. Their testimony, he said, will be limited to a description of the family's economic means, testimony that is expected to show that Sirhan is of a class of people the defense contends has not been properly represented on grand juries.

So far in the trial, which began Jan. 7 and has proceeded slowly through motions and the selection of jurors, Sirhan's role has been limited to sitting restlessly at the defense table. His moods have appeared to range from depressed or pensive to ebullient on days when he has waved gaily to his mother and brothers, Munir, 21 years old, and Adel, 30, one or both of whom always accompany her to the courtroom.

As argument on the motion to quash the indictment began yesterday and continued today in the tightly protected eighth-floor courtroom of the Hall of Justice, the defendant was quiet, his sallow face and dark, bright eyes serious.

William A. Goodwin, Los Angeles County jury commissioner, took the stand briefly this

morning and testified that for the last several years judges have been cautioned, in making their grand jury nominations, to take into account various geographic, economic, racial and ethnic groups.

Yesterday, however, Robert E. Schultz, a University of Southern California professor who was called by the defense as an expert on sociological demography, testified that he had made a study that showed the persons nominated last year did not represent a broad cross-section of the community.

According to his study, Mr. Schultz said, the jury panel did not proportionately represent young adults, Negroes, the working class, lower economic groups or those with less than a college education.

Meanwhile, the defense has subpoenaed all the country's Superior Court judges for questioning on whether their method of selecting nominees for the 23-member grand jury resulted in any discrimination by age, race, economic status or geography. Those who preferred not to appear were given the alternative of filing out questionnaires.

3 Judges Testify

Three Superior Court judges—Edward R. Brand, Arthur L. Alarcon and Kenneth N. Chantry—asked to testify rather than answer the questionnaires. All were called this afternoon and declared that they had never purposely discriminated against prospective grand jurors because of race, age, economic or educational status.

Judge Alarcon and Judge Chantry replied, under questioning by Mr. Cooper, that they had made positive but generally unsuccessful efforts to obtain members of minority groups as nominees for the grand jury.

Judge Brand said, "I never concerned myself, Mr. Cooper, with hyphenated Americans. I only know one kind of American. Everybody in this country had some kind of an ethnic background three or four generations back, except the Indians."

All three judges cited the difficulty of getting people to serve for a year on a grand jury, three to five days a week, for \$10 a day.

Superior Court Judge Herbert V. Walker, who is presiding at the Sirhan trial, indicated he expected that arguments on the motion to quash the indictment would be completed by next Wednesday.

At Mr. Cooper's request, he recessed the trial until Tuesday morning to give the defense time to collate material from the questionnaires to be submitted by the judges. Mr. Cooper assured Judge Walker that, given the recess, he would be prepared to complete defense arguments on the motion Tuesday.