

just before he shot Kennedy.

"I think Dr. Diamond is completely and thoroughly discredited and deserving of no consideration at all," Compton said. Then he added, speaking of the entire psychiatric profession:

"Their whole reason even for being is to find something wrong with someone. And what better way to foist their theories off on the world than in the courtroom?"

Compton said the jury should not be swayed by the fact that it was Kenne-

dy who was shot to death, but added, "On the other hand, you cannot divorce your thinking from the fact that it was Robert F. Kennedy who was murdered because that was why the crime occurred." An ordinary citizen, Compton said, would not have incurred Sirhan's hatred.

Compton concluded:

"The psychiatrists say that if you hate a man and kill him, you are mature and responsible, but if you hate him a lot, you are not mature and not responsib-

le. Ladies and gentlemen, we ask you: Don't put a premium on hate."

One juror was replaced Monday, after juror Ronald G. Evans of Ingle-

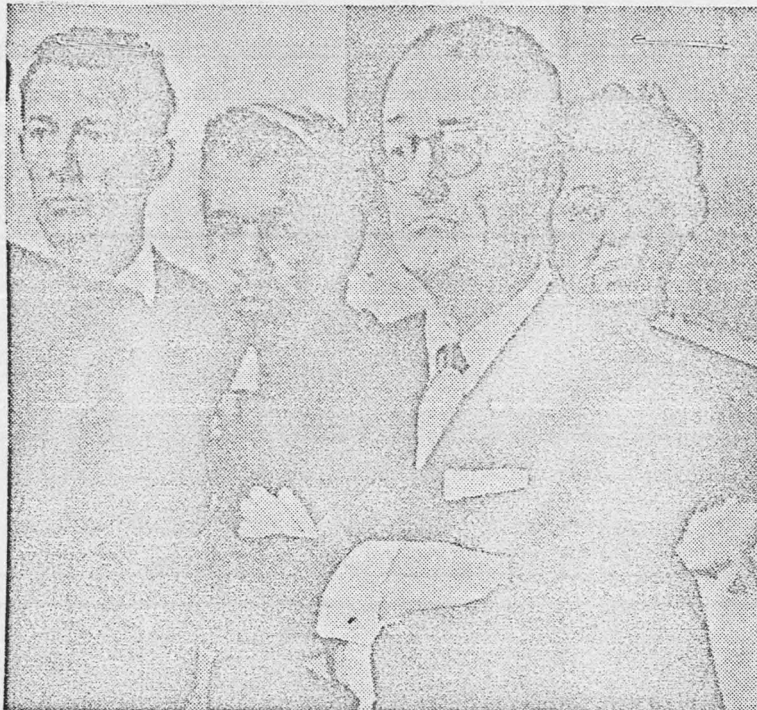
wood was excused because of the death of his father. The replacement was

George A. Stitzel, a press-room foreman for The Times.



FOR THE PROSECUTION — Chief Dep. Dist. Atty. Lynn D. Compton telling newsmen that the Sirhan trial and verdict "demonstrated to the world that our system does work." At the left is one of the other prosecutors, Dep. Dist. Atty. David N. Fitts.

Times photo by Fitzgerald Whitney



'DISAPPOINTED'—Grant B. Cooper, chief defense attorney for Sirhan Bishara Sirhan, stands with arms folded in back of room as prosecutors hold news conference after jury returned its verdict. Cooper told newsmen, "Naturally, one is disappointed."

UPI photo



(Mount Clipping in Space Below)

Jury in Sirhan Case Ends First Day of Study

Buzzer System Arranged to Permit Communication With Judge in Courtroom

BY DAVE SMITH
Times Staff Writer

The jury in the Sirhan Bishara Sirhan murder trial completed its first full day of deliberation Tuesday.

Meanwhile, a system was set up so the jury can communicate with the courtroom. Three sounds of the buzzer from the ninth-floor jury room to the eighth-floor courtroom will signify the end of deliberation. Two buzzes would indicate that the jury wished to be brought into the courtroom to have portions of testimony read.

The Sheriff's Department is maintaining the tight security procedures that have been followed throughout the 15-week trial. All persons entering the courtroom are still subjected to a thorough search, since all future open sessions involving the jury, however brief, will also require the presence of the defendant.

Superior Judge Herbert V. Walker gave the seven-man, five-woman jury four possible verdicts in his instructions Monday: (1) guilty of first-degree murder, (2) guilty of second-degree murder, (3) guilty of manslaughter or (4) acquitted.

Penalty Not Involved

In this phase of deliberations, the jurors are under orders not to consider any question of what penalty should be imposed on Sirhan for the slaying of Sen. Robert F. Kennedy. At this point, they are to decide only on the question of guilt or innocence.

If Sirhan is convicted of first-degree murder, a penalty phase of the trial will follow, in which the jury must decide between death in the gas chamber or life imprisonment.

Should the jury return a lesser verdict, Sirhan will be sentenced by the court.

The jury elected Bruce D. Elliott, 28, as its foreman late Monday before retiring for the day. Elliott, who has a Ph.D. in electrical engineering, is a systems analyst for TRW Systems. He lives in Redondo Beach.

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(Mount Clipping in Space Below)

The Family: 'We Didn't Expect This'

Stunned silence quickly gave way to tears as the family of Sirhan Bishara Sirhan huddled in its modest Pasadena home and heard of the Arab's conviction for first-degree murder.

Mrs. Mary Sirhan, the assassin's mother, and brothers Adel and Munir wept when the verdict reached 696 E. Howard St. yesterday.

"We didn't expect this verdict," Adel told reporters.

Other newsmen were met with a firm "no comment" as police arrived at the one-story, wood-frame house and shooed reporters and curious onlookers away.

A police officer stood guard in front of the Sirhan porch.

The front door clicked open and Munir, wearing a blue shirt and dark slacks, headed for a car in the driveway.

"How is your mother?" he was asked. "How is your family?"

"No comment. Absolutely no comment," Munir repeated, somber-faced. He drove a car from the driveway to a place along the curb.

He looked calm, as if the initial storm had passed, and moved back inside the house. A few minutes later he appeared again, and moved a second car from the driveway to the curb.

He only became flustered once—when he had difficulty shifting the first car into reverse gear so he could back it out.

He continued to mutter "no comment" through clenched teeth.

After he disappeared for the second time, an officer moved his patrol car into the driveway.

With drapes drawn and window shades pulled, the Sirhans chose to shut out as much of the outside world as possible.

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SIRHAN JURY SLOWED

By JOHN DOUGLAS

Herald-Examiner Staff Writer

Tedious review of the more than 200 exhibits today bogged down the deliberations of the Sirhan Bishara Sirhan murder jury, delaying a verdict in the case of the admitted slayer of Sen. Robert F. Kennedy.

Yesterday the jurors began their deliberations at 8:17 a.m. and worked on the case until shortly before 4 p.m. when they were bused back to their heavily guarded quarters in the Biltmore Hotel.

The jurors have the exhibits in the case with them in their fifth-floor Hall of Justice jury room. So far they have not requested the reading of any of the more than 10,000 pages of the trial record.

Their only request, according to Bailiff William Polhemus, was for a piece of chalk and a light bulb.

Polhemus said the jury was surprising to him in its accord. He explained that often during the heat of deliberations jurors have fallings out which result in the formation of intra-jury cliques. No such situation exists in the Sirhan jury, he said.

Russell E. Parsons, one of Sirhan's defense lawyers, forecast that the consideration of exhibits in the case may delay the verdict for several days.

Today is the 61st day of the trial. The jury heard 90 witnesses.

Sirhan does not deny that he shot Kennedy at the Ambassador Hotel June 5, 1968. The essence of his defense is that his mental capacity is so impaired that he could not meaningfully and maturely plot and execute the killing.

For this reason his lawyers hope the jury will find him guilty of second-degree murder, which carries a penalty of five years to life.

Other verdicts available to the seven men and five women of the jury are acquittal, first-degree murder, or manslaughter with its penalty of one to 15 years.

Grant B. Cooper, chief defense counsel, fears a first-degree verdict. If that is the jury's choice it then will have to decide whether Sirhan should be imprisoned for the rest of his life, or be executed in San Quentin's gas chamber.

Judge Herbert V. Walker, who presides over the trial, told the jury that it must not consider the issue of penalty in this stage of its deliberations.

Jury deliberations are, of course, secret. So far the only thing known of the conduct of the 12 is that they elected systems analyst Dr. Bruce Elliott foreman. He is the youngest member of the panel.

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Defense Fights for Sirhan's Life

By JOHN DOUGLAS
Herald-Examiner Staff Writer.

Defense and prosecution attorneys in the Sirhan Bishara Sirhan murder trial girded today to battle for the life of the convicted assassin of Sen. Robert F. Kennedy at a penalty trial set to begin at 9:30 a.m. Monday.

At issue is whether the jury of seven men and five women, who yesterday convicted the young Arab of first-degree murder in the June 5, 1968 shooting of Kennedy, should die in the gas chamber or spend the rest of his life in state's prison.

Chief defense attorney Grant B. Cooper believes that when Dep. Dist. Atty. John Howard begins his arguments in the penalty phase of the first political assassination trial held in this nation since 1902, he will "urge the death penalty without actually asking for it."

The Sirhan jury brought in its verdict yesterday at 11:19 a.m. Strain etched across his face, jury foreman Dr. Bruce Elliott, himself not much older than the 25-year-old convicted murderer,

answered "we have." to Judge Herbert V. Walker's inquiry if the jury had reached its verdict.

At a nod from the bushy-browed jurist, Bailiff William Polhemus took the written verdict from Dr. Elliott and brought it to the bench.

Moments later, in a hushed voice, Judge Walker's clerk, Mrs. Alice Nishikawa, turned toward Sirhan and read:

"We the jury find the defendant Sirhan Sirhan guilty of murder in violation of Sec. 17 of the Penal Code. We find him further to be guilty of murder in the first degree."

She paused, and then, turning across the well of the armored courtroom asked of the

12 jurors: "So say you one, so say you all?"

The jurors answered in unison, "Yes."

After further verdicts of the murder jury—those finding Sirhan guilty of assault with a deadly weapon with intent to commit murder—Cooper demanded the jury be polled on the murder verdict.

Several of the women jurors could barely utter their affirmative answers to Mrs. Nishikawa's quiet but insistent questioning.

Sirhan was clearly nervous, but it was an enigmatic nervousness. The Jordanian killer who had frequently shouted oaths and obscenities across the courtroom during his 15-week trial, was quiet. He whispered frantically for moments to Russell E. Parsons, one of his lawyers, and chief defense investigator Michael McCowan, and then was hustled out of court. Neither Parsons, nor McCowan, would discuss what their client said. They described him as "disappointed."

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All McCowan would say was: "I can tell you this—he didn't cry."

The ink of the Sirhan verdict was barely dry when Cooper and Parsons began their battle to win for him a life sentence instead of a killer's death in San Quentin's gas chamber.

Cooper launched a series of four legal maneuvers, each of which was flatly rejected by Judge Walker.

First he sought another jury to decide the issue of penalty on the ground that Sirhan's rights had been violated in the choosing of the trial jury.

The judge's answer was, "No."

Second, in an afternoon court session, he pleaded for permission to subpoena Dist. Atty. Evelle J. Younger and his staff to tell the jury they had once been willing to allow Sirhan to plead guilty without a trial and then see him sent to prison and not executed.

Judge Walker said, "No."

Third, he demanded that former San Quentin warden Clinton Duffy, an outspoken foe of capital punishment, be allowed to take the witness box to

tell Sirhan's jury that death was not an "efficacious" punishment for murder.

Said Judge Walker, "The law forbids this."

Finally, at the urging of Sirhan's Arab associate counsel Issa Nakhleh, and admittedly against his better judgment, Cooper asked that witnesses be allowed to come from Washington to tell the jury of the Arab-Israeli conflict, which the defense claims warped Sirhan's mind and drove him to murder Sen. Kennedy.

No, again, answered Judge Walker.

Rejected in his four pleas, Cooper grew cagey as to what his strategy will be when the penalty trial opens.

Prosecution attorneys made it clear that in their opinion, when the jury deliberates Sirhan's fate, it must make a sociopolitical as well as a legal decision.

Said Chief Dep. Dist. Atty. Lynn D. Compton at a news conference:

"This is a unique case, without precedent. I feel that the jury will express the conscience of the nation and the reaction of the nation to this crime. This is political assassination."

There is also an outside chance Mrs. Mary Sirhan, the killer's mother, may take the witness stand to plead for Sirhan's life.

Adel Sirhan, who visited his brother in his cell yesterday afternoon, refused to speak further. It was explained that the defense was taking no chance of any utterance of the family leaking to the jury.

That jury, too, was in near seclusion—in its sixth floor quarters in downtown Los Angeles' Biltmore Hotel.

Judge Walker dispatched them under heavy guard a few minutes after the verdict was announced. He told them their husbands or wives could visit with them until Sunday evening.

This is the status of the Sirhan case as it stands today:

The jury must decide the penalty for the young Arab's crime, with "untrammelled discretion" as to a life or death penalty.

No matter what it decides, Judge Walker has the authority to reduce, but not increase the penalty. He could void any death sentence.

It will be up to Judge Walker to fix penalties for Sirhan's five convictions on the lesser counts of assault with a deadly weapon with intent to commit murder. California law demands that sentences for these crimes not be added to the murder penalty; if Sirhan gets life he will serve concurrent sentences on the assault counts.

No matter what the penalty verdict, there probably will be an appeal. Such an appeal is mandatory if death is decreed, and will take more than a year to pursue.

The defense is convinced that Judge Walker committed "more than one" major judicial error during the trial, which it hopes to take to a higher court.

Appeals may see changes in the defense staff. Parsons is an appeals specialist. But Cooper, who said he has worked without sure he can afford to continue in the case.

No matter what the final decision in the Sirhan case—no final penalty will be inflicted for more than a year, according to Cooper.



—Herald-Examiner Photo

SIRHAN'S LAWYERS DISCUSS VERDICT
Russell E. Parsons, left, and Grant B. Cooper

(Mount Clipping in Space Below)

Jurors in Sirhan Case Seek Ruling on Second Degree

BY DAVE SMITH

Times Staff Writer

The jury in Sirhan Bishara Sirhan's murder trial returned to the courtroom Wednesday to ask Superior Judge Herbert V. Walker to clarify his instructions on second-degree murder.

After listening for about five minutes and nodding that they understood, the jurors filed back to the jury room, where they deliberated for another hour without reaching a verdict. At 4 p.m. they were locked up, ending the second full day of deliberation.

Judge Walker re-read his original instruction, but added another interpretation to help clarify it:

"If you find from the evidence that, at the time the defendant shot and killed Sen. Robert F. Kennedy, his mental capacity had been substantially reduced, whether caused by mental illness or intoxication or a combination of mental illness and imbibing of intoxicating beverages, or any other cause, and if you find that to the extent that you have a reasonable doubt whether he did or could maturely and meaningfully premeditate, deliberate and reflect upon the gravity of his contemplated act or form an intent to kill, you cannot convict him of a willful, deliberate or premeditated murder of the first degree, but you may find him guilty of murder in the second degree if you are convinced beyond a reasonable doubt that he had the mental capacity to harbor or entertain malice aforethought."

Speculation Underscored

The jury's question and its lengthening debate underscored speculation that the panel is undecided whether the killing of Kennedy was first- or second-degree murder.

Speculation also arose that speculation itself was premature.

More than 150 exhibits were entered during the 15-week trial, and jurors wishing to appear fair-minded might feel obliged to examine them all, even if they had arrived at a private decision.

Sirhan's controversial notebook alone would require two hours for each of the 12 jurors to read.

Verdicts of acquittal or voluntary manslaughter—both possible under the instructions given the jury by Judge Walker Monday—are considered highly unlikely.

If Sirhan is convicted of first-degree murder, his trial would proceed the next day to a penalty phase, in which he could receive either a death sentence or life imprisonment.

This phase would be short—possibly just a few hours, almost surely not more than a day or two.

After three weeks of psychiatric testimony, attorneys for both sides feel there is little left that could be offered by way of mitigation for Sirhan's crime, and that the jury's decision will depend chiefly on attorneys' final arguments.

Further, the prosecution has already said it will not urge the death penalty.

If Sirhan is convicted of second-degree murder, the court will sentence him to

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five years to life in prison, with the exact term to be set later by the California Adult Authority.

Should the jurors find themselves unable to agree on a verdict, a hung jury probably would not result in a retrial of the case. It is considered most likely that Judge Walker would take the case from the jury and, depending on agreement by the defense and prosecution, accept a guilty plea from the defense and simply sentence Sirhan to life imprisonment.

(Mount Clipping in Space Below)

SIRHAN CASE: SHOOTING TO VERDICT

By MYRNA OLIVER
Herald-Examiner Staff Writer

It began at 12:12 a.m. on the morning of June 5, 1968, in a kitchen pantry off the Embassy Room of Los Angeles Ambassador Hotel.

It began to end at 11:19 a.m. on the morning of April 17, 1967, in an armor-plated courtroom on the eighth floor of Los Angeles' Hall of Justice.

In the post-victory hour of the California Presidential Primary election, Sirhan Bishara Sirhan fired a .22 caliber mini-magnum bullet point-blank into the brain of Sen. Robert F. Kennedy, D-N.Y., aspirant to the Presidency.

Yesterday a jury of seven men and five women found Sirhan guilty of murder in the first degree, and his prosecutors labeled it emphatically a political assassination.

Sirhan's long legal march toward possible death in San Quentin's gas chamber began at 12:12 a.m. June 5, when he was captured, first by Kennedy supporters such as former Rams football star Roosevelt Grier and athlete Rafer Johnson, quickly afterward by the Los Angeles Police Department.

He did not give his name. At 7:30 a.m. June 5, "John Doe," later identified by his brothers as Sirhan, was indicted before Municipal Court Judge Joan Dempsey Klein on six counts of assault with a deadly weapon.

In the shooting melee, Sirhan had also injured Paul Schrader, United Auto Workers official; Ira Goldstein, a young Los Angeles newsmen; Mrs. Elizabeth Evans, a Democrat campaign worker; Washington newsmen William Weisel, and teenager

Senator Kennedy died at 1:20 a.m. June 6 at Good Samaritan Hospital, some 25 hours after he acknowledged his California political victory and was shot down amid echoes of the applause.

Within another day, on June 7, Sirhan was indicted by the Los Angeles Grand Jury for murder. He was further indicted for five counts of assault with a deadly weapon with intent to commit murder.

The diminutive Arab defendant, insisting he could not remember the incident which prompted his incarceration, was arraigned for the charges June 8 in an improvised courtroom in the jail chapel at the New County Jail.

Protected by the kid-gloved mail fist of Los Angeles County Sheriff's Department, Sirhan was moved immediately to his isolated cell on the Hall of Justice's 13th floor near two courtrooms where his future would be decided.

The heavily guarded cell and surrounding hallways have no windows. Now pallid, Sirhan has not seen the sun since transfer to his chamber of protection.

Attorney Russell E. Parsons, veteran trial lawyer, assumed Sirhan's defense from the public defender and immediately moved to seek:

Discovery, a legal proceeding, by which the defense had access to statements of all prosecution witnesses. Judge Herbert V. Walker, who was to play the final legal role of his career in Sirhan's Department 107 courtroom, granted the request.

Suppression of Sirhan's disability from the evidence, on the grounds they had been taken by police without a 2025 RELEASE UNDER E.O. 14176

Sirhan's day in court began Jan. 7, with his defense attorneys—Parsons, Grant B. Cooper and Emile Zola Berman—moving to throw out his indictment on the grounds his grand jury was not a representative cross section of the population. The maneuver fell flat.

His jury of eight men and four women was impaneled Jan. 24. Six alternates, two of whom were to replace ailing and bereaved members on the deciding panel, were sworn Feb. 11, and the 18 "men good and true" were sequestered in the Biltmore Hotel, cut off from publicity about the evidence they were to weigh.

Attorneys began their opening statements, for and against the admitted slayer of Sen. Robert F. Kennedy, Feb. 13, and called their first witness Feb. 14.

Possible mistrial had threatened official opening of the case on Lincoln's Birthday when a Los Angeles morning newspaper published reports of a possible deal in which the defendant could get the promise of a life sentence if he pleaded guilty. Judge Walker ruled that the trial should proceed.

Fifty-six witnesses after it began, the prosecution rested its case against Sirhan on Feb. 27. Sirhan testified for and against himself March 3-6, admitting he shot Kennedy, but insisting he couldn't remember the shooting or writing threats on the senator's life in his diary.

His defense rested March 27, after calling 29 witnesses, including several psychologists and psychiatrists who testified that Sirhan was mentally ill and of too great a "diminished capacity" to meaningfully and maturely plan or carry out murder. Prosecution and defense rested jointly April 8, after 20 wit-

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and the personalities leading to the death of the New York senator.

On April 9, the prosecution began its closing argument, spearheaded by Asst. District Attorney David N. Fitts, and on April 10 Parsons, Berman and Cooper answered him.

Chief Deputy District Attorney Lynn D. Compton summed up the case of the people vs. Sirhan Monday, April 14, and Judge Walker instructed the jury in the law under which they were to operate.

At 2:55 p.m. Monday the jury retired to its deliberation room, one floor above Sirhan's courtroom, returning two days later for more instruction from Judge Walker on the relation of diminished capacity to a verdict of second-degree murder.

Yesterday, they found Sirhan guilty of murder in the first degree.

"So say you one, so say you all?" asked the clerk.

"Yes," chanted the solemn jurors.

Sirhan stiffened.

(Mount Clipping in Space Below)

Father, Arabs Call Sirhan Hero-Martyr

JERUSALEM (UPI)—Sirhan Bishara Sirhan said Thursday night he was even more adamant than ever before that his son had "committed an act of political courage and even of necessity" in his shooting of Robert F. Kennedy.

It was shortly after 9 p.m. when the elder Sirhan received the news that a Los Angeles jury had found his son guilty of first-degree murder in the death of Kennedy last June.

Sirhan was in his two-story stone house on the edge of the village of Taibeh, where he has remained throughout the long trial.

Something had to be done "to bring to the attention of the United States people the wrongness of America's support for Israel," Sirhan told newsmen.

Many of the Arab residents of Taibeh and through the occupied West Bank area agreed with Sirhan. The Arabs view the young Jordanian as a hero and a martyr for the Arab and Palestinian cause.

Veteran political observers in Beirut said the conviction of Sirhan was expected to provoke a wave of popular protest in the Arab world.

Although the long trial got little more than routine attention in the Arab press, interest in his case has been sparked recently by the appearance in Arab capitals of posters hailing Sirhan as hero of Palestine.

The well-printed posters in black and red are issued by the Palestine Liberation Organization and show a drawing of Sirhan with the words "I did it for my country."

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The jury studying the murder case against Sirhan Bishara Sirhan returned to the courtroom to ask further instructions on a finding of second-degree murder.

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Sirhan May Receive Second-Degree Verdict

BY JOHN DOUGLAS

Herald Examiner Staff Writer

Sirhan Bishara Sirhan's jury could possibly have a verdict of second-degree murder on its mind as it returns to the Hall of Justice for the fourth day of deliberation in the young Arab's trial.

The jury gave first indication of its thinking at mid-afternoon yesterday when it asked Judge Herbert V. Walker, presiding over the trial, for additional instructions on a second-degree verdict.

Conviction for second-degree murder carries a penalty of five years to life. A person so convicted is eligible for parole after 20 months. However, Sirhan's attorneys have indicated they doubt if he could ever be paroled.

Specifically, the jury wanted additional advice on the question of impaired mental capacity as it relates to the June 5, 1968, slaying of Sen. Robert F. Kennedy at the Ambassador Hotel.

The jurist told the seven men and five women jurors:

"If you find that the defendant's mental capacity was diminished or reduced to the extent that you have a reasonable doubt whether he did or could maturely and meaningfully premeditate, deliberate and reflect upon the gravity of his contemplated act, or form an intent to kill, you can not convict him of murder in the first degree, but you may find him guilty of murder in the

second degree if you are convinced beyond a reasonable doubt that he had the mental capacity to harbor or entertain malice aforethought."

During the 15-week trial, the defense freely conceded that Sirhan "hated Kennedy and wanted him dead."

Grant B. Cooper, the young Arab's chief defense counsel, seemed encouraged by the turn of events the jury deliberations had taken. He told newsmen in the armor-plated courtroom after the jurors had again retired to their deliberation room:

"It does not hurt us. It indicates at least one of them (the jurors) is thinking of second degree. One juror can ask that question."

This was reference to the law which permits a single juror, or any number of jurors to ask the judge for amplified instructions.

The Sirhan jury has now debated for more than 14 hours. It quit for the day at 3:59 p.m. It was set to reconvene at 8 a.m.

As he awaited the verdict, Russell E. Parsons, another of Sirhan's lawyers, disclosed that the defendant expected to be traded by this government for concessions in the Middle East if he is convicted.

Parsons said that Issa Nakhleh, Palestinian Arab associate counsel in the case, had discussed such a maneuver with King Hussein of Jordan at the United Nations last week. Nakhleh is director general of the unrecognized Palestine Arab delegation to the UN.

Parsons said:

"He saw King Hussein last week at the United Nations. Nakhleh was there to discuss the exchange with him. We worked it out. He hasn't been here for fun you know. He has been here to help us. We have been working it out with Nakhleh. I was going to Jordan first, but then we decided against it."

However, there was no confirmation from any official source that such a course was being considered.

Reached in New York, Nakhleh had this to say:

"There can be no discussion of an exchange...until after the verdict. Talk to me after the verdict."

It was pointed out at the Hall of Justice that the legal complications of such an exchange would be enormous. The United States has no jurisdiction over Sirhan. He is a prisoner of California — a sovereign state. Moreover, it is expected that public reaction to such barter would be swift and extremely adverse.

Furthermore, insofar as is known, there are no important American prisoners held by any Arab state.

Sirhan made a brief appearance in court when the jury returned for instructions. Dressed in rumpled blue shirt and black pants, he seemed extremely tense. He smiled nervously at Parsons when the elderly lawyer explained the legal maneuvers to him.

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The jurors continue to be calm and agreeable with one another, according to Bailiff William Polhemus. So far they have not asked to have any of the trial transcript read to them.

Their only demands have been for a piece of chalk, a light bulb and a blackboard eraser which they requested yesterday.

Under an agreement approved by the judge yesterday, jurors who desire may be permitted to eat in their rooms at their Billmore Hotel quarters. The law provides that they be kept together, except when sleeping. However Judge Walker eased the stricture at the jury's request and with the approval of prosecution and defense.

(Mount Clipping in Space Below)

'IS THIS YOUR VERDICT, SO SAY YE ALI.?'—'YES'

Ten months and 10 days of tension climaxed in 31 minutes of pronouncement yesterday for Sirhan Bishara Sirhan, murderer of Sen. Robert F. Kennedy.

The case of Sirhan, pro and con, was presented in 15 weeks of trial in Los Angeles' Hall of Justice. His jury deliberated 16 hours and 42 minutes.

At 10:43 a.m. yesterday, Capt. Craig Carpenter of the Los Angeles Sheriff's Department, told Sirhan, who sat idly in his cell: "I think you may have a verdict."

At 11:19 a.m. he did.

Returning to the courtroom at 11:11 a.m., the jurors were asked by Judge Walker:

"Ladies and gentlemen of the jury, do you have a verdict?"

"Yes, we have, your honor," replied the foreman, Bruce Elliott, handing a thick sheaf of papers to a court attache, who relayed them to the judge.

After Judge Walker had read them, he passed the papers to his clerk, Mrs. Alice Nishi awa, whose voice reflected nervousness as she read:

"We the jury in the above entitled action find the defendant Sirhan Bishara Sirhan guilty of murder, in violation of Section 187, Penal Code, a felony, as charged in Count One of the indictment. We further find it to be murder in the first degree."

Continuing, Mrs. Nishikawa asked, "Is this your verdict, ladies and gentlemen, so say ye one, so say ye all?" to which the jurors' unison reply was:

"Yes."

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(Mount Clipping in Space Below)

SIRHAN'S ACT A 'NECESSITY,' FATHER SAYS

JERUSALEM (UPI)

—Bishara Sirhan said Thursday night he was even more adamant than before that his son had "committed an act of political courage and even of necessity" in his shooting of Robert F. Kennedy.

It was shortly after 9 p.m. when the elder Sirhan received the news that a Los Angeles jury had found his son guilty of first-degree murder in the death of Kennedy last June.

Something had to be done "to bring to the attention of the United States people the wrongness of America's support for Israel," Sirhan told newsmen.

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Sirhan's Penalty Hearing On Today

By JOHN DOUGLAS

Herald Examiner Staff Writer

"If at the end of this trial, you thought it was a proper case, would you be willing to come down from the jury room, look this defendant in the eye and say:

"Sirhan Sirhan, for the murder of Sen. Robert F. Kennedy you die in the gas chamber?"

This question, asked of each juror in the Sirhan murder trial, is no longer theoretical.

Today 12 jurors gather in the eight-floor, armor-plated Hall of Justice courtroom, where they decreed a first degree murder verdict for the young Arab last week, to hear from Dep. Dist. Atty. John Howard why, if at all, Sirhan should die.

Defense attorneys in the case believe that Howard will "urge the death penalty without actually asking for it," according to Grant B. Cooper.

As the prosecution views penalty in the case of the convicted murderer, in deciding it the jury must set national social and judicial policy.

Acting Dist. Atty. Lynn D. Compton has said that it will be up to the jury to set a precedent in how political assassins are to be punished in this country. There are no cases to guide them, Compton points out.

Compton is a firm believer in the death penalty per se. He terms it an "integral part of the graduated scale of punishment provided for in this state."

He is active in attempts to defeat a California Bar Association resolution calling for its abolition.

California Law leaves the penalty up to the jury and gives it no guidelines. It is a matter for the "untrammeled discretion" of the seven men and five women jurors, according to the law.

Howard says he will point this out strongly to the jurors. He says he will also bear down heavily on Sirhan's "lack of remorse" for his June 5, 1968 Ambassador Hotel fatal shooting of the New York senator.

Mercy. Sirhan's admittedly impaired mental capacity and what defense lawyers believe to

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~~be-justice~~ in the case will be advanced as reasons why he should not die, but go to prison for life.

There is an outside chance the defendant's mother, Mrs. Mary Sirhan, 55, may take the witness box to plead for her son's life, according to defense co-counsel Russell E. Parsons.

Cooper was turned down by Judge Herbert V. Walker last week when he sought permission to call a battery of other witnesses including Dist. Atty. Evelle J. Younger and former San Quentin Warden Clinton Duffy. Younger reportedly once was ready to agree to a deal by which Sirhan would plead guilty in return for a life sentence. Duffy is an outspoken foe of capital punishment.

Judicial order in a penalty trial calls for the prosecution to present its case first. Howard

will open the trial today. He says he will address the jury, but call no witnesses.

The evidence and argument phase of the penalty trial is expected to be short — no more than two days.

Decision time in the trial may take much longer. It took the Sirhan jury 16 hours and 42 minutes deliberation, spread over four days to find the 25-year-old Palestinian immigrant guilty of first degree murder.

Decision as to whether he shall live or die could take hours or weeks.

Since reaching their verdict Thursday morning, Sirhan's jurors have been locked up under heavy guard in the Biltmore Hotel. Their wives and husbands were permitted to visit them

this weekend as they have been each weekend since the jury was sequestered.

(Mount Clipping in Space Below)

Jury Deliberating Penalty for Sirhan

BY DAVE SMITH

Times Staff Writer

The jury in the Sirhan Bishara Sirhan murder trial retired Monday to decide whether Sirhan should live or die for the murder of Sen. Robert F. Kennedy.

They were locked up after 2½ hours' deliberation without reaching a verdict.

Among the last words they heard before they were given the case was a quotation from Kennedy's own plea after Martin Luther King was murdered that Americans dedicate themselves "to tame the savageness of man to make gentle the life of this world."

Defense attorney Grant B. Cooper urged the jury, "as a kind of posthumous tribute to Sen. Kennedy," to spare Sirhan's life.

Dep. Dist. Atty. John E. Howard, citing 10 months of special precaution to insure a fair trial for Sirhan, told the jury that now that he has been convicted of first-degree murder, "he has no special claim to further preservation."

Without asking for a death verdict in so many words, Howard made it clear that was what the prosecution sought as he urged the jury "that each of you in your hearts have the courage of your convictions, the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America."

Final Plea

In a quiet, final plea for mercy for Kennedy's murderer, Cooper read from Kennedy's own statements of April 5—one day after King's death, and exactly two months before he himself was fatally shot.

Cooper told the jury that Kennedy told a crowd in Cleveland:

"Whenever any American's life is taken by another American unnecessarily—whether it is done in the name of the law or in the defiance of law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence . . . the whole nation is degraded . . ."

" . . . We must recognize that this short life can neither be ennobled nor enriched by hatred or revenge. Our lives on this planet are too short and the work to be done too great to let this spirit flourish any longer in our land . . ."

Cooper said that he believed that if Kennedy himself had been in the courtroom Monday, he

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I-1

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would have asked the jury to spare Sirhan's life.

In a dramatic closing moment, Cooper turned to face the tiny Palestinian Arab, who sat chewing gum, his eyes large and somber, and told him:

"And now, Sirhan Sirhan, I've done all the best that I could do for you."

Shifting his gaze to Mrs. Mary Sirhan, 56, in the second row of the courtroom, Cooper said, "Mary Sirhan, I now entrust the life of your son to this American jury. And, Mary Sirhan, may your prayers be answered."

Mrs. Sirhan was the only defense witness in the penalty phase of the trial. Cooper called her to the stand and asked just one question: "In his entire life before the shooting, has Sirhan ever been in trouble with the law?"

Solemn Answer

Mrs. Sirhan answered in a solemn voice: "He has never been. And that is not from me and not from him. This is because I raise him up under the law of God and in His Love."

Cooper stressed repeatedly that while the law prescribes either death or life imprisonment for first-degree murder, the law states no preference.

If Kennedy's life must be avenged, Cooper suggested, Sirhan's conviction and a sentence of life imprisonment is vengeance enough.

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able penologists and psychiatrists to study the defendant, to see "what more can be learned about the human mind, and what makes people want to kill."

Such a study, Cooper said, could help prevent further such crimes as Sirhan's.

Cooper's plea followed an impassioned plea for mercy by defense attorney Russell E. Parsons, who told the jurors that a verdict of death would be, in effect, telling the world that justice isn't possible in America.

Hint of Hitlerism

"This man is sick," said Parsons, "and I don't believe we've got down to the bottom rung yet, where we execute sick people in California." To do so, he said, would be "to follow Hitler, who believed in killing the lame, the halt and the sick."

Howard, in a brief argument, told the jury:

"Mitigation of political assassination to any degree must sooner or later spell an end to the traditional democratic election process we now enjoy."

Howard conceded that Sirhan is mentally ill and said, "We have never disputed that Sirhan Bishara Sirhan is abnormal—only the extent of his abnormality, and its legal significance, if any."

But, said Howard:

"You should be reminded that Sirhan Bishara Sirhan reached this shore at the indulgence of a nation which takes pride in providing refuge to the oppressed. There may well be a substantial number in this courtroom who need look no farther back than one generation to find themselves strangers in a new society which offered greater opportunity for the individual to achieve success within the limits

of his capacities. For this defendant, that was not enough.

"History may well record that but for this defendant, Sen. Kennedy might have succeeded to the highest honor and responsibility which the American democratic process can bestow.

Linked to Politics

"Beyond doubt, the tragedy which occurred in the early morning hours of June 5, 1968, at the Ambassador Hotel was politically motivated. The question now to be resolved is the proper penalty for political assassination in the United States of America."

Howard reminded the jurors they had been asked to consider what 200 such assassinations might do to the country, then added: "A half-dozen would suffice to leave this country bereft of democratically endorsed leadership."

Sirhan has shown no remorse, Howard said, adding. "Perhaps you observed his reaction when attorney Russell Parsons, in his address to you, urged in all sincerity that America pray for the ill-starred Kennedy family." (Sirhan smiled and covered his mouth.) You could not have failed to observe the defendant's

smile when he declared from the witness stand, "I don't know who shot Sen. Kennedy."

Superior Judge Herbert V. Walker, in 15 minutes of legal instruction to the jury, told them that the law in this penalty phase of the trial "doesn't forbid you to be influenced by sympathy or pity for the defendant," but that it does forbid "unreasoned conjecture" in their verdict.

Judge Walker also told the jury that they may not consider the possibility of Sirhan's eventual parole in deciding whether a life sentence might be sufficient penalty.

The California Adult Authority determines whether and when a person convicted of first-degree murder is eligible for parole. He could be eligible after seven years.

In Sirhan's case, however, he was also convicted on five counts of assault with a deadly weapon with intent to commit murder. Each count car-

ries a sentence of one to 15 years.

Though these terms would run concurrently with a life sentence, they would be a strong mitigating factor should the Adult Authority ever decide to consider a parole for Sirhan.

(Mount Clipping in Space Below)

COOPER IN IMPASSIONED PLEA FOR LIFE OF SIRHAN

By JOHN DOUGLAS
Herald-Examiner Staff Writer

Hall of Justice to begin deliber-
alone at 1.25 p.m.

Yesterday morning, the 33-year-old Arabian woman was the only witness called by either side to testify on the issue of penalty. She told the jury of seven men and five women:

The jurors, asked for nothing — nor did they seek any further advice from Judge Herbert V. Walker, presiding over the trial,

"He has never been (in trouble with the law). That is not from him or from me. That is because I raised him up in the law of God and His love."

during their afternoon session.

Then, in a trice, she was out of the witness box, seated a few feet from Sirhan as Howard opened his argument saying:

At 3:30 p.m. Sheriff's Inspector William Conroy told waiting newsmen the jurors were retiring for the night.

"Sen. Robert F. Kennedy was struck down at a moment when he represented the ideals and hopes of a substantial segment of this nation.

He disclosed that they had chosen Dr. Bruce D. Elliott as their foreman. Dr. Elliott, TRW Systems programmer, an emigrant from the Middle West, also presided over the jury when it found Sirhan guilty of first-degree murder in the June 5, 1963, Ambassador Hotel shooting of Sen. Kennedy.

"History may well record Sen. Kennedy might have succeeded to the highest honor and responsibility which the Americans, in democratic process, can bestow.

or shall he forfeit his life by inhaling the deadly fumes of cyanide gas?"

"The question now to be resolved is the proper penalty for political assassination in the United States of America."

Cooper, in an impassioned plea for his client's life, told the jury yesterday:

Now it has only two — life and death.

"You are gathered to determine the ultimate issue, an issue that should be God's alone. These are your alternatives — life imprisonment, or death in the grim green room of San Quentin."

Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty.

At that time the jury had a number of choices ranging from first-degree murder through manslaughter to an acquittal — which no one sought.

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Aligned against Cooper's plea was the understated admonition of Dept. Dist. Atty. John Howard:

Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty.

"Sirhan was entitled to the fair trial which each of you have now given him. He has no special claim to further preservation."

Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty.

"... I would ask that each of you within your hearts have the courage of your convictions... and apply the only proper penalty for political assassination in the United States."

Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty.

In two hours and 25 minutes of deliberation yesterday the 12 jurors were apparently unable to resolve the momentous decision they must make.

Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty.

Arguments and legal advice concluded at 11:49 a.m. yesterday. The jury lunched under heavy guard at the Biltmore Hotel and then returned to the

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His only relative in the heavily guarded courtroom was his brother, Adel.

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Another brother, Munir, 21, had taken his mother, Mrs. Mary Sirhan, home.

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"And now, Sirhan Sirhan, I've done all the best that I could do for you."

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Hint of Hitlerism

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In Sirhan's case, however, he was also convicted on five counts of assault with a deadly weapon with intent to commit murder. Each count carries a sentence of one to 14 years.

Though these terms would run concurrently with a life sentence, they would be a strong mitigating factor should the Adult Authority ever decide to consider a parole for Sirhan.

(Mount Clipping in Space Below)

JURORS STILL OUT IN SIRHAN CASE

The jury in the Sirhan Bishara Sirhan murder trial recessed for the night Tuesday without reaching a verdict on whether the defendant should be sentenced to death or life imprisonment for the slaying of Sen. Robert F. Kennedy.

The panel has now deliberated 9 hours since getting the case Monday.

Three short buzzes from the ninth-floor jury room to the eighth-floor court of Superior Judge Herbert V. Walker is the signal that will indicate a verdict has been reached.

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SIRHAN JURORS AT STANDSTILL

By JOHN DOUGLAS

Herald Examiner Staff Writer

Jurors in the Sirhan Eshbara Sirhan murder trial, at an impassive over their decision as to a life or death penalty for the convicted murderer of Sen. Robert F. Kennedy, return this morning to continue their deliberations.

The jury of seven men and five women, after deliberating 2½ hours, quit yesterday at 3:44 p.m.

At that point, they had debated the young Arab's fate for eight hours and 44 minutes in two days.

Court attaches pooh-poohed speculation late yesterday that the jury was deadlocked. There is, they averred, no set of standards by which to judge a murder jury.

But the strain of the long deliberation showed on their faces as it did on the faces of the jurors who were bundled into a barred sheriff's department bus at 4 p.m. for the trip to the Billmore Hotel where they are quartered.

Grant E. Cooper, chief defense counsel, was clearly disturbed. He told newsmen:

"It is obvious there are people on the jury who are demanding that Sirhan get the death penalty. Whether they are in a minority or a majority, I have no idea."

Equally disturbed was Adel Sirhan, the defendant's 20-year-old brother. Only member of the family to wait out the jury in the grim, armor-plated eighth-floor Hall of Justice courtroom, the nattily dressed Arab immigrant said:

"I have run out of patience."

The jurors were scheduled to return about 8 a.m. today. It is believed they have taken several ballots. Law requires that their verdict — life or death — be unanimous. There is no majority rule in the decision as to whether a man convicted of first-degree murder shall live out his life in prison or die in the gas chamber.

Should the jurors be unable to agree, the procedure would be as follows:

Judge Walker would have to summon them into court to inquire of them how the matter stood. This could involve a poll of the 12 as to their position on life or death.

If he determined the jury to be hopelessly deadlocked he could then:

- Ordain a life sentence for Sirhan.

- Call for a new penalty jury, which would have to hear the arguments in the case in reprise.

- Enter into an agreement with defense and prosecution lawyers by which they left the issue of penalty up to him.

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Elder Sirhan Lays Penalty to 'Mad' U.S.

TAIYEBEH, Occupied Jordan (P)—Bishara Sirhan, father of the convicted assassin of Sen. Robert F. Kennedy, said Wednesday that "mad America" had sentenced his son to death.

"I am very sad, I am very sorry—but I expected it," he told The Associated Press.

"My son will never ask for mercy . . . He will go to his death proudly."

He added: "If my son will be killed, he will not be the last. There are 100 million Arabs."

Sirhan's father, who left his family in the United States in 1961 and returned here, had sworn revenge on American politicians after his son's conviction.

"My son did well," he said at that time, adding that Kennedy was to blame for his own death.

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WOUNDED AT HOTEL**Hoped Sirhan Would
Get Life, Youth Says****BY ERIC MALNIC***Times Staff Writer*

"Death is too good for him," Ira Goldstein said.

"It would be better for him to stay in jail for good and know why he's there."

Goldstein, 20, was one of five bystanders wounded when Sirhan B. Sirhan opened fire in a pantry corridor at the Ambassador last June 4, fatally wounding Sen. Robert F. Kennedy.

"I expected it," he said when asked his reaction to the jury's decision Wednesday that Sirhan must die.

"But to tell the truth, I am against it," he added, explaining that in addition to favoring a lifetime of contemplation, he is philosophically opposed to the death sentence.

William Weisel, 31, another of those wounded, is not.

"I think the death penalty serves as a deterrent," Weisel, an American Broadcasting Co. news director in Washington, D.C., told The Times in a telephone interview. "Some others who might have had ideas about shooting peo-

ple will look at this as a lesson..."

"I have nothing personal against Sirhan, but he took someone's life..."

"I think the trial brought out that the shooting was premeditated, and in a case like that, I think the death penalty is the proper penalty."

Weisel received a deep flesh wound in the abdomen when Sirhan opened fire. Goldstein, an electronics company employee who lives at 4077 Hayvenhurst Ave., Encino, was struck in the hip.

Mrs. Arthur W. Evans, 43, of Saugus, who declined comment Wednesday because she has a legal suit pending against Sirhan, received a scalp wound.

Paul Schrade, 44, West Coast regional director of the United Auto Workers, had a deep scalp wound and a depressed skull fracture. Irwin Stroll, 47, 6089 Horner St., had a flesh wound in the lower left leg. Neither was available for comment Wednesday.

In addition to being convicted of first-degree murder in the death of Sen. Kennedy, Sirhan was found guilty of assaulting the five with intent to commit murder. All five returned to active life after hospitalization for their wounds.

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Sirhan Sentenced to Death; Impassive as Verdict Is Read

Decision Comes After 12 Hours of Deliberations

BY DAVE SMITH
Times Staff Writer

Sirhan Bishara Sirhan was sentenced Wednesday to death in the gas chamber for the murder of Sen. Robert F. Kennedy.

The 25-year-old Palestinian's face was ashen but impassive as he heard the death verdict. Moments later he told his visibly shaken defense attorney, Grant B. Cooper, "Don't be concerned. Even Jesus Christ couldn't have saved me."

Appeal of a death sentence is automatic in California and Sirhan's defense said it will stay with his case through the appeal.

The seven-man, five-woman jury signaled it had reached a verdict at 11:04 a.m., after 12 hours' deliberation since the penalty phase of the murder trial began at noon Monday.

Three sharp buzzes from the ninth floor deliberation room to Superior Judge Herbert V. Walker's eighth floor courtroom set off a flurry of activity among the more than 50 reporters who maintained a vigil in the quiet courtroom.

Mother Waited at Home

Adel Sirhan, 30, quietly took his seat and awaited the jury. His mother, Mary, 56, and youngest brother, Munir, 21, were not in court. They awaited the verdict, Adel said, by the television set in their small Pasadena home.

The somber jury entered the court at 11:34 a.m. and were asked by Judge Walker, "Ladies and gentlemen of the jury, you have a verdict?"

"We have, your honor," said foreman Bruce D. Elliott.

He handed the verdict to bailiff Willard Polhemus, who passed it to Judge Walker.

The 69-year-old jurist, presiding over his final and most celebrated case before retiring in July, scanned the verdict and handed it to court clerk Alice Nishikawa, who read aloud:

"The People versus Sirhan Bishara Sirhan. We, the jury in the above-entitled action, having found the defendant Sirhan Bishara Sirhan guilty of murder in the first degree as charged . . . now fix the penalty at death."

Is This Your Verdict?

She paused, then continued, "Is this your verdict, ladies and gentlemen of the jury? So say you one, so say you all?"

The jury unanimously spoke its assent. Polled individually, each juror replied firmly, "Yes."

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Sirhan, chewing gum, as he had last Thursday when the first-degree murder verdict was returned, paled as he listened to the jurors affirm their belief that he should die for the assassination of the New York senator.

Less than five minutes before, he had entered the courtroom trailing smoke from one last puff on a

cigarette and smiling boyishly at codefense counsel Russell E. Parsons.

Others were more visibly affected by the verdict.

Cooper, 66, who has never had a death verdict returned against one of his clients before Wednesday, appeared on the verge of tears. His eyes reddened and his jaw muscles twitched as he gave notice in a husky voice of a motion for a new trial.

Judge Walker set a hearing on Cooper's motion for May 14.

Adel Sirhan, almost unnoticed in the second row of the courtroom, gave a tight smile as reporters reached out to pat his arm. Eyes glistening with tears, he merely smiled and said nothing.

It was all over in 5 minutes. At 11:39 a.m., court was adjourned and Sirhan led away to his 13th-floor cell, where he has been confined since his arrest last June 5.

Automatic Appeal

Cooper, asked if he would pursue an appeal, said, "Now I've got to go forward with it. I can't ignore him now that there's a death penalty—even if I have to spend money out of my own pocket."

Cooper and Parsons both represented Sirhan without fee.

Cooper said the death verdict, "of course, is a great personal disappointment for me. I believed in our defense and I believe he should not be executed. I feel very bad."

Asked if he expected international repercussions as a result of the death verdict, Cooper said he did not, except perhaps for some individual reaction in some Arab countries.

The three-man prosecution team expressed satisfaction with the verdict.

Chief Dep. Dist. Atty. Lynn D. Compton told newsmen: "We feel it was the proper verdict. It expresses the feelings of the jury and their attitude toward this type of crime."

In final argument for the prosecution, Dep. Dist. Atty. John E. Howard argued — without saying "death penalty" in so many words—that the jury should return "the only proper verdict for political assassination in the United States of America."

Sirhan's apparent inattention, occasional outbursts of temper and his often-profane, violently anti-Zionist testimony from the witness stand "was not such as to invoke sympathy or endear him to the jury," Compton said.

Dep. Dist. Atty. David N. Fitts said he did not believe, and would not

wish, that the death verdict represents repudiation of psychological and psychiatric testimony as such.

But the expert testimony offered by the defense in this case, he said, "was not as worthy as expected." He said he "would hope that such testimony would be more worthy in future cases."

Sirhan's death sentence could be reduced to life imprisonment at the discretion of Judge Walker. The California Supreme Court, while not empowered to reduce the sentence itself from death to life, could, however, reduce the conviction from first-degree to second-degree murder, which could then carry a life sentence.



IT'S ALL OVER — Judge Herbert V. Walker, returning to the bench for a few moments after end of long Sirhan trial, looks toward the empty chair, foreground, where the defendant had sat. Times photo by Boris Tazoo



SILENT — Abdel Sirhan, 30, had nothing to say to newsmen after brother was sentenced.

Sirhan Conduct Called Factor by Prosecutor

BY RON EINSTOSS

Times Staff Writer

Sirhan B. Sirhan's own conduct during his trial, as much as the enormity of his crime, may have been the decisive factor which led the jury to return a death penalty verdict.

That was the opinion Wednesday of Chief Dep. Dist. Atty. Lynn D. Compton, who headed the three-man team which prosecuted the 25-year-old Palestinian Arab.

Asked following the return of the verdict whether anything at the trial might have given him reason to believe a death penalty verdict would be returned, Compton said:

"I don't believe the defendant's conduct was such as to evoke sympathy or endear him to the jury."

Compton obviously based his evaluation on the fact that in death

penalty cases juries often are swayed as much by the personal actions and testimony of the defendants as they are by the evidence against them.

Compton said he felt the verdict was "proper" and that it expressed the jury's attitude toward "this particular crime."

It also, according to the prosecutor, was the one "the great majority of the American people" who, he said, favor capital punishment would have voted for if they had been sitting on the jury.

In the opinion of Compton, a veteran of many death penalty cases, the jury's verdict may serve

as a deterrent to others who consider violence to accomplish their ends.

"I hope it is a deterrent . . . I hope it puts people on notice that we simply can't tolerate this kind of action as solution to our political or social problems," he declared.

It was left to Dep. Dist. Atty. David N. Pitts, who with Compton and Dep. Dist. Atty. John E. Howard prosecuted Sirhan, to comment on the psychiatric testimony on which the defense relied heavily to save Sirhan's life.

"In this case, to some extent," said Pitts, "it (the testimony) was not as worthy of respect as I

might have anticipated when the trial began."

Howard, a great admirer of Sen. Robert F. Kennedy, offered no comment following the verdict.

On Monday in his argument to the jury, Howard had asked that the jurors have "the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America."

Compton, asked to speculate on whether Sirhan would ever be executed, said that based on "the pattern of these things" in recent years, "I don't think it would be in the very near future."

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Most Jurors in Favor of Death Penalty From Start, One Says

BY DAVID LARSEN

Times Staff Writer

"As long as we have capital punishment," said juror George Stitzel, "what other crime would justify it if this didn't?"

That seemed to be the general feeling Wednesday of the seven men and five women who decided the fate of Sirhan B. Sirhan.

From the start, most of the jurors favored a conviction on first-degree murder, Stitzel revealed. It was then a matter of converting those few who leaned to a verdict of second-degree murder.

Similarly, in the penalty phase of their deliberations, most of the panelists voted from the beginning for death.

Stitzel, a pressroom supervisor at The Times, said five formal ballots were taken during the 12 hours of the penalty deliberations, although oral votes were taken from time to time to see how the count stood.

Rundown on First Ballot

The first formal ballot, taken shortly after the jury retired Monday afternoon, showed five in favor of the death penalty, three favoring life imprisonment, and four undecided.

On Tuesday, the count became nine for death, one for life and two undecided. Another ballot that same day brought the tabulation to 10 for death, two for life.

By Wednesday, the count had changed to 10 for death, one for life, one undecided. The two holdouts, whom Stitzel declined to identify, were finally persuaded to go along with the majority.

"The main argument by those who wanted life imprisonment for Sirhan was that it would be a greater punishment," he disclosed.

Those who favored death, he said, pointed out that this is the ultimate

penalty under the law, and that the defendant deserved it for the crime he committed, the assassination of Sen. Robert F. Kennedy.

The first ballot during the guilt phase showed eight for first-degree murder, two for second-degree, and two undecided, said Stitzel. He couldn't recall how many other polls there were during the nearly 17 hours of those deliberations, but said the majority was always in favor of a first-degree verdict.

What did the jury feel was the most damaging evidence against Sirhan?

"As far as I was concerned, it was the notebooks," said Stitzel, referring to the writings of the defendant that "Kennedy must die."

What about the psychiatric evidence?

Stitzel said the jury felt Sirhan was mentally ill, but not to a degree that would affect the verdict.

"I think the jury took the testimony of the psychiatrists and psychologists into consideration fairly," he said.

See Contradictions

"But," he added, "the feeling was that they contradicted each other and even themselves from time to time."

Was the jury convinced that Sirhan had lied?

"I think they believed he told some lies," the juror replied.

Did his courtroom outbursts have any effect on the jury?

"No."

Stitzel said the overriding consideration in his mind was "the gravity of the crime, the murder of an individual."

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Politics No Factor

He indicated that the political stature of the victim was not a major factor during the deliberations. "The jury felt that Sirhan could just as well have shot the busboy, and that would also have been adequate for first degree," he said.

"Of course," he added, "this was obviously a political assassination, and you couldn't remove the element completely from your mind."

Stitzel revealed why, on the second day of the guilt deliberations, the jury returned to the courtroom to ask Superior Judge Herbert V. Walker to clarify his instructions on second-degree murder.

All that amounted to, he recalled, was that one of the sentences in the type-written instructions was either missing a comma or else had the word "has" instead of "his," thereby causing confusion when it was read. "We asked for clarification just to be absolutely sure," he said.

No Outbursts

Stitzel said there were no emotional outbursts during any of the deliberations—"after all, we had been living together for two months."

As were other jurors, he was startled when informed of a deal that had at one time been made between the defense and prosecution, a piece of information that the panel hadn't received.

The defense was willing to enter a plea of guilty to first-degree murder with the understanding that Sirhan would receive a life sentence, an arrangement to which the prosecution had agreed, feeling they might have a hard time convincing the jury that the defendant deserved to die for his crime.

Rejected by Judge

Judge Walker, however, rejected the bargain.

When Stitzel was asked what penalty he would have favored if he had known this, he replied: "I honestly don't know."

That was the same reaction of Bruce D. Elliott, a systems analyst and the jury foreman. "I'd have to give that some thought," he said.

Asked if he felt that the verdicts represented the jurors' wish to express the conscience and mood of the community, Elliott said no, the verdicts simply represented each juror's convictions.

Did the current issue of law and order represent any part of his thinking in coming to a decision? A little bit, he said, but not to a significant degree.

Cites Circumstances

Another juror, Gilbert Grace, a city Water and Power Department employee, said "the victim could have been anyone" and the verdict would have been the same. "It was just the circumstances of the crime," he said.

Benjamin Glick, retail clothier and the only Jew on the panel hearing the case of the Arab defendant, said he feels the verdict "expresses my opinion for American justice."

Albert N. Frederico, a plumber, made no secret of his feelings about the psychiatric testimony.

"All those psychiatrists—they really had us all stirred up," he said. "It was confusing. It stunk!"

When the jurors returned to the Biltmore after handing down this verdict, they were greeted

at the entrance by applause from some of the spectators assembled there.

Like a Party

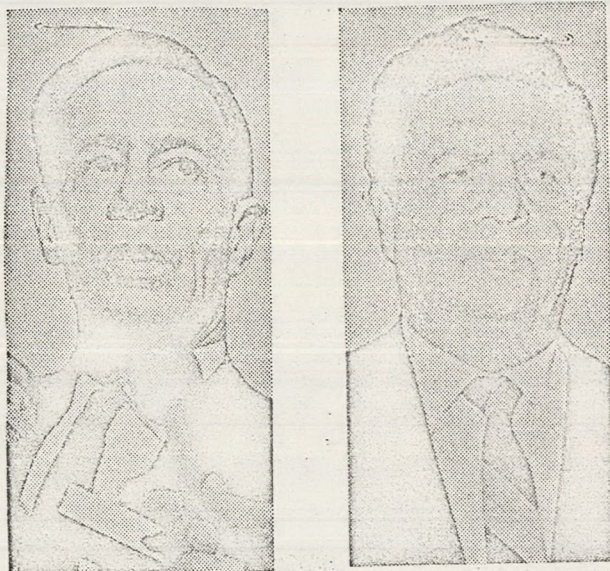
Once in their sixth-floor rooms, they sent for bag-lunches and said farewells in an atmosphere not unlike that of a party.

Laughter was heard in the corridor. Each juror had received a photo of the panel seated in the jury box, and many of them went from room to room getting their pictures autographed.

Judge Walker showed up and chatted with the group.

But as they departed the place that had been their home since mid-February, the mood of most of the jurors grew serious and reflective.

"We felt we should stand behind our laws," said Stitzel. "There seems to be a tendency in some areas not to do this."



JURORS — George Stitzel, left, said most of the Sirhan jury favored death penalty from the start and Gilbert Grace said the identity of the victim of the murder was not a factor in the deliberations.

(Mount Clipping in Space Below)

Sirhan Jury Influenced by Unrest, Cooper Says

Feelings of Entire Nation Reflected in Minds of Members, Defense Believes

BY LEE DYE

Times Staff Writer

Sirhan Bishara Sirhan's chief defense attorney Grant B. Cooper said Wednesday the jury that handed down the death sentence for the 25-year-old Jordanian was deciding issues far greater than the trial itself.

Cooper, obviously depressed over the verdict, told reporters after the trial that the jurors were influenced by student and civil unrest across the country and by the identity of the victim, a candidate for the office of the President of the United States.

He said several times during the press conference that he was not charging that the jurors had been unfair, but he said that "the underlying feeling of the entire United States (regarding unrest in the universities and civil disobedience) caused a backlash that has seeped into the minds of the jurors."

"The jurors are governed by the same emotions—love and hate—that you and I have, and they can't help but be affected by unrest," Cooper said.

Russell E. Parsons, Cooper's associate in the defense of Sirhan for the murder of Sen. Robert F. Kennedy, made several emotional statements prior to the same effect.

Trial Called Fair

"Things are bad in this country," Parsons said, in reference to the unrest and lawlessness, "and it's very difficult to get a fair trial."

Cooper then repeated his claim that no member of the defense team was saying Sirhan did not have a fair trial.

Cooper said the identity of Sirhan's victim greatly influenced the outcome of the trial.

"If the victim had not been Robert Kennedy, the court would have accepted the plea of second degree. I mean it. I believe it. With this type of situation and this type of evidence, it never would have gone this route.

Jurors 'Had a Job'

"A candidate for the President of the United States was assassinated," he said. "They (the jurors) had a job to do."

During the press conference, Cooper stood silently amid a throng of reporters while the prosecution answered questions. His glance traveled back and forth between the prosecutors and the reporters.

Finally, he stood quietly staring at the floor until the prosecution finished.

Then, in response to a question, summed up his feelings like this:

"Of course I am disappointed. I believed in our defense, and I believed he should not be executed. I feel very bad."

He said he was committed, because of the death verdict, to stay beside his client to the end.

"I've got to go forward," he said, "even if I have to spend money out of my own pocket."

Sirhan Not Upset

Both Cooper and Parsons said Sirhan did not seem upset when the verdict was read.

Sirhan was led into the courtroom at 11:32 a.m. He turned briefly to Parsons and said: "Let's hope for the best."

Cooper said that after the verdict, Sirhan told him not to be concerned.

"Even Jesus Christ couldn't have saved me," Sirhan told him.

The motion for a new trial will be heard on May 14. Cooper said he will base the motion on three points:

First—On the grounds that the court did not accept a plea of guilty with life imprisonment, as recommended by the district attorney and his deputies.

Second—The jury was not properly constituted.

Third—Sirhan's personal notebook, which was introduced over the de-

fense's objections, should not have been admitted as evidence. Cooper said the admission of the notebook was "a grave error of constitutional dimensions."

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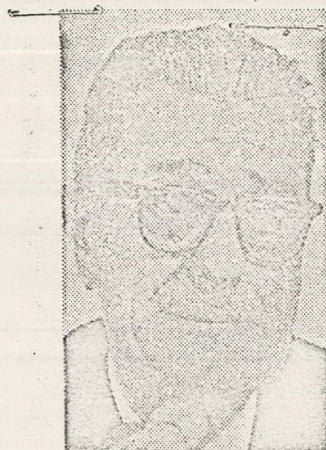
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NEAR TEARS — De-
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