

"I propose to discuss with you the law and to attempt to help you if I can with what the law is in this case and then to do my dead-level best to apply the law to this case. Not with the idea of turning Sirhan Sirhan loose...but to put it in proper...and intelligent perspective.

"Let me explain how your instructions will come...Both sides prepare their conception of what they think the law is. We submit them to his honor...his honor has the last word. He tells us what law he is going to give you so that when we argue the law to you we will state it truthfully.

"First, I think you should know what the presumption of innocence is. If after considering all the evidence you entertain reasonable doubt as to whether it should be first-degree or second-degree murder, I believe his honor will tell you that it is up to you under the law to give the defendant the benefit of reasonable doubt.

"If there is doubt in your mind as to whether it should be murder in the second degree or manslaughter, it would be your duty under the law to return a verdict of manslaughter, providing that you entertain reasonable doubt.

"A reasonable doubt is not mere possible doubt...It is...you the jury say that you cannot feel an abiding conviction to a moral certainty, a moral certainty is all that is required.

"You have been bombarded with the testimony of experts. An expert witness is a person who has special skill, knowledge or training...You

more --

should consider their background of experience and education and the credibility of the education. You are not bound to accept the testimony of any expert.

"On the real, only issue you have before you as to whether or not the defendant had diminished capacity, the only way that can be established is ~~by~~ circumstantial evidence. That is the guts of the whole case, the whole sole issue in this case.

"You are not permitted to find the defendant guilty...unless the proved circumstances are not only consistent with that the defendant is guilty of the crime...but cannot be reconciled with any other rational conclusion. If the evidence is susceptible to a reasonable interpretation, one of which points to the defendant's guilt and the other which points to his innocence, it is your duty to reject that which points to guilty and accept that which shows his innocence.

"Let's take motive. Can there be any question in anyone's mind but that his motive was political?

"~~When~~ we talk about crime, we talk about the elements of crime. Murder has the following elements: There must be the intent to kill. In first-degree murder, it must be willful, deliberate and premeditated and it must be the killing of a human being. Motive is not an element.

"Was it a mature motive; was it a meaningful motive?

"Let's take excerpts from things you have heard over and over again. To do away with the government and declare anarchy. Is that mature thinking? Is that meaningful thinking?

more --

"In his pronuncimento, he wrote: 'I advocate the overthrow of the current President of the United States of America. I have no definite plans yet, but will soon compose some.' Is that mature thinking? Is that meaningful thinking?

"All murder which is wilful, premeditated and deliberate with malice aforethought is murder in the first degree.

"You may assume...and from my point of view it would be illogical to suggest that this wasn't a wilful, deliberate and premeditated murder.

"But what I want to point out you have wilful, deliberate and premeditated killing in manslaughter...That is the law.

"Deliberate means formed or arrived at...weighed or considered for and against the proper course of action.

"The word 'premeditation' means thought over before-hand.

"The law doesn't undertake to measure premeditation of deliberation...the true test is not the time elapsed but the extent of the mature and meaningful reflection. The cold, calculated decision may be arrived at in a short time.

"Remember...the elements: To form specific intent to kill; premeditate and deliberate; reflect upon the gravity of the contemplated act.

"If you find that the defendant's mental capacity was diminished to the extent that you have a reasonable doubt whether he did meaningfully, wilfully premeditate and deliberate...you cannot find him guilty of murder

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in the first degree. The instruction goes on with respect to harboring malice.

"The next thing is malice aforethought. If there is malice aforethought, it is not manslaughter. It has got to be a decision between the two degrees of murder.

"One other instruction that we discussed at length when we examined you...that is the individual opinion of each juror. The people and the defendant are entitled to the individual opinion of each juror. Each one of you is supreme in determining the facts. Your powers are equal even above his honor, in a jury trial. You are the judge of the facts.

"The reason we have 12 jurors is so that we have 12 individual opinions. You must agree before the verdict can be reached.

"You have told us, you will recall...that you would not compromise just for the purpose of arriving at a verdict...just so you can get home earlier."

The same newspaper also published excerpts of comments made by Parsons, including remarks on the defendant's life and his family.

Some excerpts follow:

"If I may go back to Mrs. Sirhan and her son, she did the best she could with this boy.

"He was hurt out here at the race track. He loved horses. The frustrations mounted up until this fellow didn't know what he was doing.

more --

"Here we are with a perfect example of a man who is sick. In this field they hardly refer to persons as being 'insane' anymore. If you **ever** had a perfect case, you had it here. Here's a man who wants to stand up and fire the lawyers who are trying to help him.

"You have seen him. One moment he appears to be smart as a whip. The next he can't tell right from wrong.

"I would like this verdict to spell out in every hamlet, in every Arab desert and all over Europe, that a man can get justice in America. That is neither life imprisonment nor the death penalty, because this case doesn't warrant it. Not for this poor, sick wretch, no matter what he did.

"Let us make sure that throughout the world, that in every hamlet, the people know that in America you can get justice, whether it is in Mississippi or in Los Angeles.

"It is going to take a little courage to return a proper verdict in this case, a little courage to see that justice is done. But it can and must be done.

"It will go down in history."

The same newspaper also contained these excerpts from the summation by Berman:

"I want to talk to you specifically about a thing called trauma, Trauma is a blow or an insult -- trauma to one's personality, a blow to what makes a person become what he is.

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"I'm going to talk to you about the traumatic events upon Sirhan's personality. From a young boy to the 24-year old man -- what it was, step by step, that put him in the posture which created the tragedy that blighted our nation."

He then cited Sirhan's relations with his father and mother, the death of his sister, his flunking out of college, his accident at a horse ranch.

Concerning events at the Ambassador Hotel, Berman said, according to the newspaper:

"There were bars...and mirrors in the Venetian Room. That is pretty much of the nitty-gritty in this. There were mirrors everywhere he turned. Mirrors in his home, mirrors in the hotel.

"It was by mirrors that he induced self-hypnosis or -- what is that term the doctors use -- a dissociative state.

"We have no way of knowing over how long all of his drinking took place, but we do know that Sirhan began to feel his drinking and decided it was time for him to go home.

"He went to the car three blocks away and suddenly found he was too drunk to drive.

"He saw his gun in the back seat and picked it up. He returned to the Ambassador to get some coffee.

"All through the theme of the prosecution case is premeditation and planning. We have checked this every way we can.

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"One thing is that Sirhan was alone. There was no conspiracy here, no helpers here, nobody backing him up, no reward for money. This was his act alone.

"You must remember that when Sen. Kennedy was making his speech to his followers in the Embassy Room...he was to go to a large overflow crowd in the Ambassador ballroom on the floor below, and the route to be taken would never have taken the senator and his entourage through the pantry.

"At the last moment, somebody changed his mind. There could not be any possible knowledgeable waiting for the senator, where Sirhan could take a position where he would have a pot-shot at him.

"I take this up because it has to do with the inference that Sirhan was lying in wait...waiting for a crack at Kennedy. This does not and cannot fit the facts in this case.

"This freakishness changes the whole history of our country and possibly of the world."

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FRIDAY, APRIL 11 -- If the prosecution in the Sirhan case "get what they want" -- a verdict of first degree -- "the only remaining question will be one of penalty -- death or life imprisonment," according to Ron Einstoss, staff writer, in a Los Angeles newspaper (Times).

Continued the article:

"That decision would be made by the same jury in a separate penalty trial.

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"Both the prosecution and the defense at that time will have an opportunity to submit additional evidence and offer arguments.

"The prosecution's presentation would focus on any matters which tend to aggravate the crime.

"The defense, on the other hand, would seek to get before the jury anything which might mitigate --- or favor --- Sirhan's position.

"A major factor during the penalty proceedings may be the proposed arrangement early in the trial which would have permitted Sirhan to plead guilty to first-degree murder with life in prison.

"If Sirhan is convicted of murder in the first-degree, that might be the best weapon the defense has to save Sirhan's life.

"Because of this, defense attorneys Grant B. Cooper, Emile Zola Berman and Russell E. Parsons most likely will attempt to bring the matter to the attention of the jury, possibly by someone from the district attorney's office --- perhaps even Dist. Atty. Evelle J. Younger --- to testify about the plea bargaining.

"This could present an awkward situation to the prosecution and it already has led to reports that Chief Dep. Dist. Atty. Lynn D. Compton and Dep. Dist. Attys. John E. Howard and David N. Fitts will not 'demand' the death penalty.

"But the death penalty is seldom demanded anyway. Usually, in proper cases, juries are 'urged' to bring in such a verdict.

"The prosecution, however, may even find it difficult to go that far because it once was willing to settle for life.

"When Superior Judge Herbert V. Walker rejected the plea agreement, it opened the way for the jury to hear all the evidence in the case.

"And that jury may now decide without any urging from the prosecution, at least in so many words, that the only penalty for the heinous crime of assassinating a possible President of the United States is death.

"If the jury votes the death penalty, it could be reduced to life in prison by Judge Walker. But a verdict of life imprisonment is binding on the court.

"All sentences of death are automatically reviewed by the State Supreme Court."

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FRIDAY, APRIL 11 -- In court today, Chief Dep. Dist. Atty. Lynn D. Compton began the prosecution's final summation, and will continue on Monday.

He termed the case "highly overcomplicated" by psychiatric expertise and jolted the jury, composed of seven men and five women, when he raised this question, according to a story in a Los Angeles newspaper (Times):

"Did Robert F. Kennedy, a young, highly successful man at the peak of his career -- a former U.S. attorney general, a senator from New York and a candidate for the presidency of this country -- did he breathe his last breath on the dirty floor of the Ambassador Hotel, there with the mops and the dirty dishes, did he leave a widow with 11 children, because he favored U.S. support of the State of Israel or because he was a substitute father image in some Oedipus complex in Sirhan's mind?"

The newspaper related that the "defense has offered both theories as partial explanation of the Palestinian Arab's motive in killing Kennedy last June 5..."

Continued the newspaper:

"Compton, his voice disdainful as he waved toward a blackboard bearing the names of 10 'so-called experts' -- psychologists and psychiatrists called to testify for both sides -- said he had thought of erasing their names as he rose to speak, but then changed his mind.

"'I hope,' he added, ' that I can erase them all from your consideration.'

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"Compton said the psychiatric testimony had been so confusing and conflicting that 'I can be frank to admit right now as I stand here that I can't answer the question of what Sirhan's real motive was.'

"Referring to Dr. Bernard L. Diamond's testimony that Sirhan was in a dissociative state induced by the combination of intoxication, rage and a self-induced hypnotic trance from staring into hotel mirrors, Compton said, with thinly veiled contempt:

"'If you believe Dr. Diamond with his mirror act and believe Sirhan was in some kind of trance, so that he didn't know if he was on foot or horseback, then it would be inhuman to punish him for anything at all.

"'But if you don't buy it -- like I don't buy it, and like (deputy district attorneys) John Howard and David Fitts don't buy it -- then there's nothing left but plain, old cold-blooded first-degree murder.'

"Compton implied that the precise definition of 'mature and meaningful' premeditation that has been so much a part of the defense case is not a legitimate concern to the jurors because, he said, his office deals with about 35,000 felons each year, and in the premeditation behind all the 35,000 crimes, 'none of it reflects mature and meaningful judgment.'"

Compton's remarks were made after a four-hour summation by Grant B. Cooper, defense attorney, who urged the jury to find Sirhan guilty of second-degree murder and sentence him to life imprisonment.

Continued the newspaper:

"As he had on Thursday, Cooper stressed that the defense did not feel Sirhan 'should be given a medal for what he did' -- or, indeed, that

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he should 'ever be turned loose on society.'

"But, Cooper argued, the facts in the case and the applicable law make a first degree verdict inappropriate.

"Cooper said the defense also would not ask the jury to return a manslaughter verdict -- even though, he contended, the evidence could warrant it -- because he felt that such a request would simply not be discreet in this case.

"Cooper said the jury could accept the facts as stated by the prosecution, ignore the claims of hypnotic or dissociative trances, and accept the evidence of 'premeditation that goes back to at least May 18' -- three weeks before the killing -- and still would have to consider whether Sirhan's plans were mature or meaningful.

"Concluding his lengthy summation, Cooper told the jury, 'I'm the last one to speak on behalf of this defendant. When I sit down no voice will be raised again in his defense...We pass from our shoulders to yours the responsibility and the proper fate of Sirhan Sirhan.'"

Late this evening, according to another Los Angeles newspaper (Herald-Examiner), the "trial went into extraordinary session...in order to excuse" a juror whose father had died.

Ronald G. Evans was excused by Judge Herbert V. Walker "and the special trial session was held in an armor-enclosed auxiliary courtroom in the jail facility atop the Hall of Justice. Sirhan was present and no stranger to the room where the preliminaries to his soon-to-end murder trial took place.

"Evans, a telephone company switchboard installer, was not immediately replaced. Judge Walker said that a successor to the juror would be chosen when court convenes Monday morning.

"California law requires that a successor to a trial juror be chosen by the spin of the wheel.

"Evans was the second casualty in the Sirhan jury. The first was IBM computer programmer Lawrence K. Morgan, who was dismissed when he suffered a bleeding ulcer and had to be hospitalized."

Meanwhile, a young woman who killed herself early this week was identified today as a go-go dancer who figured briefly in the Kennedy assassination, police said.

She was Kathy Fulmer, 23, found semi-conscious Monday in a motel. She died of an overdose of Seconal a half-hour later.

Said a Los Angeles newspaper (Times):

"Miss Fulmer came forward when investigators were seeking a girl who wore a polka dot dress in the Ambassador the night the senator was shot. She wore a polka dot scarf and had been at the hotel.

"But, as the investigation developed, neither Miss Fulmer nor any of several young women wearing polka dot garments at the assassination scene had any bearing on the case.

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MEMORANDUM

TO: MEMBERS OF THE PRESS, RADIO AND TV

FROM: JERRY LITTMAN, News Secretary for the
Los Angeles County District Attorney's Office

SUBJECT: WEEKLY SUMMARY RE: KENNEDY ASSASSINATION

DATE: APRIL 18, 1969

As the Sirhan trial nears its conclusion, this is to inform you that the weekly summaries will soon be discontinued.

As you know, this office has prepared the summaries since early June, and we are now interested in how the media made use of the information.

Would you be kind enough to make some comments in the blank space below, indicating what use you have made of these summaries? Please mail your comments to: Jerry Littman, News Secretary, District Attorney, Room 620, Hall of Justice, Los Angeles, California 90012.

Thank you.

Your Name _____

Affiliation _____

Address _____

City _____ State _____ ZIP _____

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 23, 1969
After 10 a.m.

WEEKLY SUMMARY #46

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 46th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 14 -- Fifteen weeks to the day after the murder trial of Sirhan B. Sirhan began, the case went to the jury, after Superior Judge Herbert V. Walker gave one hour of instruction in the law.

The jurist told the seven-man, five woman jury they have four possible verdicts:

Guilty of first-degree murder, guilty of second-degree murder, guilty of voluntary manslaughter or acquittal.

Jurors elected a foreman, then deliberated in a Hall of Justice room for about an hour, and returned to their hotel. They will deliberate from about 8 a.m. to 4 p.m. daily, "adhering to the shortened court day Judge Walker has been observing because of the need for heavy security whenever the courtroom is open," reported a Los Angeles newspaper (Times).

Continued the newspaper:

"The trial reached its end Monday morning with Chief Dep. Dist. Atty. Lynn D. Compton urging the jury to scrap all psychiatric

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testimony -- 'throw 'em all out in one big bag' -- and decide Sirhan's fate with 'plain common sense and good logic.'

"Compton told the jury it was Charles Dickens who once wrote, 'The law is an ass.' Compton added, 'I think the law became an ass the day it let the psychiatrists get their hands on the law.'

"He scoffed at defense contentions that Sirhan was a paranoid schizophrenic who suffered dissociative trances. Sirhan, said Compton, was simply 'cunning and vicious.'

"Sirhan, who chewed persistently on a hangnail and listened quietly as Compton spoke, fared better in Compton's summation than did the psychiatric profession.

"Compton ridiculed point after point, doctor after doctor, and the lengthy expert testimony which painted Sirhan as too sick mentally to meaningfully premeditate the killing.

"Referring disdainfully to two batteries of psychological tests given to Sirhan, Compton said:

"'I say reject the tests, put 'em out, because it would be a frightening thing if the decision in a case of this magnitude turned on whether Sirhan saw a couple of clowns playing patty cake in an inkblot, or kicking each other in the shins.'"

"If expert testimony could always be believed, Compton told the jury, then cases could be judged without juries at all.

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"Compton told the jurors he regarded them all as 'average people' and urged them not to overcomplicate their decision because of the formality of the 3½ month-long trial.

"Compton said he, like the defense, wants 'the world to know that justice is possible in this country,' and added: 'The verdict you return -- which we urge should be first-degree murder -- will be just as just as any other verdict.'

"Such a verdict carries only two possible penalties -- death in the gas chamber or life imprisonment. Compton didn't specify a preference for either.

"Compton said the only issue for the jurors to decide was whether Sirhan's defense of diminished capacity to maturely and meaningfully premeditate and carry out his act is a valid one.

"Judge Walker opened the morning session by instructing; the jury to disregard Compton's previous statements about diminished capacity on Friday.

"Judge Walker told the jurors that it is 'a doctrine that is being developed' and applies to crimes where specific intent to murder is proven. Compton had referred to diminished capacity in connection with crimes that Judge Walker said were unrelated to this.

"Compton said Sirhan himself, in 'fencing' on the stand with his cross-examiners, provided the clearest evidence that he didn't suffer from diminished mental capacity, but rather showed unusual alertness.

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"Citing psychiatric testimony that Sirhan's mental illness was one that was causing rapid deterioration from its beginnings until now, Compton virtually snorted:

"'If he was a vegetable on June 5, he should have been a gibbering idiot by the time you saw him on the witness stand.'

"But he was no such thing," Compton said.

"Compton said psychiatrists and psychologists 'don't belong here in the courtroom on the issue of guilt or innocence' and added, 'They can't tell you from showing Sirhan a lot of pictures and inkblots in November, or whenever it was, the kind of mind he had on June 5.

"He likened the psychiatric defense to 'sort of a double-play combination -- Sirhan to Schorr to Diamond' and said this combination 'always throws to first base.

"He dismissed (clinical psychologist Martin M.) Schorr perfunctorily, saying 'He gets all hung up on family relationships and father images.' He reserved special contempt for the performance of (UC Berkeley psychiatrist Dr. Bernard) Diamond.

"Compton said a prosecution psychiatrist based his opinions on the testimony of witnesses, but 'the ubiquitous Dr. Diamond, the walking lie-detector, the handwriting expert, the gun expert, the psychologist and psychiatrist,' implied that all other witnesses either knew nothing or were lying 'until (he) Dr. Diamond, descended on the scene.

"'He did it with mirrors,' Compton said of Diamond's testimony that Sirhan had experimented with self-hypnosis with mirrors and inadver-

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tently put himself into a trance before mirrors at the Ambassador Hotel last June 4, 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 Kennedy 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, Ladies and gentlemen, we ask you: Don't put a premium on hate.'"

Juror Robert G. Evans was replaced today because of the death of his father. The replacement was George A. Stitzel, a pressroom foreman for the Times.

* * *

TUESDAY, APRIL 15 -- The seven-man, five-woman Sirhan jury began the second day of their deliberations today at 8:17 a.m. and worked

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on the case until shortly before 4 p.m., when they were bused back to their heavily-guarded quarters in a Los Angeles hotel (Biltmore).

Reported a Los Angeles newspaper (Herald-Examiner):

"The jurors have the exhibits in the case with them in their ninth-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.

"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."

Meanwhile, another Los Angeles newspaper (Times) published details of a system "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 deliberations. Two buzzes would indicate that the jury wished to be brought into the courtroom to have portions of testimony read."

Continued the newspaper:

"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."

The Herald-Examiner said that Sirhan is awaiting "the verdict in his isolated cell on the 13th floor of the Hall of Justice. He has with him a Bible and four books on Arab politics, his attorney, Russell E. Parsons, said."

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WEDNESDAY, APRIL 16 -- At the request of the jury in the Sirhan case, Superior Judge Herbert V. Walker today clarified his instructions on second-degree murder.

According to a Los Angeles newspaper (Times), this is what the jurist told the jury assembled in the courtroom:

"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 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 deliberately 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 wilful, 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."

The newspaper reported that the jury listened for about five minutes, nodded that they understood and resumed deliberations until about 4 p.m.

Continued the newspaper:

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

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"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 five years to life in prison, with the exact term

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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."

THURSDAY, APRIL 17 -- A Los Angeles newspaper (Herald-Examiner) reported today, quoting Russell E. Parsons, one of Sirhan's attorneys, that the defendant "expected to be traded by this ~~government~~ for concessions in the Middle East if he is convicted."

Continued the article:

"Parsons said 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 met 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.'

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"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."

THURSDAY, APRIL 17 -- Sirhan Bishara Sirhan was convicted by a seven-man, five-woman jury today of first-degree murder in the killing of Sen. Robert F. Kennedy last June 5.

The jury signalled its arrival at a verdict at 10:47 a.m., 16 hours and 42 minutes after it began deliberations on Monday.

One Los Angeles newspaper. (Herald-Examiner) reported the status of the case as it stands today as follows:

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

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

"It will be up to Judge Walker to fix penalties for Sirhan's conviction 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.

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"Appeals may see changes in the defense staff. Defense lawyer Russell E. Parsons is an appeals specialist.. But defense lawyer Grant B. Cooper, who said he has worked without fee throughout the trial, is not 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."

Reported another Los Angeles newspaper (Times):

"The tiny Palesinian Arab defendant showed no visible reaction as the verdict was read. He sat forward in his chair, elbows on the counsel table, and stared soberly ahead as he heard the verdict.

"For wounding five other persons in the fusilade of shots that killed Kennedy last June, Sirhan was found guilty on five counts of assault with a deadly weapon with intent to commit murder. Each conviction carries a sentence of one to 14 years."

The jury entered the courtroom at 11:09 a.m. and Judge Walker asked, "Ladies and gentlemen of the jury, you have a verdict?"

Continued the newspaper:

"'We have, your honor,' the foreman murmured.

"Foreman Bruce D. Elliott handed the verdicts to Bailiff Willard Polhemus, who passed them to Judge Walker, "who scanned the six verdicts and passed them to Alice Nishikawa, who read them aloud."

Members of Sirhan's family were not present for the verdict, although they were in court every day of the 15-week trial. A brother, Adel, 30, told the Times: "I don't think we should show up down there now, do you?"

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Added the newspaper:

"After the verdict, Adel, his mother, Mary, and brother, Munir, wept as they heard the verdict over their television set in their small Pasadena home.

"After Mrs. Nishikawa finished reading each verdict, she asked the jurors: 'Is this your verdict, ladies and gentlemen of the jury? So say you one, so say you all?'

"Murmured assent was unanimous for all six verdicts.

"Defense attorney Cooper requested that the jury be polled on the first count -- the murder conviction -- and as each juror's name was called, the answer was a firm, 'Yes.'

"Judge Walker then recessed the trial until Monday for the penalty phase...

"Cooper, who spoke with Sirhan in a small holding tank moments after adjournment, said 'his reaction was one of disappointment.' Cooper would not repeat what Sirhan said, but added that disappointment was evident 'by the expression on his face.'

"Cooper, asked his own reaction, told reporters in a news conference later, 'Naturally, one is disappointed.' But he added:

"'I'm not going to quarrel with this jury. They had the case fully and fairly presented to them and I'm not going to quarrel, even though I might disagree with their verdict.'

"Cooper disclosed that he had already made a motion to impanel a new jury for the penalty phase, but that Judge Walker in a brief conference at the bench, had denied it.

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"Asked what testimony he would present in the penalty phase to show Sirhan's life should be spared, Cooper said he didn't want to telegraph his punches. But earlier he indicated he would attempt to call Dist. Atty. Evelle J. Younger, Chief Dep. Dist. Atty. Lynn D. Compton and Dep. Dist. Attys. John E. Howard and David N. Fitts to the witness stand to confirm that the prosecution once was willing to accept a plea of guilty with the understanding that Sirhan get life imprisonment.

"Cooper later asked Judge Walker, in a brief proceeding Thursday afternoon, to be allowed to call the prosecution to the stand. The judge denied the motion.

"The jury has never heard of the agreement. If Judge Walker had permitted Cooper to introduce it, some sources felt it would have been a strong factor in swaying the jury toward a life sentence.

"Howard, who will argue for the prosecution in the penalty phase, said he intends to gear his argument to Sirhan's 'lack of remorse and to the effect of political assassination on the democratic process.'

"Sirhan testified from the witness stand that he hated Kennedy because, in his campaign for the Democratic nomination for the U.S. Presidency, he had advocated sending 50 Phantom jet bombers to aid Israel in its conflict with Arab nations.

"Sirhan also testified, 'I'm not particularly proud, but I'm not sorry either,' about the death of Kennedy.

"Asked about the earlier agreement to accept Sirhan's plea of guilty, Compton acknowledged that the bargain struck last February 'imposes

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on us the obligation not to assert that the death penalty is an absolute must.'

"Both defense and prosecution have said that the penalty phase will probably be brief -- possibly only a few hours, or a day or two at the most."

The newspaper also related that "irritation at the ensuing length and expense of the trial has been widespread" and that County Supervisor Kenneth Hahn says it has now cost taxpayers more than \$1 million, although that figure is disputed.

"The general public, too, has expressed anger at the slow, deliberate trying of a defendant whose slaying of Kennedy is beyond question, even admitted."

The same newspaper pointed out that Judge Walker didn't want "unresolved mysteries" similar to what occurred after the assassination of President John F. Kennedy, and he, therefore, "ordered all the facts laid before the public in a long-fought trial."

Added the newspaper:

"The defense has revolved on the contention that Sirhan is both guilty and sick. This is the defense of diminished capacity -- a legal doctrine available to the defense only in California.

"It is a doctrine that is still being resolved since its first application in 1949. In brief, it holds that a person may be found guilty of first-degree murder and yet be unable because of mental illness, rage, fear, obsession or intoxication, to maturely, and meaningfully premeditate, deliberate and hold malice aforethought.

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"Whether Sirhan's case fit anywhere onto this still indeterminate scale of responsibility was a subtle matter of degree for 12 jurors to calculate and agree upon unanimously."

The newspaper also claimed that "four other persons" besides the family "suffered in varying degrees...These were two psychologists and two psychiatrists who absorbed a good deal of hard cross-examination."

As for Sirhan's fate, the Times noted:

"Whatever penalty the jury decides for Sirhan Bishara Sirhan it could be months or even years before his future is really certain.

"If they (the jury) decree death, Superior Judge Walker could, on his own authority, commute the sentence to life imprisonment.

"Barring that, appeal of a death sentence is automatic anyway, under California law.

"Defense attorney Cooper estimated Thursday, after the verdict of first-degree murder in the death of Robert F. Kennedy, that it would be at least one year before Sirhan's appeal -- if there is one -- would be resolved.

"He said he planned to file a notice of appeal on the verdict, but indicated he did not know whether he would press an appeal immediately.

"'Partly,' he added, 'it depends on whether someone comes up with some money to conduct a defense.' Cooper has defended Sirhan thus far without fee."

Concerning formal sentencing by the judge, the newspaper indicated this is "expected to be held about three weeks after the jury

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returns a verdict in the penalty phase."

Following the verdict, a press conference was held and Compton related, according to the Times, that "the circumstances of the murder and the conduct of Sirhan B. Sirhan were the major contributing factors in his conviction."

Flanked by his two fellow prosecutors, Compton termed the jury's decision "appropriate" and said it "expressed the will of the community."

Continued the newspaper's account:

"Asked the penalty the prosecution will seek at that phase of the trial, Compton said:

"'I don't think it appropriate for me to express what we think would be the appropriate penalty.'

"He explained that 'this is a unique case without precedent' and that it should be left to a jury to decide what should be the 'appropriate penalty.'

"...he made it plain that Howard, who will deliver the prosecution's argument to the jury, will emphasize those facts which point to one punishment -- presumably the death penalty.

"Howard, who has been assigned to the case since moments after the shooting, and who has lost 35 pounds since the trial began in January, said the thrust of his summation will be that the killing of Sen. Robert F. Kennedy was a 'political assassination' and that the jury must decide what should be the proper punishment for such an act.

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"He hinted that he will hammer home to the jury what he described as Sirhan's lack of remorse.

"He intends to remind the panel that while the electorate went to the polls last June 5, Sirhan went to a pistol range. To be fair, Howard said, he will say all he can in Sirhan's favor, but, he added, 'that will be very little.'

"Fitts, who carried the brunt of the prosecution's presentation in court, remained silent during the press conference, but he said later that he was 'relieved' when he heard the verdict.

"Compton who had asked the jury to disregard the trial testimony of psychiatrists, said he did not think the verdict necessarily was a repudiation of such testimony in general.

"Rather, he said, in this case the jury 'did not accept the diagnosis of the psychiatrists.'

"Compton commended both Fitts and Howard saying 'this whole community owes a debt of gratitude to them for the work they performed on this case.'

"He also complimented the three defense attorneys, for their behavior during the trial.

"Compton, Howard and Fitts have all been through death penalty trials before, Compton having obtained seven death verdicts, Fitts four and Howard, who has spent much of his career as a prosecutor handling major fraud cases, one.

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"However, with all their experience, there has never been a Sirhan case -- a political assassination which in itself, as Howard said, affects 'our democratic processes.'"

Meanwhile, Cooper expressed disappointment at the verdict, and Parsons said, "I feel very bad about it. We have a sick man and the psychiatric evidence was overwhelming."

The third defense attorney, Emile Zola Berman, said in New York: "I just regret that the sciences of psychology and psychiatry are held in such low esteem."

Reported the Times:

"Asked if Sirhan fully realized the import of the outcome, Cooper answered: 'Of course.'"

"When asked if there had been judicial errors during the lengthy proceedings, he (Cooper) replied that he felt so."

"Cooper mentioned a matter that will come before the Court of Appeals on Friday, "that of Lincoln High School teacher Sal Castro and 12 other defendants, accused of felony conspiracy for their roles in student walkouts last year."

"If the court upholds the defense position that the Grand Jury was improperly constituted -- favoring certain segments of the population -- then the Sirhan case would have to be retried, Cooper said."

(Sirhan was indicted by the 23-member Los Angeles County Grand Jury several days after the shooting).

"In response to a question, the attorney said Sirhan has not indicated that he wants any change of lawyers."

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"Cooper said he had no regrets about the course pursued by the defense.

"'I don't know of any other way we could have tried it,' he stated. 'We did the best we could and we lost. That's all.' "

Meanwhile, a Los Angeles newspaper (Herald-Examiner) published a United Press International story from Jerusalem quoting Sirhan's father that he (the father) "was even more adamant than ever that his son had 'committed an act of political courage and even of necessity' in the shooting.

Continued the UPI story:

"Something had to be done 'to bring to the attention of the United States people the wrongness of America's support of 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 Arabs 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 a 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.' "

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 30,
1969 After 10 a.m.

WEEKLY SUMMARY #47

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 47th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 21 -- Jurors in the Sirhan B. Sirhan case deliberated for two hours and 25 minutes today, without reaching a decision on whether the accused assassin of Sen. Robert F. Kennedy should face death in the gas chamber or life imprisonment.

Arguments and legal advice concluded at 11:49 a.m. today, after the jurors heard from Dep. Dist. Atty. John E. Howard, defense lawyers Grant B. Cooper and Russell B. Parsons and the defendant's mother, Mrs. Mary Sirhan.

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."

Reported a Los Angeles newspaper (Times):

"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

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'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.'

"Howard, in a brief argument, told the jury:

"'Mitigation of political assassination to any degree 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.

"'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.'

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"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 Americans 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 Kennedy.'"

The same newspaper (Times) reported as follows on remarks made by Cooper, Parsons and Mrs. Sirhan:

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

"In a quiet, final plea for mercy for Kennedy's murderer, Cooper read from Kennedy's own statement of April 5 -- one day after (Martin Luther) 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...'

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"'...We must recognize that this short life can neither be enobled 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 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 court, 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 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?'

"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.'

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"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.

"To execute Sirhan cannot bring Kennedy back, Cooper said, but to sentence Sirhan to life in the California Medical Facility at Vacaville would enable 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.

"Copper'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.

"'This man is sick,' said Parsons, 'and I don't believe we've got 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.'"

Reported another Los Angeles newspaper (Herald-Examiner):

"The jurors asked for nothing -- nor did they seek any further advice from (Superior) Judge Herbert V. Walker, presiding, over the trial, during their afternoon session.

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"At 3:50 p.m., Sheriff's Inspector William Conroy told waiting newsmen the jurors were retiring for the night.

"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, 1968, Ambassador Hotel shooting of Sen. Kennedy.

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

"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 awaits his fate in the isolation cell on the Hall of Justice's 13th floor, where he has been confined for the past 10 months.

"He sat there... clad only in underwear staring at the barred door of his cell and the armor plate which covers its windows. He had no visitors and spoke only briefly to the squad of sheriff's deputies who keep him under constant surveillance.

"His only relative in the heavily-guarded courtroom was his brother, Adel. Another brother, Munir, had taken his mother, Mrs. Mary Sirhan, home.

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TUESDAY, APRIL 22 -- The jury in the Sirhan B. Sirhan murder trial deliberated for two and one-half hours today and then returned to their quarters in a Los Angeles hotel.

They have deliberated on the penalty for Sirhan, the accused assassin of Sen. Robert F. Kennedy, a total of eight hours and 44 minutes today and yesterday.

Reported a Los Angeles newspaper (Herald-Examiner):

"Court attaches pooh-poohed speculation" late today "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 Biltmore Hotel where they are quartered."

"Grant B. 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 30-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:

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"I have run out of patience."

The same newspaper said, "It is believed they (the jurors) 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 (Herbert V.) 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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WEDNESDAY, APRIL 23 -- Sirhan Bishara Sirhan was sentenced today to death in the gas chamber for the murder of Sen. Robert F. Kennedy.

The jury, composed of seven men and five women, signaled it had reached a verdict at 11:04 a.m., after 12 hours deliberation since the penalty phase began at noon Monday.

Reported a Los Angeles newspaper (Times):

"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," according to Dave Simth, staff writer for the newspaper.

Meanwhile, the same newspaper reported that "the final life-or-death decision concerning" Sirhan "may be made by Gov. Reagan, who has the power either to commute the death penalty to life in prison, or to grant an outright pardon.

"The governor, who has publicly expressed the view that the death penalty is a deterrent to crime, has used this power only once since taking office.

"He commuted the sentence of condemned slayer Calvin Thompson on grounds that psychiatrists said the prisoner was a mental defective.

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"Two months earlier, on April 2, 1967, he refused clemency for Aaron Mitchell, who was executed for the murder of a Sacramento policeman.

"Mitchell was the last man executed in California. There are 81 men now on San Quentin's death row and 500 are awaiting execution in the nation.

The jury entered the courtroom of Superior Judge Herbert V. Walker at 11:34 a.m. today and the judge asked, "Ladies and gentlemen of the jury, you have a verdict?"

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

Reported Smith in the newspaper:

"He (Elliott) 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 guilty of murder in the first-degree as charged...now fix the penalty as death."

"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 cigaret and smiling boyishly at co-defense counsel Russell E. Parsons.

"Others were more visibly affected by the verdict.

"Cooper, 66, who 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."

Another Los Angeles newspaper (Herald-Examiner) related that Cooper "would seek the new trial on the basis of errors he claims the judge made during the lengthy trial."

Wrote John Douglas, staff writer:

"Two of these, the grizzled defense lawyer said, were:

"The judge's refusal to dismiss the indictment against Sirhan after Cooper charged that the Grand Jury which returned it was unrepresentative.

"Walker's denial of defense attempts to let the jury know that Dist. Atty. Evelle J. Younger had once agreed to let the young Arab plead

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guilty to first-degree murder in consideration of a guaranteed life sentence.

"This will be the first of a long series of moves on Sirhan's behalf. There is also every indication that Cooper and his associate, Russell E. Parsons, will carry the case to the U.S. Supreme Court.

"Appeal time could easily run several years and be further lengthened by stays of execution.

"Judge Walker also has the power to reduce the jury's verdict to life imprisonment. This is considered unlikely. Walker has handled 19 death penalty cases in his more than 16 years on the bench. In only one of these cases has he reduced the verdict."

After the verdict was returned, both the prosecution and defense held press conferences.

Coverage of the prosecution conference in the Los Angeles Times by Ron Einstoss, staff writer, included the following:

"Sirhan B. Sirhan's own conduct during his trial, as much as the enormity of the 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 indictment whether anything at the trial might have given him reason to believe a death penalty verdict would be returned, Compton said:

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"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 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. Fitts, 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 Fitts, "it (the testimony)" was not as worthy of respect as I might have anticipated when the trial began."

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

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"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.'"

At the press conference held by the defense, and reported in the Los Angeles Times by Lee Dye, staff writer, Cooper said the jury was deciding issues far greater than the trial itself.

He said that jurors were influenced by student and civil unrest across the country and by the identity of the victim.

Continued Dye:

"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 much to the same effect.

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"'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 that Sirhan did not have a fair trial.

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

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

One juror, George Stitzel, told reporters, "As long as we have capital punishment what other crime would justify it if this didn't".

"That seemed to be the general feeling Wednesday of the seven-man, five-woman jury who decided the fate of Sirhan B. Sirhan," reported David Larsen, staff writer, in a Los Angeles newspaper (Times).

He continued:

"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.

"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.

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

"'As far as I was concerned, it was the notebook,' 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.

"Was the jury convinced that Sirhan had lied?

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

"Did his courtroom outbursts have any effect?

"'No.'

"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.

"Judge Walker, however, rejected the bargain.

"When Stitzel was asked what penalty he would have favored

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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 foreman of the jury.

"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.'"

In conclusions, Stitzel told reporters:

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

In addition to the slaying of the senator, Sirhan was charged with assault with a deadly weapon to commit murder on five others.

Ira Goldstein, 20, said, "Death is too good for him. It would be better for him to stay in jail for good and know why he's there."

William Weisel, 31, said, "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."

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