

Department of Justice

FROM OR ADDED TO THIS FILE

FEDERAL BUREAU OF INVESTIGATION

FBI - CENTRAL RECORDS CENTER

HQ - HEADQUARTERS

Class / Case #	Sub	Vol.	Serial #
0062 587		42	1176 1198

5/11/631574

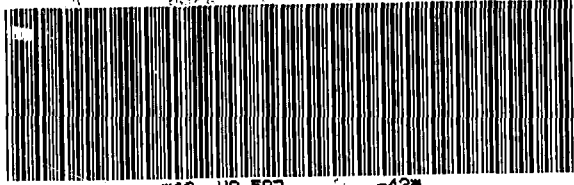


RRP0034PFW

62-HQ-587

SECTION 42

SERIALS 1176-1198



62-HQ-587

-42*

INVESTIGATION

SECTION 42
SERIALS 1176-1198

DO NOT DESTROY

FOIPA # 14429160-002

DECLASSIFICATION AUTHORITY FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 5/18/25
FBI INFORMATION ONLY

USE CARE IN HANDLING THIS FILE

Transfer-Call 3421

COPIED FOR FOIPA

SERIAL

All Phil Melanson 255315 ¹²¹67/89 10

SAC, Los Angeles

(56-156)

April 16, 1969

Director, FBI

(62-587)

1 - Mr. Schutz

KENSALT

Re Legat, Bonn letter dated 3-5-69 and your routing slip dated April 7, 1969.

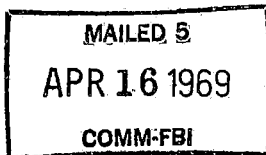
Reference is made to Bureau letter to Legat, Bonn dated 12-13-69, a copy of which was transmitted to the Los Angeles Office. This communication dealt with a letter postmarked 11-30-68, Lagenfeld, Germany, signed Prof. D. Sc. and Ph. D. A copy of the translation is attached.

Referenced communication of 3-5-69 and the enclosure thereto, copy of which was forwarded the Los Angeles Office, pertains to results of investigation by the West German Federal Criminal Police in connection with the aforementioned communication.

Enclosure

HAS:ms
(4)

ENCLOSURE



REC-5

62-587-1176

17 APR 18 1969

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

343

70 APR 23 1969

TELETYPE UNIT

Date April 7, 1969

To:

☒ Director (RM)

Re: FILE

62-587

Att.: _____

Title Mensa It

☐ SAC _____

☐ ASAC _____

002A

☐ Supv. _____

☐ Agent _____

☐ SE _____

☐ IC _____

RE: 0-7 transmitting

☐ CC _____

Legat Bonn Let 3/5/69

☐ Steno _____

☐ Clerk _____

☐ Rotor #: _____

ACTION DESIRED

☐ Acknowledge

☐ Open Case

☐ Assign _____ Reassign _____

☐ Prepare lead cards

☐ Bring file

☐ Prepare tickler

☐ Call me

☐ Return assignment card

☐ Correct

☐ Return file

☐ Deadline _____

☐ Search and return

☐ Deadline passed

☐ See me

☐ Delinquent

☐ Serial # _____

☐ Discontinue

☐ Post ☐ Recharge ☐ Return

☐ Expedite

☐ Send to _____

☐ File

☐ Submit new charge out

☐ For information

☐ Submit report by _____

☐ Handle

☐ Type

☐ Initial & return

☐ Leads need attention

☐ Return with explanation or notation as to action taken.

1. LA has no record of Dietmar Mathews

2. IS there any previous correspondence we should be aware of?

3. Please advise

SAC

J. J. G.

See reverse side

225 RELEASE UNDER E.O. 14176

Los Angeles

WPC

#1

62-5487-1176
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TO : Mr. DeLoach

DATE: April 17, 1969

FROM : A. Rosen

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. Shroder
1 - Mr. Schutz
1 - Mr. Sullivan
1 - Mr. Bishop

SUBJECT: ASSASSINATION OF THE LATE
SENATOR ROBERT F. KENNEDY
LOS ANGELES, CALIFORNIA

A Los Angeles jury of 7 men and 5 women found Sirhan Bishara Sirhan guilty of murder in the first degree in connection with the June 5, 1968, assassination of Senator Robert F. Kennedy.

After deliberating 16 hours and 42 minutes, the jury returned the verdict which can carry a death penalty at 10:49 Pacific Standard Time this morning.

A separate trial date will be set by the Presiding Judge in order to determine whether the penalty will be death or life imprisonment.

ACTION:

For information.

HAS:emf
(7)

REC-103

62-587-1177

ADDENDUM: The penalty trial will begin at 9:30 a.m., Monday, April 21, 1969.

18 APR 21 1969

ENCLOSURE

56 APR 25 1969

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

UPI-106

UPI-106
(SIRHAN)

LOS ANGELES--SIRHAN B. SIRHAN WAS FOUND GUILTY TODAY OF FIRST DEGREE
MURDER FOR THE ASSASSINATION OF SEN. ROBERT F. KENNEDY. THE JURY
NOW MUST DECIDE ON PUNISHMENT--LIFE OR DEATH.

4/17--EG318PES

62-587-1177

ENCLOSURE

WASHINGTON CAPITAL NEWS SERVICE
2025 RELEASE UNDER E.O. 14176

NO
11:15 AM
4/21/69
H

VIA TELETYPE
APR 21 1969
ENCIPHERED

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

WASHDC---7---

730PM DEFERRED 4-21-69 RJM
TO DIRECTOR (62-587) (PLAINTEXT)
FROM LOS ANGELES (56-156) (2P)

KENSALT.

Sho...
S...
K

REMYTEL APRIL SEVENTEEN LAST.

ACTIVITIES IN TRIAL OF SIRHAN B. SIRHAN CONTINUED TODAY.
DEPUTY LOS ANGELES COUNTY DISTRICT ATTORNEY JOHN HOWARD
PRESENTED ARGUMENTS TO JURY IN BEHALF OF PROSECUTION WITH
RESPECT TO PENALTY PHASE OF THIS TRIAL. IN PRESENTATION
HOWARD REMINDED JURY THEY FOUND SIRHAN "GUILTY OF WILLFUL
DELIBERATE MURDER" AND FURTHER CHARACTERIZED HIS ACT AS A
"POLITICAL ASSASSINATION". WHILE PROSECUTION DID NOT
SPECIFICALLY DEMAND DEATH PENALTY HOWARD ADVISED JURY THAT
LIFE SENTENCE WOULD PERMIT SIRHAN TO CONSIDER HIS ACTIONS
A FURTHER TRIUMPH.

62-587-1178

REC-19

EX 106

4 APR 22 1969

DEFENSE ATTORNEYS RUSSELL PARSONS AND GRANT COOPER THEN ADDRESSED
JURY BOTH PLEADING FOR VERDICT OF SECOND DEGREE MURDER.
JURY RECEIVED INSTRUCTIONS FROM PRESIDING JUDGE HERBERT

6-Hal

APR 29 1969

CC - Sch...
2025 RELEASE UNDER E.O. 14176

LA 56-156

PAGE TWO

V. WALKER AT ELEVEN FIFTY A.M. TODAY AND RETIRED TO
DELIBERATE. AT FOUR P.M. UNABLE TO REACH VERDICT AND
FURTHER PROCEEDINGS RECESSED UNTIL NINE THIRTY A.M. APRIL
TWENTY SECOND NEXT.

LOS ANGELES WILL KEEP BUREAU ADVISED.

END

WA...JDR

FBI WASH DC

F B I

Date: 4/21/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (62-587)
FROM: SAC, LOS ANGELES (56-156) (P)
RE: KENSALT

Re Los Angeles airtel to Bureau dated 3/25/69.

RE: WEEKLY NEWS RELEASE FROM
LOS ANGELES COUNTY DISTRICT
ATTORNEY'S OFFICE

Attached herewith are two copies of a one page weekly summary of information prepared for the benefit of the news media by the Los Angeles County District Attorney's Office. This release is dated 4/9/69 and is being furnished for the information of the Bureau.

Also enclosed are two copies of a twenty-nine page weekly summary of information dated 4/16/69.

REC-19

EX 106

5 APR 23 1969

ENCLO. BEHIND FILE

2 Bureau (Encs. 4) ENCLOSURE
1 - Los Angeles
AOR/bje
(3)

Approved: Wesley G. Grippes Sent _____ M Per _____

79 APR 28 1969

Special Agent in Charge

RA
51
4-23-69

VIA TELETYPE
APR 22 1969
ENCIPHERED

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

WASHDC---7---

830PM DEFERRED 4-22-69 RJM

TO DIRECTOR (62-587) (PLAINTEXT)

FROM LOS ANGELES (56-156) (1P)

KENSALT, OO--LOS ANGELES.

shr
Sc

RE MY TEL APRIL TWENTY-ONE LAST.

JURY FAILED TO REACH VERDICT RE LIFE IMPRISONMENT OR
DEATH BY END OF COURT SESSION THIS DATE. JURY WILL RE-
CONVENE AT EIGHT A.M. APRIL TWENTY-THIRD NEXT TO FURTHER
CONSIDER VERDICT.

PENDING.

END

LRC FBI WASH DC

REC 22 62-587-1180

3 APR 23 1969

K
6-11-69

cc-Shuty

55 APR 28 1969

VIA TELETYPE

APR 17 1969

ENCIPHERED

Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

10
WASHDC--2--

1219PM URGENT 4-17-69 SLA

TO DIRECTOR (62-587) PLAINTEXT

FROM LOS ANGELES (56-156) (P) 1P

ASSASSINATION OF Robert F. KENNEDY
DENSALT. OO LOS ANGELES.

REMYTEL APRIL SIXTEEN LAST.

JURY AT TEN FORTY SEVEN AM TODAY RETURNED VERDICT ON
COUNT ONE OF GUILTY OF MURDER IN FIRST DEGREE. ON REMAINDER
OF FIVE COUNTS ^SSIRHAN FOUND GUILTY OF ASSAULT WITH DANGEROUS
WEAPON WITH INTENT TO COMMIT MURDER.

PENALTY TRIAL TO DETERMINE POSSIBLE DEATH SENTENCE WILL
BEGIN MONDAY APRIL TWENTY ONE NEXT.

62-587-1181

~~62-587-35~~

END

RMC

FBI WASH DC

22 APR 18 1969

REC-104

MR. DELOACH FOR THE DIRECTOR

2025 RELEASE UNDER E.O. 14176

51 APR 23 1969

CC-MR. ROSEN

F B I

Date: 4/25/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (62-587)
FROM: SAC, LOS ANGELES (56-156) (P)
RE: KENSALT

Re Los Angeles airtel to Bureau dated 4/14/69.

RE: WEEKLY NEWS RELEASE FROM
LOS ANGELES COUNTY DISTRICT
ATTORNEY'S OFFICE

Attached herewith are two copies of a nineteen page weekly summary of information prepared for the benefit of the news media by the Los Angeles County District Attorney's Office. This release is dated 4/23/69 and is being furnished for the information of the Bureau.

REC 107

ENCLOSURE

2 - Bureau (Enc. 2)
1 - Los Angeles

AOR/bje
(3)

62-587-1182
18 APR 28 1969

Approved: _____ Sent _____ M Per _____

55 MAY 1 1969

Special Agent in Charge

2025 RELEASE UNDER E.O. 14176

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 _____

62-587-1182

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

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 pattycake 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.

"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.

more --

"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-

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

more --

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."

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 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 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.

more --

"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

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 wasn'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."

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.

"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?"

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.

"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. E. 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

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.

"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

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.

more --

"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.

"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."

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 _____

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

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.

"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.

more --

"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-

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

more --

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."

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 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 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.

more --

"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

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 wasn'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."

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., 6 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.

"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?"

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.

"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

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.