

Questioning of 90th Witness Ends Testimony in Sirhan Trial

Both Sides Rest After Tough Defense Cross-Examination of Psychologist on Diagnosis of Defendant's Mental State

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Prosecution and defense rested Tuesday in the murder trial of Sirhan Bishara Sirhan.

After 10 months in jail and three months of a harrowing and tedious trial, the 25-year-old assassin of Sen. Robert F. Kennedy betrayed not a flicker of interest as defense attorney Grant B. Cooper finished cross-examination of the prosecution's last witness, psychologist Leonard B. Olinger.

He was the 90th witness to testify in one of the longest trials in Los Angeles County history.

Olinger was the last of 10 psychologists and psychiatrists to testify as to Sirhan's mental state when he killed Kennedy. Olinger's opinion differed sharply not only with the defense but also with the prosecution's star witness, psychiatrist Seymour Pollack.

Defense testimony painted Sirhan as a paranoid psychotic with schizophrenic reaction, unaware of and unable to control his actions when he shot Kennedy last June 5.

Pollack termed Sirhan a paranoid personality with a borderline schizophrenia but held that his mental illness did not reduce his capacity to maturely and meaningfully premeditate and carry out murder.

Olinger, while agreeing with Pollack that Sirhan was not a victim of diminished capacity in his planning of Kennedy's death, diagnosed Sirhan as a "pseudo-neurotic schizophrenic"—which he said is not a recognized clinical label for real psychosis but a mere descriptive term for a condition much less

serious than even Pollack had found.

Olinger flushed frequently under a blistering cross-examination by Cooper, who sought to draw an admission that Olinger solicited his way into the case only last month.

Olinger said he telephoned the prosecution shortly after psychologist Martin M. Schorr began testimony. Olinger said he disagreed with inferences in Schorr's testimony that he had read in the newspapers.

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Citing Olinger's own testimony Monday about the care psychologists must take in interpreting clinical tests, Cooper asked if Olinger hadn't violated his own precautions in forming attitudes about the Sirhan case on the basis of newspaper accounts. Olinger said he hadn't.

Citing Olinger's testimony that Schorr and other psychologists, knowing whose tests they were evaluating, might have interpreted the tests in a way that matched their preconceived notions about Sirhan, Cooper then asked Olinger if he hadn't also known in advance whose tests he was interpreting and whether he hadn't been slightly influenced by that knowledge.

"Some," said Olinger.

Cooper also launched an defense witnesses, two of oblique attack on Olinger's professional qualifications as compared to those of whom, Cooper noted, were

professors of psychiatry at USC and UC Berkeley. Olinger is a part-time instructor in abnormal psychology in USC's extension division.

Cooper asked repeatedly why Olinger had phoned the prosecution rather than the defense, and Olinger replied, "I believed I could be of help."

"Not to the defense," Cooper interjected.

"Not particularly to the defense," Olinger said.

"To the prosecution?" asked Cooper.

"Not particularly to the prosecution," said Olinger.

"Then whom did you believe you could help?" Cooper asked.

"I thought I could help justice," Olinger replied.

"In giving information to the prosecution?" asked Cooper.

"In this case, yes," Olinger said.

Bias Charged

Cooper reiterated his belief that Olinger had "offered his services to only one side" without having seen any of Sirhan's clinical tests and that in forming his opinions on the basis of publicity, Olinger was guilty of the same bias and distortion Olinger had laid to defense witnesses.

Olinger's appearance was the capstone of more than a month's obscure, technical psychiatric jargon, in which both the defense and the prosecution waged a hot war of psychiatric attrition.

The defense sought to command the jury's respect for their case by stunning them with expert witnesses of both solid and/or glittering reputation and with no fewer than six clinical psychologists who corroborated and confirmed and corroborated yet again the findings of the others.

The prosecution chose, with its two experts, to try to deflate the defense theories with sober, logical outlines of verifiable fact. In cross-examination of defense experts they inched painstakingly, sometimes maddeningly,

over and over the same tiny technical points.

Weak Spots Sought

The stated aim was to find and enlarge weak spots in the ornate psychiatric facade erected by the defense.

But the more likely aim appeared to be to thoroughly sicken the jury on all psychiatric testimony, pushing jurors from confusion through boredom and to such exasperation that they might wave aside all expert testimony and weigh the case solely on these facts:

That Sirhan hated Zionism and its allies, wrote of his intention to kill Kennedy, did so and isn't sorry.

As the prosecution prepared its final arguments, Chief Dep. Dist. Atty. Lynn Compton confirmed what has been common knowledge since early February—that the prosecution will not press for the death penalty for Sirhan. Nor will they ask the jury not to impose it.