

Sirhan Case Goes to Jury 15 Weeks After Start of Trial

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The case of the People vs. Sirhan Bishara Sirhan went to the jury Monday—15 weeks to the day after the celebrated murder trial began.

After receiving one hour of instruction in the law from Superior Judge Herbert V. Walker, the seven-man, five-woman jury retired at 2:55 p.m. to an upstairs jury room.

There they elected a foreman and began deliberating whether the admitted killer of Sen. Robert F. Kennedy is innocent or guilty.

Judge Walker told the jury four possible verdicts could be returned: guilty of first-degree murder, guilty of second-degree murder, guilty of voluntary manslaughter or—a virtual impossibility—acquittal.

The jurors deliberated until 4 p.m., when they were taken to the hotel where they have been sequestered since the trial opened. 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.

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."

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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 psychotic and a schizophrenic who suffered dissociative trances. Sirhan, Compton said, 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.

Disdains Tests

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 over-complicate their decision because of the formality of the 3½-month-long trial.

He wanted them, he said, to approach their decision with the same feeling of informality they would feel "in your own living room" and to "just

use the gifts you have and use the processes you use in making everyday decisions in your normal life."

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.

Citing psychiatric testimony that Sirhan's mental illness was one that was causing rapid deteriora-

tion from its beginnings until now, Compton virtually snorted:

"If he was a vegetable on June 5, he should have been a dribbling 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."

Derides Findings

Compton, 47, one-time football player whose crewcut has now turned silver, derided the findings of defense experts—particularly two: clinical psychologist Martin M. Schorr and UC Berkeley psychiatrist Bernard L. Diamond.

He dismissed Schorr perfunctorily, saying, "He gets all hung up on family relationships and father images." He reserved special contempt for the performance of Dr. 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 inadvertently 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 Kenne-

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

Compton concluded:

"The psychiatrists say that if you hate a man and kill him, you are mature and responsible, but if you hate him a lot, you are not mature and not responsible. Ladies and gentlemen, we ask you: Don't put a premium on hate."

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

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

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