

Convicting Jury Faced With Setting Sirhan Fate

LOS ANGELES (AP) — Sirhan Bishara Sirhan is guilty of first-degree murder for assassinating Sen. Robert F. Kennedy. Now, the same jury that convicted him must decide whether he lives or dies.

The penalty phase of Sirhan's trial begins Monday and is expected to last no more than a day or two. The jury will choose

one of two sentences: life in prison or death in the gas chamber. A life sentence precludes parole for at least seven years.

UNKNOWN until he murdered the 42-year-old presidential candidate last June, Sirhan tried—even after the first-degree verdict yesterday to put testimony about the Arab-Israeli conflict into the court record.

Sirhan, passionately partisan to the Arab cause, said his love for Kennedy turned to hate when he decided the New York senator was pro-Israel.

Defense counsel Grant B. Cooper asked to bring witnesses representing Arab countries to the penalty phase "to show the surrounding circumstances" of Sirhan's youth in war-torn Palestine "so the jury can understand the situation and understand his frame of mind more fully."

IT WAS his only audible comment in the courtroom after the verdict.

John E. Howard, a deputy district attorney who has spoken in favor of death penalties, will present the state's argument on a sentence to the jury which rejected the defense contention and a month's worth of psychiatric testimony that Sirhan was too mentally ill to be guilty of first-degree murder.

"We will cite facts: his lack of remorse and the effect of political assassination on the democratic process," Howard said. "It will be explained to the jury that it (life or death) will be in their absolute discretion. They now have to evaluate in their conscience a proper penalty."

SHOULD THE JURY deadlock in trying to agree on a penalty, the judge could impanel a new jury for the penalty phase only, or could take the case himself and sentence Sirhan to life. The judge on his own could not impose the death sentence. The jury's agreement must be unanimous on the penalty.

Cooper told newsmen he moved during a conference at the bench to impanel a new jury for the penalty phase, but was denied. He said he also sought permission to call the prosecutors as witnesses, to testify that the state once was willing to agree to a penalty of life imprisonment if Sirhan pleaded guilty, but was again denied.

COOPER routinely asked that



BISHARA SIRHAN, shown during a press conference in Amman, Jordan, last June, today swore "revenge on American politicians" if his son, the convicted killer of Sen. Robert F. Kennedy, is executed.

—AP WIREPHOTO

a new jury be impaneled for the penalty trial and was turned down. The jurors were told they could have their wives and husbands as visitors in their hotel until Sunday night.

Sirhan also was convicted of five counts of assault with a deadly weapon with intent to kill in the shooting of five people near Kennedy when Sirhan opened fire.