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Sirhan Conduct Called Factor by Prosecutor

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

"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 as much 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. Robert F. Kennedy, offered no comment following the verdict.

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."