

As Trial Draws Near

LA DA Probes Sirhan Psyche

By DICK KLEINER

The Man who will prosecute Sirhan Sirhan for the murder of Sen. Robert Kennedy believes that Sirhan's "mental make-up" will be a prime issue in the trial.

Lynn D. Compton, chief deputy district attorney for Los Angeles county, heads up the three-man team which will go to court Dec. 9, unless the trial is postponed again.

"It doesn't take much of a guess," Compton says, "to assume that the defendant's mental make-up will be a prime consideration. In any homicide, the end result is the same — a death — but the real issue is the state of mind of the slayer.

"Sirhan's attorney has not entered a plea of insanity for his client, but the issue can still be raised. He might say the defendant lacks the



Lynn D. Compton

Insanity may be an issue.

capacity to premeditate murder — leading to what we call 'diminished capacity.'

The district attorney's office has hired a psychiatrist to observe Sirhan in all his court appearances. However, under California law, the prosecution's psychiatrist may not examine the defendant without his permission, and no such permission has been granted.

"The court appointed a psychiatrist to examine Sirhan," Compton says, "but he reports to the defense counsel. We have no access to his findings. The law is weighted against us in this regard."

Compton is a burly, pipe-smoking ex-UCLA football star (Rose Bowl, 1943) with an iron-gray crew-cut and a stylized star tattooed on his left forearm. His friends call him Buck. His aides in the trial will be Deputy District Attorneys John Howard and David Fitts.

Howard was the first man from the DA's office to be called on the night of the murder and has been on the case ever since. Fitts was assigned to the case because he has the reputation of being one of the best trial men on the staff.

Compton says the prosecution case is fully prepared, and he is ready to go to trial now. He expects the trial to be "tremendously long,"

beginning with a lengthy jury-picking session.

"The trial will take a couple of months after the jury has been chosen," he says, "and that's a conservative estimate. I believe it will take a minimum of two weeks to pick the jury."

A very strict court order — which the district attorney's office is contesting at the Supreme Court level — prohibits Compton or anyone else connected with the case

from discussing anything relative to its investigation or prosecution. Thus Compton cannot comment on whether he believes the trial is a foregone conclusion. He does say that he hopes the testimony uncovers the "why" of the murder.

"Whether or not we find out why," he says, "will depend a lot on the defense, and whether or not Sirhan testifies. I don't know enough about him to know whether I'd let him testify if I were the defense counsel."

The case, obviously, has attracted more public attention than any in recent memory. Compton says this is a both good and bad.

"It causes us," he says, "to put more effort into the case than is normal. We want to make sure we're not second-guessed. We've gone out of our way to run down obviously frivolous leads — we've probably talked to more than 2,000 people.

"But the public interest is something of an asset, too. It forces us to spend a lot of time and effort on the case."

One major question that remains is whether the state will ask for the death penalty. The answer to that is restricted by the court order, Compton believes.

"All I can say," he says, "is that we are prepared for that eventuality if the evidence warrants. Or some such bland statement like that."