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Sirhan 420

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LOS ANGELES AP - Sirhan Bishara Sirhan, whose volatile courtroom outbursts at times disrupted his trial, was cautioned by his defenders to behave himself when the jury returned its verdict. He did—and the defense hopes it will pay off for him Monday in the penalty phase of the trial.

Like everyone else in the room, jurors kept a close watch on the mercurial Arab Thursday when their verdict was read—guilty of first degree murder in the assassination of Sen. Robert F. Kennedy.

Sirhan sat quietly at the counsel table, making no sound, no gestures.

"We didn't want him to louse himself up with the jury in case the verdict turned out as it did," Michael A. McConn, a private investigator for the defense, said today. McConn, who has had much influence with the 25-year-old Sirhan through the 15 weeks of trial, talked with Sirhan before the verdict.

"Those people," McConn said of the jury, "when they start deciding whether to give him life or death, will remember how he acted. We didn't want him to antagonize them."

For the same reason, McConn and the defense attorneys, would not say anything about Sirhan's later reaction—except to say that he was disappointed, didn't cry, and "took it like a man."

The juror's wives and husbands were allowed to visit them at their hotel for the three-day weekend. The defense team feared they might, despite Judge Herbert Walker's instructions, discuss what news media reported about Sirhan.

Speaking for the state in the penalty phase will be John E. Howard, one of three prosecutors in the case. Howard has said he personally favors—but will not demand—the death penalty and instead will point out to the jury Sirhan's method of killing, lack of remorse and the effect on society of political assassination.

"We'll give them all the facts and let them make up their minds—I'm going to tell the jury we're not going to infringe on their consciences," said Howard. "We're not going to demand anything we can't extract."

"They have a tough decision to make," he says of the seven men and five women on the jury. "We will point out facts we think are important, the defense will point out his mental illness. But there is no kidding about it, it will be a tough decision."

Grant B. Cooper, Sirhan's chief defense counsel, had not decided Friday what witnesses to call—if any. More than half of the testimony phase of the trial was taken up by the 10 psychologists and psychiatrists

Howard told Judge Herbert V. Walker Thursday, after the jury returned its first degree verdict, that he will call no witnesses and will argue for the state for only 20 minutes.

Cooper said his presentation will take less than a day and that the jury should be able to deliberate late Monday or early Tuesday.

The Sirhan jury can choose only between life or death for Kennedy's assassin. A deadlock would require the judge to impanel a new jury or take the case himself and sentence Sirhan to life. State law prohibits parole of a prisoner sentenced to first degree life for at least seven years, and most serve beyond then.

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