

12-8-71

Ohta

Frazier Could Tell Right From Wrong

(Continued from Page 1)

"Wow! That was really weird."

Closing arguments in the insanity phase are expected to be given Thursday. Jackson will speak first, then Chang, with Jackson concluding with a rebuttal.

Then the jury will deliberate.

Frazier knew "the difference between right and wrong" when he murdered Dr. Victor Ohta, his wife, their two sons and Ohta's secretary on Oct. 19, 1970.

And because Frazier was "capable of knowing his act," testified psychiatrist John Peschau in court Tuesday afternoon, he is not legally insane.

The witness for the prosecution, a staff psychiatrist at Agnews State Hospital, further testified that Frazier suffered from a "personality disorder" and was not "paranoid schizophrenic."

The conclusion drawn by the expert witness differed sharply from the ones reached by three psychiatrists and a psychologist, who earlier testified for the defense.

The other witnesses said Frazier was a paranoid schizophrenic who was legally insane.

"I found that he (Frazier) was a sociopath . . . an individual who doesn't profit from experience" and commits crimes, said Dr. Peschau.

Dr. Peschau said he saw no evidence of "delusions of grandeur or persecution" in Frazier. The four other witnesses had said they saw such evidence.

During this phase of the trial Public Defender James Jackson

is trying to prove that Frazier was legally insane when he murdered. Jackson must prove to the eight-woman, four-man jury that Frazier was either incapable of knowing the nature and quality of his act or did not know right from wrong when the crime was committed.

Dr. Peschau interviewed Frazier for two hours on Jan. 22, 1971.

"I considered him (Frazier) intolerant, crafty and arrogant. He sets his own rules," said Dr. Peschau.

Jackson tried to get Dr. Peschau to draw the same conclusions as the defense witnesses regarding diagnoses of paranoid schizophrenia. But Dr. Peschau would not.

Jackson showed Dr. Peschau Frazier's underlined Bible, and had the psychiatrist agree that Frazier was concerned with occult; but Dr. Peschau said that such evidence didn't necessarily mean that Frazier exhibited "excessive religiosity" — a symptom of paranoid schizophrenics.

Jackson asked the psychiatrist that if Frazier built a draw bridge in front of his shed and spent many hours daily atop a water tower armed with guns would the psychiatrist conclude that Frazier was suspicious?

Dr. Peschau again said not necessarily. Dr. Peschau said Frazier's behavior was "anti-social" and "selfish."

Jackson asked him: "What about the killings made him (Frazier) selfish?"

Dr. Peschau answered: "He disregarded the feelings of others."