

# JURY ACQUITS FRANKLIN, 16, OF MURDER

**Found innocent in deaths  
of father, stepmother**

By JAMES NEY

Register Staff Writer  
WASHINGTON, IA. — John Burton Franklin Jr., 16, Wednesday was found innocent by a Washington County District Court jury of two counts of first degree murder in the deaths of his father and stepmother in their Eddyville home last year.

The six-man, six-woman jury returned the verdict at 8:02 p.m. Wednesday after 21 hours of deliberation over three days. The jury received the case Monday afternoon after more than four weeks of testimony.

Franklin began weeping softly and laid his head on the defense table as Washington County Clerk of Court Carol Giardino read the first verdict. His court-appointed attorney, Alfredo Parrish of Des Moines, sighed with relief and also began to cry. He put his arm around Franklin as Franklin's mother, Janice Springer, 36, of West Des Moines, burst into tears.

She continued to cry audibly while clutching her son Burton's hand. Later she rushed forward to embrace her son. "You get to come home," she cried. "I have my family back."

Franklin had been charged with the Jan. 3, 1978, slayings of his father, John Franklin Sr., 35, and his wife, Michelle, 22. They were shot to death with a .22-caliber rifle. The youth was charged two days later and had been held for about 15 months at the State Training School for Boys in Eldora, pending trial.

**Threw Pillow**

Springer, who had been working on a latch hook pillow during the trial, threw the pillow at her son in delight after the verdicts were read.

"I feel that God's will has been done," she said as the courtroom cleared. "And that's where our strength has come through all of this."

Springer telephoned the Rev. Gene Foster, pastor of the Open Bible Church in West Des Moines, where she and her family are members. "There were a lot of prayers from members of that church for us and we are very grateful," said her husband, Lavern Springer, 48.

He said the family would return to West Des Moines today and take John with them.

"Whatever it takes we will do to let

**FRANKLIN**

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**John Burton Franklin**  
Cries on hearing verdict

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## Parrish says state's case 'defies common sense'

### FRANKLIN

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John lead a normal life," said Lavern Springer.

Franklin remained calm amid the tears. When asked what was the first thing he wanted to do, he responded, "I just want to go home."

### Tenth Ballot

Female members of the jury were in tears as they left the courthouse and foreman Larry Love said they all agreed not to talk about the trial. But juror Daniel Scheeler of Washington said the verdict was reached on the 10th ballot.

Defense attorney Parrish complimented the jurors, saying they "did an excellent job. It's one of the best juries I've ever seen."

He said the evidence created reasonable doubt in the jurors' minds, making it impossible for them to return a guilty verdict.

Prosecutor Sam Erhardt left the courtroom quickly after the verdicts were read and refused to comment on the trial.

The jury had worked on the case since Monday and was sequestered for two nights at a Washington motel.

When the jury began deliberations Wednesday morning, District Judge Dick Schlegel ordered them to stop at 5 p.m. and return to their motel rooms.

But the jurors replied that they wanted to continue working Wednesday night, and Schlegel allowed them to break for dinner about 5:30 p.m. They returned to the cramped — about 15- by 20-foot — jury room in the 93-year-old courthouse about 6:30 p.m.

A mass of evidence was introduced as 53 witnesses testified in the trial.

The trial was moved here from

Wapello County at the request of Franklin's attorney because of prior publicity surrounding the case.

The state had built a case on circumstantial evidence, alleging that Franklin skipped school on the day of the murders, waited for his parents to return home from work and cold-bloodedly fired three bullets into each of them. Prosecutor Erhardt alleged that the youth "hated his father so much" that he took a club and brutally beat his father after shooting him.

Erhardt repeatedly reminded jurors in closing arguments that evidence showed Franklin remarked to a friend that he would kill his parents and later "bragged about it" to others at Eldora.

But Parrish countered in final arguments Monday that the state had failed to establish a motive and had built a case on "probabilities," not solid evidence, and that the case "defies common sense." He cited the uncertainty of the time of death and other contradictory evidence and told the jury the state had failed to prove Franklin's guilt "beyond a reasonable doubt."

The jury was instructed by Schlegel to return a verdict of guilty of first- or second-degree murder, voluntary or involuntary manslaughter, or a verdict of innocent on both counts of murder.

### Care of ill children

The medical and emotional care of chronically ill children will be the subject of a conference for pediatricians and family doctors at Eddie Webster's in West Des Moines on May 12. The sponsor is the College of Osteopathic Medicine and Surgery.