are true in that:

(1) Plaintiff testified in said case as follows:

"Q BY MR. FITTS: I direct your attention to this envelope which is People's 55, and it bears certain writing perhaps from your hand, does it not?

A: It does.

Q: What does it contain?

A: It contains three of the test shots that I tool from People's No. 6, the weapon, and this was from the water recovery tank, and that would be three test shots I used for comparison purposes "

Plaintiff further testified:

"A: Yes. I can say this bullet Exhibit 47, the bullet taken from Senator Kennedy's sixth cervical vertebra, and then this bullet, taken from Mr. Golstein, the bullet being Exhibit No. 52 and the bullet taken from Mr. Weisel, People's Exhibit No. 56 were fired from the same weapon.

Q MR COOPER: Pardon me, 54, Item 56?

THE COURT: You are correct, counsel, I am sorry. This is right, it is actually People's Exhibit No. 54, were fired from this gun and no other gun.

Q MR. FITTS: That is on the comparison of the striations and mounting them up as you have indicated, gyroscopically, by moving your finger as you have illustrated to the jury, is that correct?

A: That is correct.

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In truth and fact, Exhibit 55 contains the designation of gun number H 18602 as the test weapon, and no gun number H53725 (People's No. 6), see pages 15 and 16 of Exhibit "A" attached hereto. By using test shots from a different weapon plaintiff violated the firearms identification precept (1) as set forth in Paragraph V hereinabove, and by reference, incorporated herein

(2) Plaintiff was asked, and gave the following answer in the People v. Sirhan case:

"Q BY MR. COOPER: When you made this test pattern you used another gun, I think you said, similar to this one?

A: I used the same model and make, the same everything",

In truth and fact, plaintiff did not make the test referred to above with the "same everything", in that he made no showing that he knew the entire history of the substitute gun, the age of the gun, the number of rounds which had been fired by said gun, any slight difference in specifications which could have an effect on its firing characteristics. Plaintiff, in making the test in this manner, violated Precept (2) as stated in Paragraph V hereinabove, and incorporated by reference herein.

(3) On February 24th, 1969, plaintiff was asked the following questions in the People v. Sirhan case:

"Q And that is why, for example, in this instance you wanted to use the original weapon that is People's Exhibit No. 6, for the purpose of making your test patterns?

A: No

Q: But you would have preferred to use People's Exhibit 6 or one similar to it?

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A: No, I don't believe I would. If I might explain my answer counsel, in the first place, we did not make that exacting of a determination".

In truth and fact, the alleged murder weapon was available to the plaintiff for testing and could have easily been released to plaintiff as shown by the following:

"Q THE COURT: What you meant to say was that you could have applied for a court order That is as far as you could go, of course.
Q BY MR COOPER: But wouldn't the court take judicial notice of the fact it would be granted?
A THE COURT: Certainly."

Plaintiff, as a purported ballistics expert, should know that it is basically illogical and a violation of Precept (2) as stated in Paragraph V hereinabove, to use a substitute gun for testing when the alleged weapon is available, since the uncertainty of the results can never be resolved.

(3) On February 24th, 1969, plaintiff testified in the Sirhan case, as follows:

"Now, these riflings are important from the standpoint that different manufacturers have different rifling specifications * * *."

In truth and fact, as stated in Precept (3) contained in Paragraph (4) herein above set forth, and by reference incorporated herein, each firearms manufacturer does not have its own unique rifling specifications. Because of the fact that dif manufacturers may use land and groove specifications that are identical or so closely similar that they cannot be differentiated, it is impossible to determine in many instances that a bullet has been fired by a gun of a certain manufacturer.

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Plaintiff, again in said case, was asked the following question and gave the following answer:

"Q: First of all I will direct your attention to the bullet fragments of People's Exhibit 48 and People's 49, as being an enlargement, as the most significant of those fragments?

A: That is correct. In the case of People's 48, this was a bullet taken from Senator Kennedy and the bullet was extremely or badly damaged which is well depicted here in People's No. 49. This was damaged to the point, and I say that these were Mini-Mag ammunition which is the same ammunition as previously used in my tests, they were Mini-Mag ammunition that was fired from the gun of the same ballistic rifling specifications as that of People's No. 6 but, because of the damage, I cannot say positively that it was fired from that gun. In the case of * * *."

In truth and fact, since the bullet fragment in question had suffered extensive deformation, it was impossible to determine by any means what the true rifling specifications were of the gun which had fired the bullet of which this fragment was a part. Any measurements of land and groove specifications on this deformed fragment could not determine what these specifications were when the bullet emerged from the muzzle of the gun and prior to the time it suffered the deformation. Such testimony violated Precept (3) contained in Paragraph (V) herein above stated.

(4) Plaintiff testified in People vs. Sirhan:

" * * * that these were Mini-Mag ammunition"

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which was untrue in that several different ammunition manufacturers utilize the same type of copper bullet coating and differentiation is impossible, as stated in Precept (4) as stated in Paragraph V hereinabove set forth and by reference incorporated herein.

IX

That the statements contained in said letter as follows:

> " Although the inscription on this envelope shows that gun No. H 18602 was physical evidence in this case on June 6th, 1968, the gun was reportedly destroyed by the Los Angeles Police Department roughly one month later in July, 1968. This is shown in the teletype report of Exhibit "C" attached."

is true in that by the testimony of plaintiff that he had used the bullets contained in Exhibit 55 to run tests against the bullets taken from the victims, and by the physical inscription contained on Exhibit 55, made in the plaintiff's handwriting, said gun was in the possession of plaintiff on June 6th, 1968. That by virtue of the testing of said gun by plaintiff, and it's comparison with the bullets taken from the victims as hereinabove stated, said gun became physical evidence in said case, and plaintiff, in his professional capacity in the Los Angeles Police Department Scientific Investigation Division Crime Laboratory , was under a duty to preserve all evidence applicable to said case, including said gun, and not to allow any such evidence to be destroyed, tampered with or in any way altered from the time it came into his possession. See pages 15 and 16 of Exhibit "A" attached hereto. Said gun was reported destroyed by the Los Angeles Police Department in July

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1968, see page 17 of Exhibit "A" attached hereto.

X

That the statement contained in said letter as follows:

" I find it very hard to believe that a man of the professed expertise of Mr. Wolfer could violate four of the basic precepts of his profession in a single case by sheer accident. I am more inclined to believe that these violations were made in response to an overzealous desire to help the cause of the prosecution. The choice seems to be rank imcompetence on the one hand or morbid motivation of the other."

is true in that defendant believes and upon information and belief alleges that a person of the purported qualifications of plaintiff could and would not, violate the basic principles of his profession unless motivated by some other consideration than to perform the duties of his office competently and with honesty.

XI

That the statement in said letter as follows:

" CASE NO. 3. (SC# A234557) While Mr. Wolfer did not violate any of the above cited Precepts, his handling of the physical evidence amounted to scurrilous tampering. In a vain attempt to make the physical evidence support the prosecution's theory of the murder,he made physical alterations of certain inscriptions on three rifle cartridge cases which were items of prosecution evidence. Please see Exhibits "D", "E" and "F", attached herewith. These photographs show that a total of

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15 characters have been altered on the three cartridge cases. Some of these alterations were made during the course of the trial. Mr. Wolfer admitted that he had made alterations on one of the cartridge cases but denied making any other alterations. "

is true in that plaintiff, during the trial of said action testified as follows:

"Q: Yes, sir. Now, it's hard for me to follow this, because of the noise and things, but there's a bunch of writings on these, some of which you've described. Can I assume that, with the exception of what you told his Honor about these things that were added by Mr. Lee, in your presence - - or by you; you know, like the "W" or the "1" or whatever - - that the markings on each of the bullets - - do you call them bullets?

A: That's fine, yes.

Q: (Continuing)- - the markings on each of those bullets is as you marked them originally?

A: So far as I recall.

Q: Okay.

A: Well, that may not be - - .

Q: What sir?

A: No, sir, that's not correct. Because when we examined the bullets, we - - my report made on July the 15th, 1968, indicated that Item No. 1 was positive; Item No. 2 was positive, and one item in No. 3 was positive. It was marked. Then one item in No. 3, when Mr. Lee

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examined it, which had been marked "Negative", we made a re-examination, and I changed the marking now to "Positive".

Q: I see. So, now the, if I can follow you, what you are saying is that all the marks are the same, and appear the same on these shells, except that on Item 3 where you changed the "Negative" to "Positive"?

A: Well, this is a mark not on Item 3. As I understand it, it is one of the items in Exhibit No. 7 of the court, which was marked Item No. 3 on the booking report."

In truth and fact, Item No. 1, page 18, of Exhibit "A" after careful microscopic examinations was found to have undergone the following alterations: The original marking "DW" has been retraced with a second marking tool in order to superimpose a second "DW". An original marking of "NEG" has been altered to "POS". On Item No. 2, Exhibit "E" attached to Exhibit "A" both the markings "DW" and "POS" have been retraced with a different marking tool. On Item No. 3 (Exhibit "F" attached to Exhibit "A") an original marking of "NEG" has been altered to "POS", as plaintiff has stated in his testimony. In addition, however, the original "DW" has been retraced with a second marking tool A total of 15 alterations have been made on the three items of evidence, of which the plaintiff has denied making all but three, to-wit: The alteration of "NEG" to "POS" on Item No. 3. It is further true that the effort of the plaintiff was "a vain attempt to make the physical evidence support the prosecution's theory of murder", in that the theory of misfire was abandoned during trial, when it was ascertained the markings involved were extractor markings from running the bullets through the mechanism of the gun, and not evidence of mis-fire.

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Said exhibits referred to above are attached hereto as pages 18, 19 and 20 of Exhibit "A", and by reference made a part hereof.

XII

That in furtherance of the truth of the statement contained in said letter that "Mr. Wolfer is completely unqualified for the position" of Chief of the Los Angeles Police Department Scientific Investigation Division Crime Laboratory, defendant alleges that plaintiff has misrepresented his qualifications as an expert in the following cases:

(1) Plaintiff testified on November 28th, 1967, in People vs. Kirschke, A 222 633, as follows:

"Q: Have you had any education, training or experience in the field of medicine, and I recognize you are not a medical doctor, but have you had any background in that subject?

A: That is correct. I'm not a medical doctor. I was a pre-men student at the University of Southern California where I looked at all types of anatomy courses, physiology courses, and one human anatomy course where we actually, two men were assigned a cadaver, and we dissected the entire cadaver from top to bottom."

Further, plaintiff testified:

"Q: I remember my efforts in zoology. You cut up frogs and things like that, don't you, in that study?

A: You cut up frogs, pigs, human beings."

On October 24, 1967, plaintiff testified as follows:

"Q: Have you had any education, training, or experience in respect to photography?

A: Yes, I have. I have taken photograph

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courses at the University of Southern California. I have taken what they call photomicrography and macrography courses at S.C. * * *."

As shown by Exhibit "G" attached hereto, and by reference made a part hereof, plaintiff has never studied gross human anatomy, photomicrography and macrography courses at the University of Southern California. In truth and fact, plaintiff knew that gross human anatomy was a graduate course open only to qualified graduate students or medical students actually registered for the course; in addition, plaintiff knew that with a grade point average of 1.89 out of 4, he was ineligible for acceptance in any graduate work or medical school where such gross human anatomy course was offered. Such misrepresentation by plaintiff of his educational background, when offered in a court of law to qualify as an expert witness, makes him ineligible for the position presently under consideration by the Civil Service Commission.

AND FOR A SEPARATE, FURTHER, AND AFFIRMATIVE DEFENSE NUMBER FIVE, defendant alleges:

I

That the communication addressed to the Civil Service Commission under date of May 28th, 1971, was privileged under the provisions of the California Constitution Article 1, Section 10 and Article 1, Section 9.

AND FOR A SEPARATE, FURTHER, AND AFFIRMATIVE DEFENSE NUMBER SIX, defendant alleges:

I

That the communication addressed to the Civil Service Commission under date of May 28th, 1971, is and was privileged by the Freedom of Speech provisions of the First Amendment of the United States Constitution, in that they were published

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without actual malice, by a citizen, to a government agency, to-wit: The Los Angeles Civil Service Commission, concerning plaintiff, the temporary holder of an official office of the City of Los Angeles, and State of California, to-wit: head of the Los Angeles Police Department Scientific Division Crime Laboratory, concerning his lack of qualifications for permanent appointment thereto.

WHEREFORE, defendant prays that plaintiff take nothing by his complaint, and that it be dismissed with costs to this defendant, and for other and proper relief.

Barbara Warner Blair

BARBARA WARNER BLAIR
In Pro Per

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De Wayne Wolfer's investigation and testimony played a crucial role in the trial of Sirhan Sirhan. Not only in the ultimate conviction of 1st degree murder with a sentence of death, but a key role in the struggle to suppress the real evidence, the kind of hard core facts that could only spell out one thing: conspiracy. The flagrant violations of the major firearms identification precepts, the destruction of a gun that became material to the ballistics analysis, the tampering and mishandling of evidence, the possible perjury on the witness stand, and the overall ineptitude and lack of professionalism, can only lead to the basic opinion that De Wayne Wolfer, the Los Angeles Police Department, and the District Attorney's office knew things about this case that were to explosive and threatening that it became imperative to design and implement a cover-up, by any means necessary.

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III

WILLIAM HARPER AND THE "COURT OF LAST RESORTS"

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In a blinding contrast to the shady manuverings of De Wayne Wolfer of the L.A.P.D. Crime Lab, now comes the rival professional criminologist, William Harper, who for 35 years has been actively engaged in the field of consulting criminalistics.

He received his formal academic training at Columbia University, University of California at Los Angeles, and the California Institute of Technology where the majority of his time was spent in physics research, and mathematics.

His practical experience and positions held include seven years as consulting criminalist to the Pasadena Police Department, where he was in charge of the Technical Laboratory, involved in the technical phases of police training and all technical field investigations, including those involving firearms.

For three years during WWII, Harper was in charge of technical investigation for the Office of Naval Intelligence in the 11th Naval District, in San Diego, California.

After his release from the Navy, Harper entered private practice as a consulting criminalist. Extending over a period of 35 years, he has handled roughly 300 cases involving firearms in homicides, suicides and accidental shootings. Harper has testified as a consulting criminalist in both criminal and civil litigations and for both defense and prosecution in both State and Federal Courts, and is qualified as an expert in the courts of California, Washington, Oregon, Texas, Nevada, Arizona and Utah. Harper is a Fellow of the American Academy of Forensic Sciences. Mr. William Harper is also one of the original founders of Earl Stanley Gardner's "Court of Last Resorts."

This sworn deposition is perhaps the most clear, concise, and definitive of all the documentation relating to the assassination. Mr. Harper presents us with an explosive scenario that can almost be called an "anti-scenario" in light of the "official" summary offered us by the Los Angeles Police Department and the office of the District Attorney.

Unlike that "laundered" evaluation, Mr. Harper's explanation and conclusions are consistent with all the facts as the violent assassination unfolded in that tiny pantry. There are no loose ends, and no pieces of evidence to be obscured or lied away to make this scenario credible. (Consult diagrams in reference to Mr. Harper's statement.)

*

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During the past seven months I have made a careful review and study of the physical circumstances of the assassination of Senator Robert F. Kennedy in Los Angeles, California. In this connection I have examined the physical evidence introduced at the trial, including the Sirhan weapon, the bullets and shell cases. I have also studied the autopsy report, the autopsy photographs, and pertinent portions of the trial testimony.

Based on my background and training, upon my experience as a consulting criminalist, and my studies, examination and analysis of data related to the Robert F. Kennedy assassination, I have arrived at the following findings and opinions.

A. An analysis of the physical circumstances at the scene of the assassination discloses that Senator Kennedy was fired upon from two distinct firing positions while he was walking through the kitchen pantry at the Ambassador Hotel. FIRING POSITION A, the position of Sirhan, was located directly in front of the Senator, with Sirhan face-to-face with the Senator. This position is well established by more than a dozen eyewitnesses. A second firing position FIRING POSITION B, is clearly established by the autopsy report. It was located in close proximity to the Senator, immediately to his right and rear. It was from this position that 4 (four) shots were fired, three of which entered the Senator's body. One of these three shots made a fatal penetration of the Senator's brain. A fourth shot passed through the right shoulder pad of the Senator's coat. These four shots from Firing Position B all produced powder residue patterns, indicating they were fired from a distance of only a few inches. They were closely grouped within a 12 inch circle.

In marked contrast, the shots from FIRING POSITION A produced no powder residue patterns on the bodies or clothing of any of the surviving victims, all of whom were walking behind the Senator. These shots were widely dispersed.

Senator Kennedy received no frontal wounds. The three wounds suffered by him were fired from behind and he had entrance wounds in the posterior portions of his body.

B. It is evident that a strong conflict exists between the eyewitness accounts and the autopsy findings. This conflict is totally irreconcilable with the hypothesis that only Sirhan's gun was involved in the assassination. The conflict can be eliminated if we

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consider that a second gun was being fired from FIRING POSITION B concurrently with the firing of the Sirhan gun from FIRING POSITION A. It is self-evident that within the brief period of the shooting (roughly 15 seconds) Sirhan could not have been in both firing positions at the same time. No eyewitnesses saw Sirhan at any position other than FIRING POSITION A, where he was quickly restrained by citizens present at that time and place.

C. It is my opinion that these circumstances, in conjunction with the autopsy report (without for the moment considering additional evidence), firmly establish that two guns were being fired in the kitchen pantry concurrently.

D. There is no reasonable likelihood that the shots from FIRING POSITION B could have been fired by a person attempting to stop Sirhan. This is because the person shooting from FIRING POSITION B was in almost direct body contact with the Senator. This person could have seen where his shots would strike the Senator, since the fatal shot was fired (muzzle) from one to three inches from the Senator's head. Had Sirhan been the intended target, the person shooting would have extended his arm beyond the Senator and fired directly at Sirhan. Furthermore, two of the shots from FIRING POSITION B were steeply upward; one shot actually penetrating the ceiling overhead.

E. The police appear to have concluded that a total of eight shots were fired with seven bullets accounted for an one bullet unrecovered. This apparent conclusion fails to take into account that their evidence shows that a fourth shot from FIRING POSITION B went through the right shoulder pad of the Senator's coat from back to front. This shot was fired from a distance of approximately one inch according to the testimony. It could not have been the shot which struck Victim Paul Schrade in the forehead since Schrade was behind the Senator and traveling in the same direction. The bullet producing this hole in the shoulder pad from back to front could not have returned by ricochet or otherwise to strike Schrade in the forehead. This fourth shot from FIRING POSITION B would indicate 9 (nine) shots were fired, with two bullets unrecovered. This indication provides an additional basis for the contention that two guns were involved, since the Sirhan gun could have fired only 8 (eight) shots.

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F. The prosecution testimony attempted to establish that the Sirhan gun, and no other, was involved in the assassination. It is a fact, however, that the only gun actually lined scientifically with the shooting is a second gun, not the Sirhan gun. The serial number of the Sirhan gun is No. H53725. The serial number of the second gun is No. H18602. It is also an Iver Johnson 22 cal. cadet. The expert testimony, based on matching the three test bullets of Exhibit 55 in a comparison microscope to three of the evidence bullets (Exhibit 47 removed from the Senator, Exhibit 52 removed from Goldstein and Exhibit 54 removed from Weisel) concluded that the three evidence bullets were fired from the same gun that fired the three test bullets of Exhibit 55. The physical evidence shows that the gun that fired the three test bullets was gun No. H18602, not the Sirhan gun. Thus, the only gun placed at the scene by scientific evidence is gun No. H18602. Sirhan's gun was taken from him by citizens at the scene. I have no information regarding the background history of gun No. H18602 nor how the police came into possession of it.

G. No test bullets recovered from the Sirhan gun are in evidence. This gun was never identified scientifically as having fired any of the bullets removed from any of the victims. Other than the apparent self-evident fact that gun No. H53725 was forcibly removed from Sirhan at the scene, it has not been connected by microscopic examinations or other scientific testing to the actual shooting.

H. The only reasonable conclusion from the evidence developed by the police, in spite of their protestations to the contrary, is that two guns were being fired in the kitchen pantry of the Ambassador Hotel at the time of the shooting of Senator Kennedy.

I. From the general circumstances of the shooting the only reasonable assumption is that the bullet removed from victim Weisel was in fact fired from the Sirhan gun. This bullet is in near perfect condition. I have, therefore, chosen it as a "test" bullet from the Sirhan gun and compared it with the bullet removed from the Senator's neck. The bullet removed from the Senator's neck, Exhibit 47, was one of those fired from FIRING POSITION B, while the bullet removed from Weisel, Exhibit 54, was one of those fired from FIRING POSITION A, the position of Sirhan. My

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examinations disclosed no individual characteristics, establishing that Exhibit 47 and Exhibit 54 had been fired by the same gun. In fact, my examinations disclosed that bullet Exhibit 47 has a rifling angle of bullet Exhibit 54. It is, therefore, my opinion that bullets 47 and 54 could not have been fired from the same gun.

The above finding stands as independent proof that two guns were being fired concurrently in the kitchen pantry of the Ambassador Hotel at the time of the shooting.

J. The conclusions I have arrived at based upon my findings are as follows:

(1) Two 22 calibre guns were involved in the assassination.

(2) Senator Kennedy was killed by one of the shots fired from FIRING POSITION B, fired by a second gunman.

(3) The five surviving victims were wounded by Sirhan shooting from FIRING POSITION A.

(4) It is extremely unlikely that any of the bullets fired by the Sirhan gun ever struck the body of Senator Kennedy.

(5) It is also unlikely that the shooting of the Senator could have accidentally resulted from an attempt to shoot Sirhan.

Dated: December 28, 1970.

William W. Harper

STATE OF CALIFORNIA)
ss
COUNTY OF LOS ANGELES)

On this _____ day of December, 1970, before me appeared, personally, WILLIAM W. HARPER, known to me to be the

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person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Notary Public in and for said County and State.

(Seal)

By now, one can see the picture forming. In the macrostructure, the evidence to confirm a second gun is slowly gaining momentum; Dr. Noguchi, the County Coroner, has indirectly confirmed it, an eyewitness saw the fatal bullet strike Kennedy, but, so far is bending under the strain of police interrogation, the chief criminalist in the case is being stalked by lawyers and fellow criminalists following his circus of horrors in the Kirschke case, and is now back on the stage for an unwelcomed encore in the Sirhan trial, and there is a well known professional criminalist snooping around with a keen sense for the underhanded. Meanwhile, in the infrastructure, Dr. Noguchi's testimony is being cut short and then deleted from the record, De Wayne Wolfer is doing what he does best, the defendant's gun is not available for analysis, the gun used for the test-fire bullets is being destroyed, eyewitnesses are being badgered into oblivion, but William Harper is still on the trail. Suddenly, he stumbles onto the bombshell reprinted above.

* * * *

The "one-lone-nut" theory has always been a popular assassination theme in this country. The fact that conspiracies to assassinate heads of state have existed in practically every other country in the world does not seem enough to initiate new perspectives on political murder here at home.

The killing of Robert Kennedy is a supreme example: The "one-lone-nut", Sirhan Sirhan, who shot Kennedy so he would not send Phantom jets to Israel. The myth of the Los Angeles Police Department, that considers itself the best trained and best equipped law enforcement agency in the country, swung into action.

Sirhan was tackled with a smoking gun in his hand, there were eyewitnesses to the shooting, Los Angeles was not another Dallas, and Sirhan Sirhan

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did live to receive a fair trial and to go to jail. The American people got the murder trial they were robbed of in 1963, a swift and thorough expression of American justice. So ends the myth.

In reality, the Los Angeles Police Department bungled this case as badly as the Dallas Police, and what develops, as in the John Kennedy assassination, is a conspiracy within a conspiracy. An effort to maintain the reputation of the L.A.P.D., as well as the District Attorney's office.

The police can't find the girl in the polka-dot dress who was seen with Sirhan before the shooting; they have no leads on any of the conspirators; they have no explanation why security was so lax at the Ambassador Hotel and surrounding the Kennedy party; they have no explanation of why more bullets were retrieved than could have possibly been fired from Sirhan's gun; they have no explanation why eyewitness accounts differ so drastically from the official report, and why certain eyewitnesses were never contacted during the investigation; they have no explanation why the defendant's gun was never made availalbe, or why the test-fire gun was destroyed; they have no explanation why Dr. Noguchi was not allowed to testify fully before the jury; they have no explanation why Sirhan seemed to be in a "hypnotic" state when he was arrested; they have no explanation why Sirhan had the key to a 1959 Chrysler, that was not his, in his possession when he was arrested ....

The interviews that follow only compound the mystery. There was a cover-up, of that there can no longer be any doubt. The question for the public, and for an independent prosecutor, is —— what, at 12:15 A.M., on June 5, 1968, in a tiny, crowded pantry at the Ambassador Hotel, Los Angeles, was being covered up?

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IV.

INTERVIEWS WITH WITNESSES

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INTERVIEW WITH DONALD SCHULMAN THE NIGHT OF THE ASSASSINATION.

SHULMAN: O.K., I was standing behind Kennedy as he was taking his assigned route into the kitchen. A caucasian gentleman stepped out and fired. The security guard hit Kennedy all three times. Kennedy slumped to the floor, and the security guard fired back. As I saw, they shot the man who shot Kennedy, in the leg. He, before they could get him, he shot, it looked like to me, he shot a woman, and he shot two other men. They then proceeded to carry Kennedy into the kitchen, and I don't know how his condition is now.

From what you saw, did he appear to be grazed, or was it a direct hit? Was it very serious from what you saw?

SHULMAN: Well, from what I saw, it looked fairly serious. He was definitely hit three times. This thing happened so quickly that there was another eye-witness standing next to me and she is in shock now and very fuzzy, as I am, because it happened so quickly.

In a later interview, Shulman recalls the following:

SHULMAN: Sirhan stepped out and fired at the Senator, and as the Senator was going down I saw many guns being pulled out, and one gun was pulled out by a security guard, and it was fired.

I had thought that the security guard had fired, and in fact, I had thought that they had hit Sirhan in the leg.

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When asked if Sirhan was ever within inches of Kennedy, Shulman replies:

SHULMAN: No he was not. When Sirhan fired he was at quite a distance from him, and he was grabbed by Rosevelt Greer, and others.

After this eyewitness account, Shulman's recollections are challenged by the FBI.

SHULMAN: ....I thought it was a security guard at first, but later when being questioned by the FBI, I was later told there were no security guards around that night. I went over to the CBS cameras, where Ruth Ashton Taylor was standing, and I explained to her that the Senator was shot three times. I was then later told, by many sources, he only shot twice, but he was shot three times.

Concerning the security guards presence in the pantry, Shulman says:

SHULMAN: He wasn't standing very far from Kennedy.

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JULY 6, 1971.
BAXTER WARD INTERVIEW WITH DONALD SHULMAN
KHJ TV Los Angeles, California

SHULMAN: I saw the security guards draw their weapons out and I assumed they were security guards because -- well, I said it was an assumption they would be the ones with weapons. I saw other weapons but I did not see -- I saw the Senator hit but I did not see anyone shoot him. I was interviewed by the Los Angeles Police Department as was everyone else connected with CBS and I told them my story and what I'd seen and they, at that time, disagreed with me on seeing other weapons. I told them that I had positively seen other weapons and they then filled out the report and thanked me very much and said that they had enough witnesses and I probably would not be called. They went into it pretty thoroughly but when I told them that I'd seen other guns they told me that other people had not at that time and they implied that I had been mistaken. They didn't harrass me or anything. They just conducted their interview.

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JULY 5, 1971
BAXTER WARD INTERVIEW WITH CARL UECKER
KHJ TV Los Angeles, California

CARL UECKER: Sirhan never came closer with his gun towards Kennedy, a foot and a half to two feet. I would say more two feet than -- call it two feet. Yeah, the closest he could get to Kennedy. When the first two shots were fired Kennedy was facing me and facing Sirhan, so he never was able to get behind Kennedy or behind me. I didn't know anything about the autopsy result during the trial and I always said that I grabbed the gun after the second shot and nobody ever told me any different during the trial. I read later in the newspaper that Mr. Fitz mentioned that I couldn't have gotten the gun of Sirhan at the second -- I must have gotten him at the fourth shot. Which is not true. I got him after the second shot. And I never changed my testimony -- gave a testimony to the LAPD, to the Grand Jury hearing, to the trial, to the FBI -- I never changed my testimony. I know that a security guard is hired by the hotel, and I know that there was somebody around there but I wouldn't know the exact position where he was.

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JUNE 17, 1971
BAXTER WARD INTERVIEW WITH EVAN FREED
KHJ TV Los Angeles, California

EVAN FREED: As I told the police, I recall seeing a girl in a polka dot dress -- a woman, that is -- in the pantry area, but I didn't actually see her running out the door as I was quoted as saying in that book.

When he fired the first shot, or first two shots, I'm not sure -- I would say he was between, anwhere within five feet or closer to Senator Kennedy. When he was firing the volley of shots following a pause after the first one or two shots, I'd say he was -- I'd say Senator Kennedy was already on the floor and that he was about six feet away from Senator Kennedy at that time. Firing sort of into a crowd of people. I was in the pantry area for about 15 minutes prior to Senator Kennedy's arrival following his speech and I saw her in the kitchen at that time. He was one of the first ones to come through the door and I was backing up facing Senator Kennedy at that time. And I turned my head for one second and about right then I heard what sounded like a firecracker go off. I looked down at the floor and immediately I turned my head up and saw standing about four feet away from me the man who turned out to be Sirhan Sirhan firing a volley of shots at Senator Kennedy. At that point I -- there was sort of a big burst of screaming and shoving and pushing and I got shoved literally back to the -- I guess would be the east wall of the Embassy Room pantry, and at that point I saw what appeared to be

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two men running toward the southwest door -- southeast door which led into the Embassy Room. One man was a fairly tall man of dark complexion, approximately six, six-one. And the other man was a heavy set man who I believe was a security guard for the hotel, but I can't say that for sure. But he was yelling at either me or the other man, "Stop him, stop him, stop him."

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JUNE 14, 1971
BAXTER WARD INTERVIEW WITH BOOKER GRIFFIN
KHJ TV Los Angeles, California

GRIFFIN: ...that I differ very strongly with police details. In some instances I still stand on my position that I saw a girl and another gentleman in the corridor with the alleged or convicted assassin or whatever the legal thing may be and I did run up that side corridor in pursuit of them after what I saw happen. This was thoroughly discounted and in some discount -- or some press accounts of this, others say that I changed my testimony or that I said that I wasn't sure. But I am decidedly, definitively and definitely sure that all the Los Angeles Police Department is guilty of trying to fabricate this story. I thought that when I was interviewed by the police department that they were trying to force me to polly-parrot a predetermined story. I felt that they wanted to simplify the issue to get a direct conviction and to do as much to save the face of the city as they could. And I have very serious questions about the integrity of the Los Angeles Police Department in this matter.

WARD: How close was Sirhan to Kennedy?

GRIFFIN: It is difficult to recollect for the simple reason that after the first shot or two it would appear that he was grabbed and whatever other shots took place in the process of a struggle. Now, I have always had some difficulty dealing with the whole motion and movement and closeness of Sirhan into the autopsy report or how -- for instance, how the burns on the Senator's ear or something to that effect. I cannot recall that

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he would have been that close. But again, it's very difficult to be -- you know -- sure at this time -- you know -- because of the three-year lapse. Well, you have to understand how impressionable people are in this society. And I think that a lot of people who are so used to being excited that the authorities have a way in controversial situations of putting a story together and then telling you, and telling you that we have "X" number of witnesses that say this. And they beat people down, they drive people down because people are not trained to observe so therefore what they recollect is hazy anyway. And so authorities that twist people and pressure people -- people can get honest people and sincere people to polly-parrot a precontrived story. And then a few people, perhaps like myself, may be a little bit strong and maybe trained to look and observe will be discredited and beat down, and the police have honest and legitimate people polly-parroting what they want them to say. I talked to one other young lady who was just totally beat down by authorities and just made a nervous wreck because they constantly questioned her concept of reality to the point that rather than for her to stand up for what she knew that she saw, she bent down and let them throw doubts in her mind and she almost became a nervous wreck and almost had to go to a mental institution because these people were strong enough to make her question her own consciousness which is very wrong, very wrong.

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INTERVIEW WITH THANE EUGENE CAESAR

Thane Eugene Caesar, was the security guard that Donald Shulman saw near Kennedy. Ted Cherack, who was present in the pantry at the time of the assassination, interviewed Caesar, and asked him about his political philosophy.

THANE EUGENE CAESAR: There was a few things that Bobby pulled and a few things that John pulled that weren't publicized, that the people in this country know about, but don't talk too much about.

What is your feeling about the vast numbers of young people protesting the Vietnam war, and the moratorium domonstrators?

THANE EUGENE CAESAR: The way I feel about it you couldn't put it in a book, they might censor it. They want to get the youth stirred up, because that's where the greatest number is, and, of course, somebody between the ages of 16 and 20, he ain't too bright anyways and he's easily led.

How do you view President Richard Nixon?

THANE EUGENE CAESAR: He's trying to outdo Johnson. He's a politician. Nixon's a politician. Johnson was a politician, and I definitely wouldn't have voted for Bobby Kennedy because he had the same ideas as John did, and I think John sold the country down the road. He gave it to the commies, he literally gave it to the minority. He says 'here you take over, I'm giving it to you, you run the white man.' Nobody should be run. I'm not saying that the white

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should be the slave of the black, or the black the slave of the white, but, he turned the pendulum too far the other way and its's getting out of hand, and one of these days, at the rate they're going, there's gonna be civil war in this country. It's gonna be the white against the black, and the only thing I'd say is that the black will never win.

When asked about the presence of security guards at the Ambassador, Caesar said:

THANE EUGENE CAESAR: There were seven guards from Ace Guard Service that night. I think there was five Ambassador guards.

Asked about his actions that night, he replied:

THANE EUGENE CAESAR: ...CBS and NBC had their cameras at the doorway and as he walked through, for some reason, I just, we started walking with him, and I happened to wind up on what would be his right side.

...when he went through the door into the kitchen [pantry] I was right behind him.

When asked if he ever reached for his weapon, Caesar answers:

THANE EUGENE CAESAR: I drew it out of my holster and had it in my hand.

*

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V.

DIAGRAMS AND PHOTOGRAPHS

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AUTHENTICATION OF CLEMENTE PHOTOGRAPH OF TWO BULLET HOLES
IN
CENTER DIVIDER OF PANTRY DOORS

I, John Shirley, attest and affirm that on the morning of June 6, 1968 I accompanied John R. Clemente to the Ambassador Hotel where he took a number of photographs.

We went to the Embassy Room and then to the adjacent kitchen/service area where Robert Kennedy had been shot. In this area Mr. Clemente took several photographs including a long-shot and a close-up of the wooden jamb on the center divider between the two padded swinging doors through which Mr. Kennedy and his party had entered the service area after leaving the Embassy Room.

In the wooden jamb of the center divider were two bullet holes surrounded by inked circles which contained some numbers and letters.

I remember a manager pointing out those particular marked bullet holes to another person, who appeared to be a press photographer.

The two circled bullet holes in the photograph were between waist-high and eye-level, and I am six feet tall.

It appeared that an attempt had been made to dig the bullets out from the surface. However, the center divider jamb was loose, and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed.

It also appeared to me that there was evidence that another bullet had hit one of the padded swinging doors.

John Maguire Shirley
JOHN SHIRLEY

WITNESS:
Lillian Castellano

23 March, 1969

~~KENNEDY ASSASSINATION~~
~~TRUTH COMMITTEE~~
~~P. O. BOX 33524~~
~~L. A., CALIF.~~

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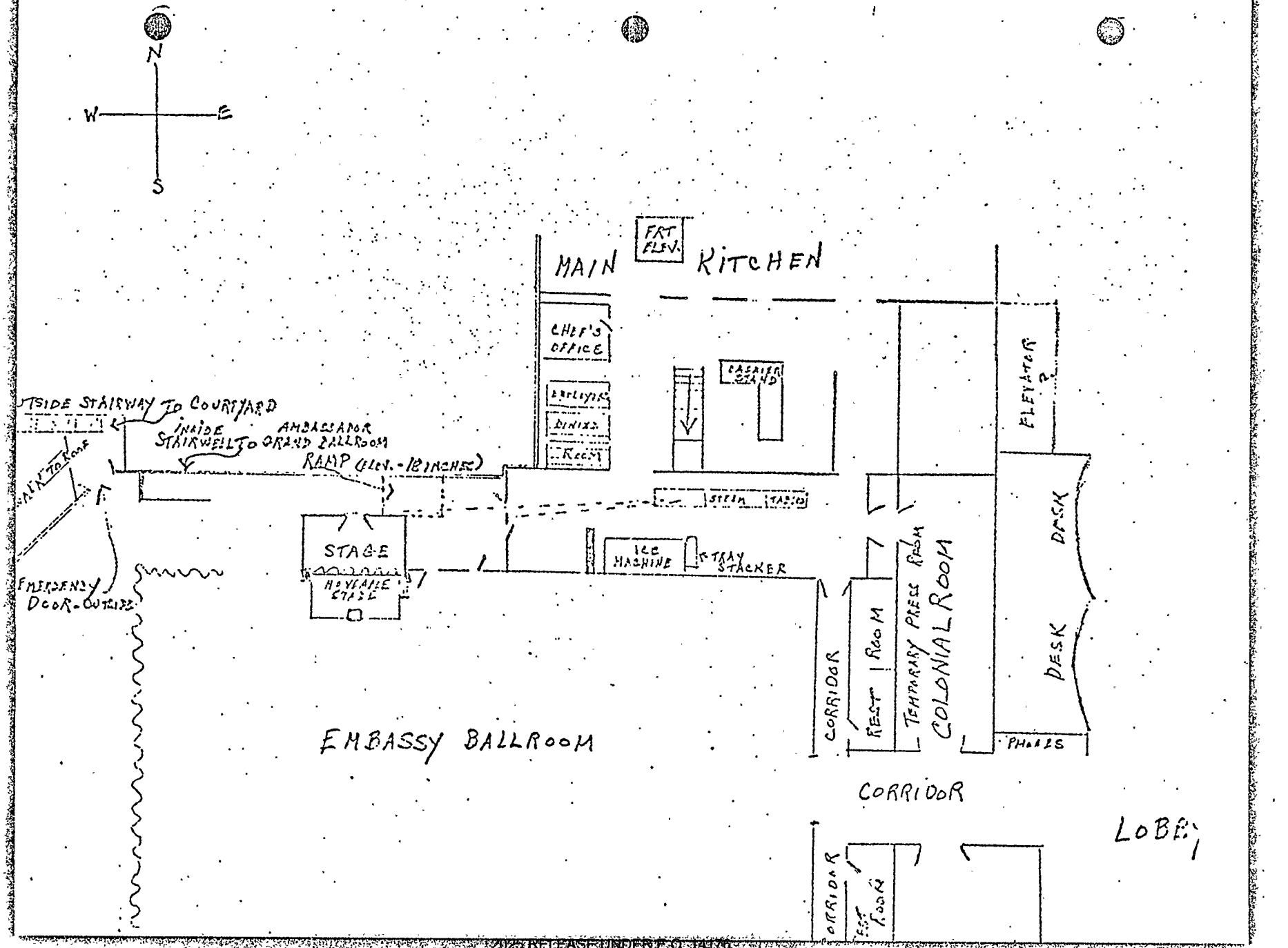

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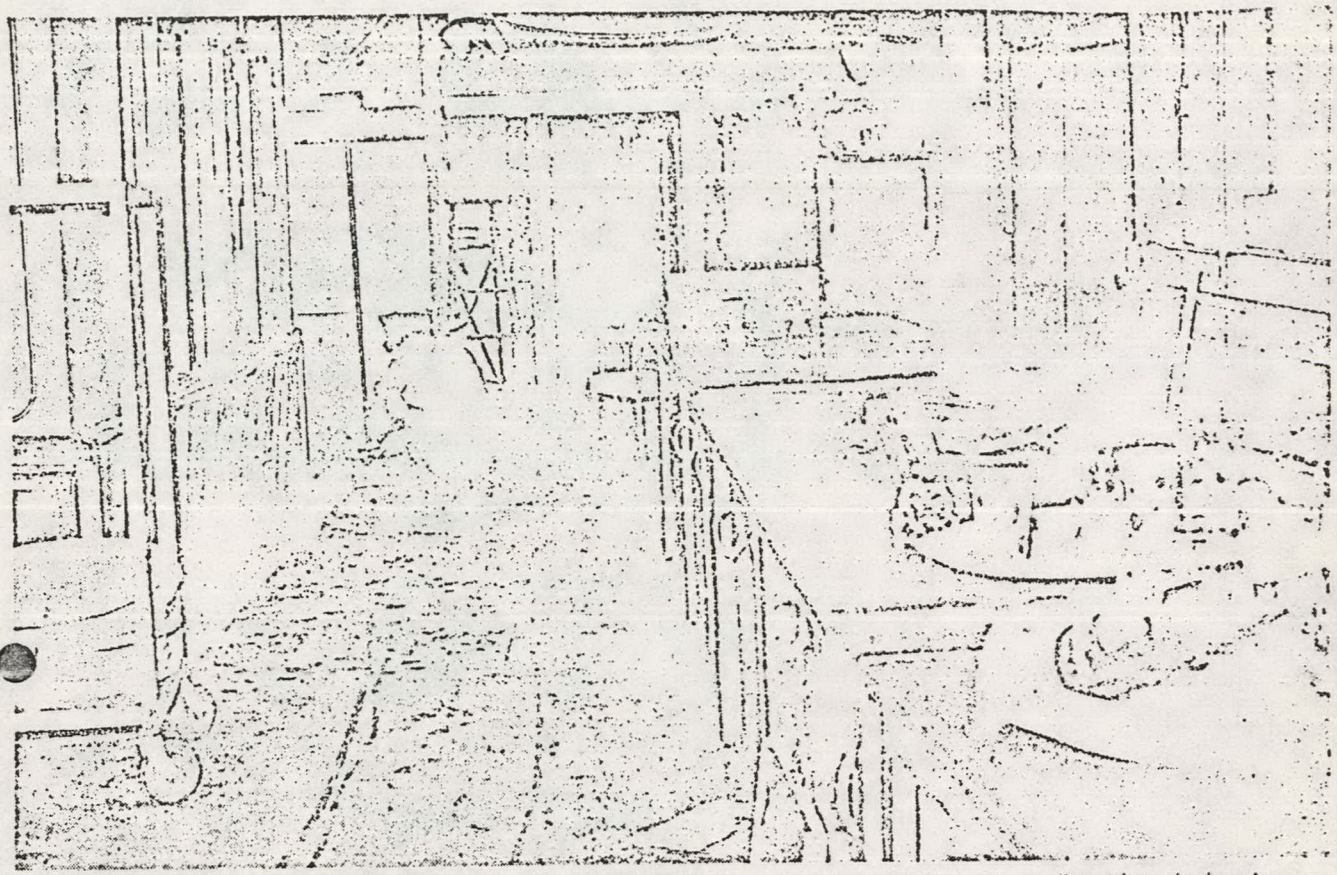

WHERE SENATOR FELL—Officer kneels at the spot where Robert F. Kennedy was struck down after walking through door in rear.

This photograph, evidently taken June 5, while the police were still at work in the pantry, shows the facing of the center divider to be missing. (Compare with facing on top and side of door).

This fact verifies Shirley's statement of authentication on the Clemente photograph of June 6, the following day, that: "It appeared that an attempt had been made to dig the bullets out from the surface. However, the center divider jamb was loose, and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed."

At left of picture is tray stacker stand on which, according to DiPierro, Sirhan stood waiting, with a smile on his face, next to a girl in a polka-dot dress. At right of picture is entrance to main kitchen.

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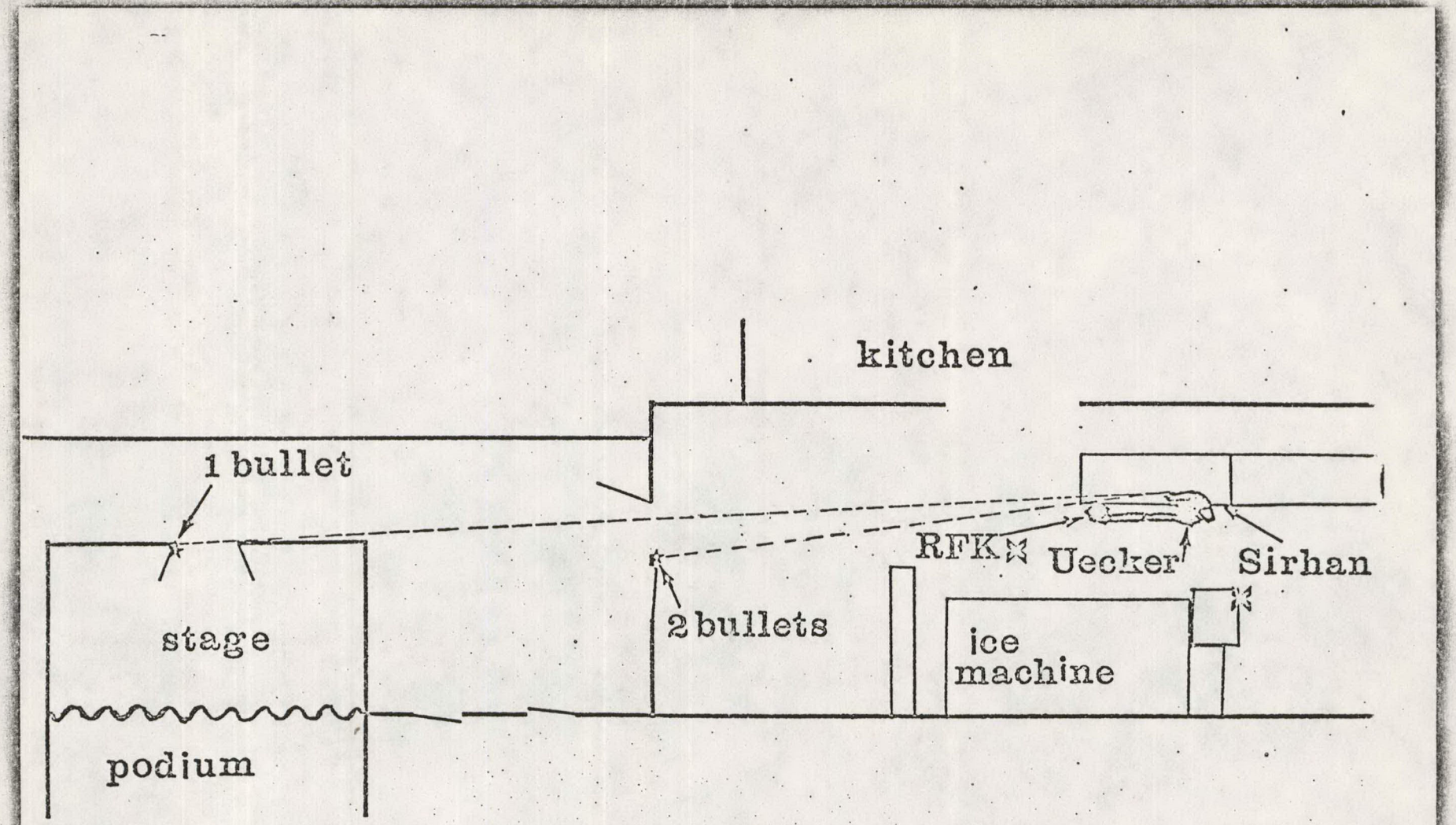

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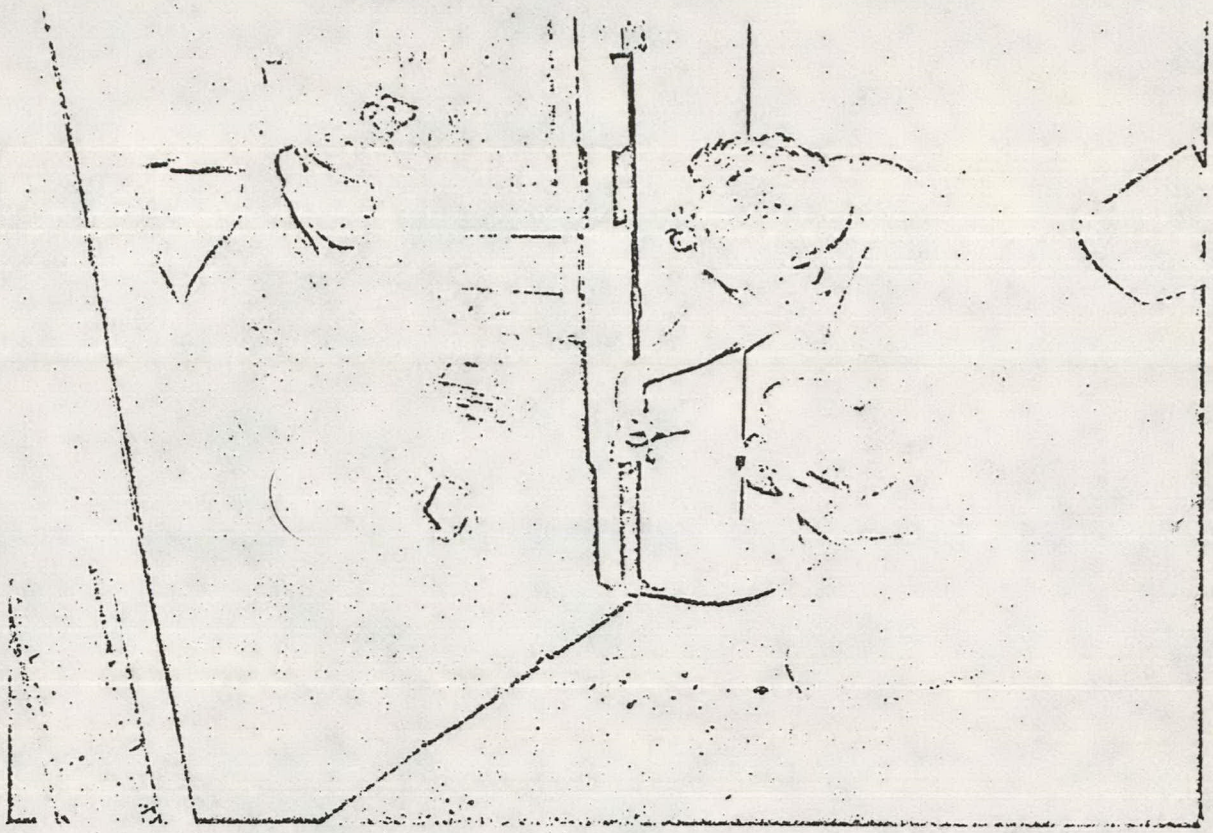
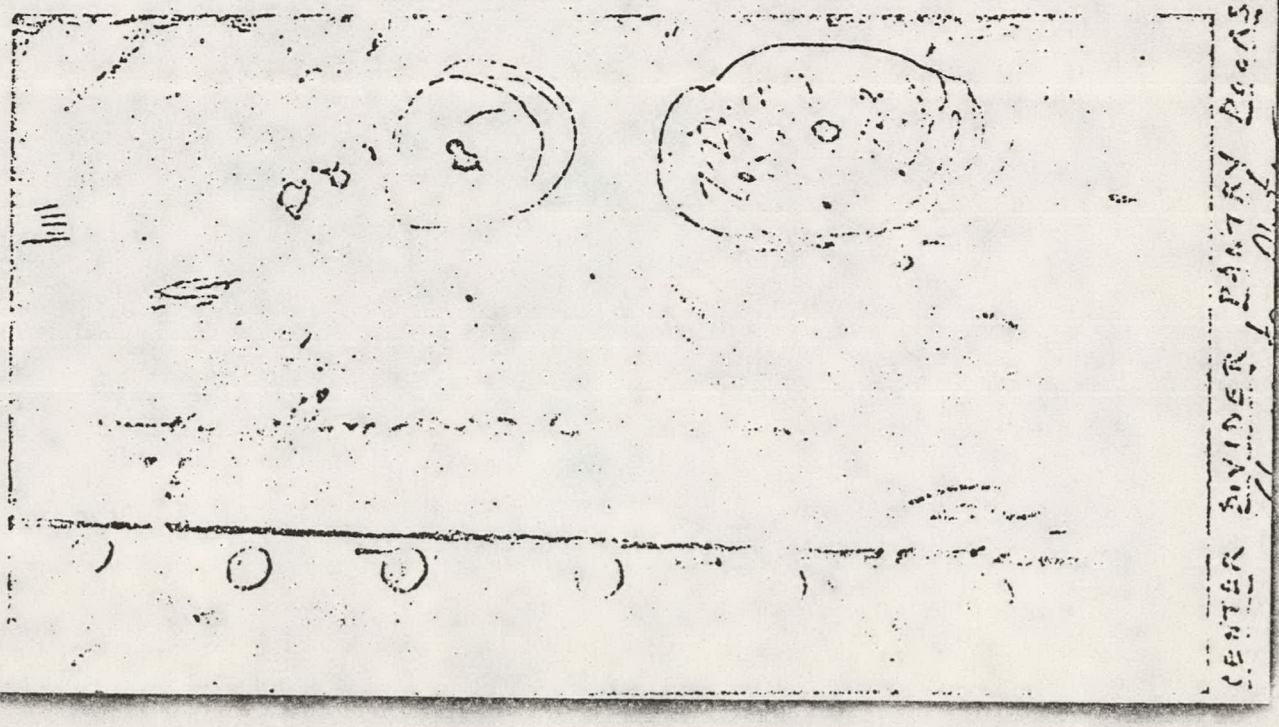


Stage Door

Los Angeles June 5, 1968
BULLET FOUND NEAR KENNEDY SHOOTING SCENE
A police technician inspects a bullet hole discovered in a door frame in a kitchen corridor of the Ambassador Hotel in Los Angeles near where Sen. Robert F. Kennedy was shot and critically wounded early today. Bullet is still in the wood.



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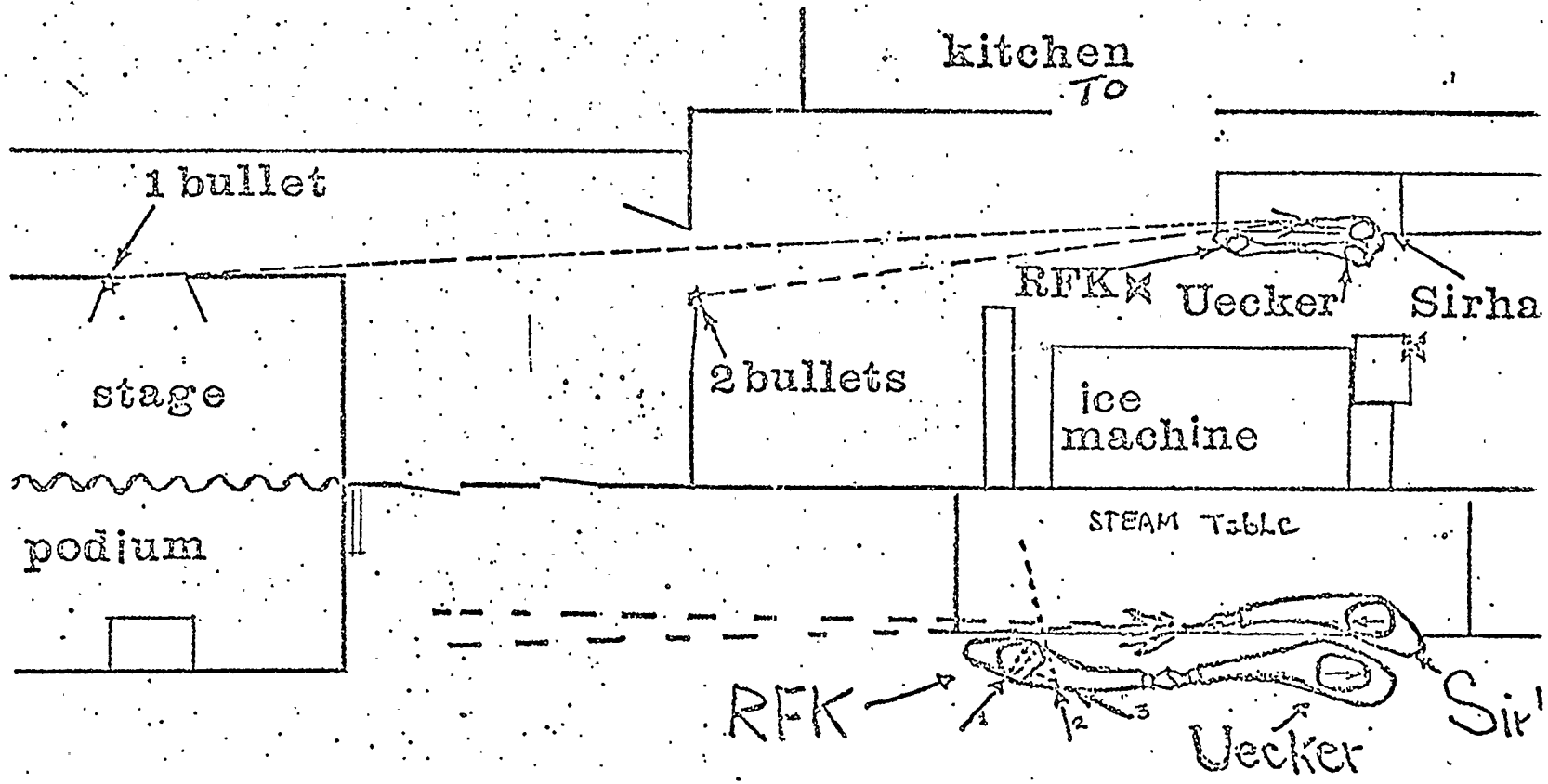
The autopsy report places the gun muzzle between 1 to 6 inches from Robert Kennedy's ear and yet no one places Sirhan closer than 3 to 4 feet. They were facing each other. Yet Robert Kennedy was shot from back to front and from down to up.

W E S

The back up shooter (or shooters) was standing right behind him. If you know any policemen try to get them interested in this case.



Compliments: The Echo Park Commission on Law and Order (It is unlawful to kill a Senator and disorderly as well.)

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