

Sirhan and the RFK Assassination

Part I:

(Part 2)

The Grand Illusion

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This is the first of a two-part series dealing with Sirhan Sirhan's current efforts to win an evidentiary hearing before the California State Supreme Court, and the evidence upon which that request is based. This part will focus on the evidence in the case, particularly as it

relates to the gun, the bullets, and a little-known item referred to as Special Exhibit 10. The second part will deal with the question that must logically follow: If Sirhan didn't kill Kennedy, then who did?

"If he isn't guilty, it's the sweetest frame in the world."

– Los Angeles Deputy District Attorney John Howard, 1975

The Grand Illusion

Have you ever seen a master magician? Have you found yourself gasping in amazement asking half-aloud, "How did he **do** that?" You see a man step into a box on a hollow platform that's immediately hoisted into the air. Within seconds, the man you saw get into a box that still hangs in front of you appears from behind you in the audience, walking down the aisle. Your eyes have convinced you this is not possible, because you **saw** the man get into the box. Yet there he is, the impossible made real. Such a trick is called a grand illusion, designed to confuse and deceive. Most enjoy being deceived in this manner; few want to puzzle the evidence through logically to the only possible conclusion of how such a trick has to be done. After all, the man cannot both be in the box and on the ground at the same time!

The assassination of Robert F. Kennedy is also a carefully constructed illusion, designed to confuse and obfuscate. Imagine what the eyewitnesses in the crowded pantry saw. Robert Kennedy had obviously been shot, and Sirhan was firing a weapon. Sirhan **must** have killed Kennedy. And yet, ***the physical evidence does not support this conclusion.*** Sirhan cannot have killed Kennedy any more than the magician could be both in the box and in the audience. It is not physically possible. And just as only another magician or an extremely perceptive observer can tell you the truth behind the box illusion, only the conspirators themselves or perceptive observers can throw light on the events of June 5, 1968.

The quantity of people who have seriously investigated the RFK assassination is surprisingly small, given the large number of people who have at some point or another devoted time and energy to learning the facts surrounding the assassination of Bobby's older brother John. But what this small, dedicated group of citizens has uncovered is astonishing. The evidence they have uncovered deserves to be dealt with honestly in a court of law. In fact, a writ has been filed on Sirhan's behalf and is before the California Supreme Court at the time of this writing. Sirhan's family and legal representatives are asking the court to hold an evidentiary hearing, based on newly discovered evidence.

As this article will show, justice in this case has yet to be served. This author is aware that an extraordinary claim requires extraordinary evidence. Tireless researchers such as Bill Turner, Jon Christian, Greg Stone, Philip Melanson, Ted Charach, Rose Lynn Mangan and Sirhan's own family have discovered much over the intervening years. Mangan in particular has come up with evidence that should properly cause any court to doubt the legitimacy of the case against Sirhan. This article owes much to her guidance through the snaking paths of contradictory evidence, and her assistance has been both generous and exacting.

In the case of Watergate, Deep Throat advised Bob Woodward to "follow the money." If Deep Throat had anything to say about this case, it would be "follow the bullets." Nothing is more important in a murder conviction than establishing that a certain person, by means of a certain gun and certain bullets, caused the death of another. The chain of evidence is critical in any such case. As will be shown, the chain of evidence here resembles not a chain at all, but a patchwork quilt made from squares of dubious origin. Hitler once wrote that the bigger the lie, the more likely people are to believe it, since few people can imagine telling so gross a lie. It is perhaps the size and nature of the lies in this case that have made the fictitious version of the event seem more plausible than the real one.

There is no quick way to tell the incredible story of this case. It defies abbreviated summation. Those who wish to learn the truth must first find within themselves the requisite patience and interest necessary to discover it.

June 5, 1968

Not long after midnight, on the morning of June 5, 1968, Senator Robert F. Kennedy finished up his victory speech at the historic Ambassador Hotel on Wilshire Boulevard in Los Angeles. He had just won the California primary in his effort to secure the Democratic nomination to be that party's presidential candidate in November. As Kennedy was about to leave the stage, a fateful event occurred. LA Rams tackle Roosevelt Grier, who had been working with Kennedy's California campaign, would tell the LAPD:

Well, first of all, we were up on the stage, and they said they was going off to the right of the stage, and at the last minute ... Bill Barry decided to change and go a different direction because people had found out which way the senator was going to go, and we had to go downstairs to another ballroom where people were waiting. This was a press gathering here, and so Bill Barry and someone else took the senator down and I was lifting Mrs. Kennedy down from the stairs and we started walking....[1](#)

As Kennedy left the podium, he walked down a ramp and entered a pair of swinging doors, heading east. Between the stage and the press area was the kitchen pantry, where food for guests at the Ambassador was prepared.

Maître d' Karl Uecker gripped Kennedy's right wrist with his left hand. Ace Guard Service employee Thane Eugene Cesar joined Kennedy as he went through the double doors into the pantry, touching his right elbow. Bill Barry, an ex-FBI man who was ostensibly serving as Kennedy's bodyguard had fallen behind Kennedy as he entered the pantry.

As they headed east through the room, Kennedy stopped every few feet to shake the hands of hotel workers. The last hand he shook was that of busboy Juan Romero. Uecker pulled Kennedy as he moved forward. The tiny kitchen held, by official count, 77 people (including Sirhan and the shooting victims) who were possible witnesses to what happened next.

Uecker related that with Kennedy still in hand, he felt someone sliding in between himself and the steam table about two feet away from where he stood. Busboy Juan

Romero and waiter Martin Patrusky saw Sirhan approach Kennedy, as did Lisa Urso, a San Diego high school student. Urso saw Sirhan push his way past her towards the Senator. She thought he was going to shake his hand, then saw a movement that made her stop in her tracks in frightened anticipation. Vincent DiPierro, a waiter who had observed Sirhan standing and talking to a pretty girl in a white, polka dotted dress earlier that night, heard someone yell "Grab him" a split second before the shots were fired. Somebody reported Sirhan saying, "Kennedy, you son of a bitch," and then firing at Kennedy with his hand outstretched.

Uecker felt Kennedy slip from his grasp as he fell to the ground. Screams were heard as bystanders Paul Schrade, William Weisel, Ira Goldstein, Erwin Stroll and Elizabeth Evans were hit by flying bullets. Kennedy suffered gunshot wounds in three different places, with a fourth bullet passing through his coat without entering the skin.

Uecker immediately grabbed Sirhan's hand and forced it down onto the steam table. A swarm of men descended upon Sirhan, surrounding him, holding the gun. Decathlon champion Rafer Johnson, Grier, George Plimpton and others formed a barricade around Sirhan, one holding his head, another with a finger in the trigger to prevent additional shots, another grabbing Sirhan in a crushing bear hug.

Uecker and DiPierro reported initially hearing two shots, followed by a flurry. DiPierro told the LAPD, "I saw the first two go off. I saw them actually." Several witnesses reported hearing one or two shots, and then a pause. Then all hell broke loose. Witnesses not within eyesight of what was happening thought they were hearing balloons popping or firecrackers. Los Angeles photographer Boris Yaro, in a phone interview with Robert Morrow, recounted his memory of the event:

There was either one or two shots fired. O.K. And then, boom, boom, boom, boom, boom. There was a pregnant pause between those two because my initial impression was some jackass has set off firecrackers in here; because I got hit in the face with debris...And then it hit me. Oh, my God, it's happened again.[2](#)

Sirhan was eventually subdued, and taken into police custody.

The police created a unit—originally named "Special Operations Senator," and renamed a week later "Special Unit Senator"—to investigate the circumstances surrounding the assassination. The unit put together the evidence that became the basis of the prosecution's case against Sirhan.

Sirhan's defense team stipulated to his guilt. The trial of Sirhan Bishara Sirhan was a trial solely for the purpose of determining his sentence, not whether or not he really was guilty of the crime. Sirhan himself, to the belief not only of his defense team but to the belief of the prosecution as well, truly could not remember the incidents of that night. His defense only offered that he had not been in control of his senses at the time of the killing. Not surprisingly, given such a defense, Sirhan was sentenced to death, a sentence which was commuted by the abolishment of the death penalty in California. The illusion was complete. A deranged lone gunman had killed another Kennedy. Most people, even those fairly knowledgeable about the John Kennedy assassination, assumed that this time, the truth was self-evident.

It is due to the success of this grand illusion that to date, there has never been a serious official investigation of the strange facts surrounding this case. It is the most politically incorrect of all cases. So many people saw Sirhan firing, and Kennedy fell just a short distance away. How could the truth be other than what it seemed? Could that many people have misrepresented the case to us, including Sirhan's own defense team? Could officials now serving at the higher levels of our state government have really been accessories after the fact to a deliberate cover-up?

Ironically, as this article will show, it was the efforts of those who—by any means necessary—strove most to prove Sirhan guilty, who created the evidence that may yet serve to set him free.

Police, FBI and press photographers swarmed into the pantry, each recording in their own way what had transpired that night. The photos told a story that was opposite what the police and the District Attorney's office was telling. There

were too many bullets to be accounted for. To limit the record to the maximum number of bullets Sirhan's gun could have fired, eight, the official account of what transpired had to be stretched in some extraordinary—and ultimately dishonest—ways.

The Great Waldo Pepper Bullets

The trajectory study conducted by the Los Angeles Police Department was so superficial for a case of this enormous magnitude and complexity as to be embarrassing to the professional reputation of that Department. – Paul Schrade³

One of the most ridiculed aspects of the **John** Kennedy assassination is the preposterous claim that one bullet created seven wounds. In that case, we are asked to believe that a bullet entered Kennedy's back at a downward angle, exited from his neck (at an upward angle), turned around and went back down into Connally's back, exited Connally's chest, entered and exited (and shattered) Connally's wrist to land, in near pristine condition, in his thigh, only to work its way out and to end up, undiscovered until by accident, on a cot in the hall of the hospital. This bullet, known among researchers by its Warren Commission exhibit number, CE399, has been called, appropriately, the "magic bullet." Science had been changed. No longer did bullets fly in straight paths; they imitated instead the paths of stunt pilot barnstormers such as the Great Waldo Pepper of movie fame.

The Robert Kennedy assassination requires not just one but **several** magic bullets to reduce the bullet count to eight. Without even getting into the evidence that there were more bullets than Sirhan's gun could hold, let's focus first on the route those eight supposedly took, according to the official LAPD summary.

As you will recall, five people were shot besides Kennedy, one of whom was shot twice; Kennedy himself was shot four times. Doesn't that add up to ten bullets? Not if the LAPD could come up with some magic ones.

The bullet that pierced Kennedy's coat without entering him took a path of roughly 80 degrees upwards. The bullet was

moving upwards in a back to front path (as were all of Kennedy's wound paths). But the LAPD figures this must be the bullet that hit Paul Schrade. Had Schrade been facing Kennedy, he would still not be tall enough to receive a bullet near the top of his head from that angle. But he was **not** standing in **front** of Kennedy. He was **behind** him by all eyewitness accounts, and as shown by the relative positions where the two fell after being hit.

For Sirhan alone to have made all the shots, we are asked to believe that one of the bullets that entered Kennedy's coat just below the armpit exited up and out of the coat just below the seam on top of his shoulders, and then pulled a U-turn in midair to hit Schrade in the head. Schrade has been one of the most persistent in calling for a new investigation of this case for precisely this reason. He **knows** the report is incorrect, and if it's incorrect, there had to be at least one more gun firing in the pantry.

Ira Goldstein had been shot twice, although one shot merely entered and exited his pant leg without entering his body. He was less fortunate on a separate shot, which entered his left rear buttock. But since there were no bullets to spare, according to the LAPD's strict adherence to the eight-bullet scenario, the pant-leg bullet was made to do double duty. According to the LAPD, after passing through his pants, the bullet struck the cement floor and ricocheted up into Erwin Stroll's left leg. The only bullet that seemed to take a plausible path was the one that hit Weisel in the left abdomen.

One of the big problems the LAPD had with the crime scene was the number of bullet holes in the ceiling tiles. Based on witnesses' recollections, there were too many holes to account for. There are photos of the LAPD running strings through bullet holes in the ceiling to establish trajectories. Somehow, these had to be accounted for.

Elizabeth Evans had bent over to retrieve a shoe she had momentarily lost. Suddenly she felt something had hit her forehead. Medical reports confirm that the bullet entered her forehead below the hairline and traveled "upward", fitting the scenario she remembers. But because the LAPD needed to account for some of the bullet holes in the ceiling, they

decided that a bullet from Sirhan's gun had been fired at the ceiling, entered a ceiling tile, bounced off something beyond the ceiling tile, reentered the room through a different ceiling tile, and struck Evans in the forehead. This bullet must have pulled more of a hairpin turn than a U-turn, if the LAPD's version and the medical reports are to be merged.

This left still one unaccounted for hole in the ceiling. Or rather, at least one. We don't know how many holes there were because the tiles were destroyed. But the LAPD knew that there were more than two holes in the ceiling. One of the bullets that entered Kennedy passed straight through on a near vertical path, parallel to the one that entered the coat, but not the body, of Kennedy (the one that supposedly terminated its path in Schrade's head). This bullet supposedly passed through Kennedy and continued on upwards into the ceiling. Since Kennedy was facing Sirhan, and the bullet entered back to front, that would aim the bullet into the ceiling nearly directly above Sirhan's head, according to witness placements of Kennedy and Sirhan. And indeed, there was a tile removed from that very spot. But Sirhan's arm is not the many feet long it would have taken to reach around Kennedy to shoot him from behind, while standing several feet in front of the Senator.

***More than Eight Bullets = Two (or More) Guns =
Conspiracy***

As we have seen, the official police reports strove to present a plausible scenario for where each bullet went. And even if one accepts the accounts above as legitimate, despite the important difficulties in those trajectories, the problem is bigger still. There is a substantial amount of evidence to show that *more* than eight bullets had been fired in the pantry that night. And if there were more than eight bullets, Sirhan was not a deranged, lone gunman, but somehow part of a conspiracy which has yet to be officially acknowledged.

Evidence of additional bullets surfaced nearly immediately. On June 5, an AP photo was published showing two police officers pointing at something in the center frame of the swinging doors that led into the pantry. The caption read, "Bullet found near Kennedy shooting scene". In 1975, Vincent Bugliosi, who was then working with Schrade to get the case

reopened, tracked down the two police officers depicted in the photograph. To that time their identity had been unknown. Bugliosi identified the two officers as Sgt. Charles Wright and Sgt. Robert Rozzi. Both Wright and Rozzi were sure that what they observed was not only a bullet hole, but a hole **containing** a bullet.

If the hole contained a bullet, then it would have been the ninth bullet, since seven bullets had been recovered from victim wounds and the eighth was to have disappeared into the ceiling (necessary to account for acknowledged holes in the ceiling tiles). So any additional bullet presented a serious problem for those wishing to state there was no conspiracy.

In a declaration filed with the courts, Bugliosi stated:

Sgt. Rozzi had told me and he told me unequivocally that it was a bullet in the hole and when I told him that Sgt. Rozzi had informed me that he was pretty sure that the bullet was removed from the hole, Sgt. Wright replied "There is no pretty sure about it. It definitely was removed from the hole, but I do not know who did it."

Shortly after the assassination, the LAPD removed the doorjambs and ceiling panels in the Ambassador Hotel and booked them into evidence. One has to wonder why someone would tear off a doorframe or book a ceiling panel into evidence if it contained **no** evidence of bullets.

Investigative reporter Jonn Christian found a **Chicago Tribune** article authored by Robert Weidrich. Weidrich had evidently been in the pantry as the doorjamb was being removed, for his account contained the following information:

On a low table lay an 8-foot strip of molding, torn by police from the center post of the double doors leading from the ballroom. These were the doors through which Sen. Kennedy had walked....Now the molding bore the scars of a crime laboratory technician's probe as it had removed two .22-caliber bullets that had gone wild.[4](#)

Philip Melanson contacted Weidrich in December of 1988. To that point Weidrich had not been aware of the controversy

surrounding the number of bullets in the pantry. He told Melanson that the police in the room had been "amazingly cooperative", answering his questions and allowing him access. At that point, neither the police nor any reporters present could have known how significant additional bullet holes would be.

Amongst a great deal of additional evidence that will not be discussed here, perhaps the strongest piece supporting the contentions of Rozzi and Wright came from the FBI. The FBI had taken their own photos of the pantry after the assassination. Three photos in particular have been particularly important to this discussion, photos E-1, E-2, and E-3. The official FBI report of these photos labels them as follows:

E-1 View taken inside kitchen serving area showing doorway area leading into kitchen from the stage area. In lower right corner from the photo shows two bullet holes which are circled. The portion of the panel missing also reportedly contained a bullet.

E-2 A close up view of the two bullet holes of area described above.

E-3 Close up view of two bullet holes which is located in center door frame inside kitchen serving area and looking towards direction of back of stage area.

Bullets do not create bullet holes in wood frames behind victims, exit those holes in the reverse direction, and then circle around to enter victims from the front! There is no way to account for these holes using the existing victim wounds. Two bullet holes in the doorframe would make 10 bullets overall ***at a minimum.***

This particular point so worried the County of Los Angeles that in 1977, Investigator Robert Jackson, writing for Chief Administrative Officer Harry L. Hufford, asked the FBI for any clarification they might offer regarding these photos. The full text of this interesting letter is included here:

Dear Sir:

In the course of an inquiry by the Los Angeles County Board of Supervisors into certain aspects of the physical evidence at the Senator Robert F. Kennedy assassination, questions have arisen concerning certain FBI photographs. These photographs, purportedly taken by Special Agent Greiner and numbered E-1, E-2, E-3 and E-4, are captioned "bullet holes".

If these were, in fact, bullet holes, it could be inferred that more than one gun was fired in the pantry during the assassination. Mr. Allard Lowenstein, Ambassador to the United Nations, among others, has maintained that a possibility exists that another assassin was present. Mr. Lowenstein and other critics of the official version have referred to the above photographs as representing the official opinion of the FBI inasmuch as the captions are unequivocal in stating "bullet holes".

If the captions had said possible, probable, or apparent bullet holes, one could assume that no precise examination had taken place at the time the photographs were taken. However, the captions would lead one to believe that a determination had been made by someone with the requisite knowledge and skills.

The dilemma we are faced with is that the photograph captions are being used as evidence of the official FBI position in the absence of any other official stated position.

If more bullets were fired within the pantry than Sirhan Sirhan's gun was capable of holding; we should certainly find out who else was firing. If, in fact, the FBI has no evidence that the questioned holes were bullet holes, we should know that so that the air may be cleared.

It is therefore requested that the official position of the FBI regarding these bullet holes be relayed to this office.

Thank you for your cooperation.[5](#)

To date, no record of any formal reply to this appears to have surfaced. In addition, new corroboration for this evidence came in 1975, when Vincent Bugliosi tracked down Martin Patrusky, a waiter at the Ambassador and an eyewitness to the shooting. Patrusky gave Bugliosi a signed statement describing all the events he could recall that related to the assassination and its aftermath. He recounted being at the hotel when a few days after the assassination, the LAPD arrived to do a reconstruction of the crime. Patrusky wrote, "Sometime during the incident, one of the officers pointed to two circled holes on the center divider of the swinging doors and told us that they had dug two bullets out of the center divide."[6](#)

One final witness whose credibility is hard to shake is FBI agent William Bailey, who stated in an affidavit that he and several other agents of the FBI noted at least two small caliber bullet holes in the center divider. He added, in refutation to the hilarious claim that these holes were made by food carts, "There was no question in any of our minds as to the fact that they were bullet holes and were not caused by food carts or other equipment in the preparation room."

Inexplicably, not only has the LAPD denied that there were additional bullet holes in the pantry, they destroyed the evidence that could have proven their claims true! On June 27, 1969, a destruction order was issued for the ceiling panels and doorjamb which had been removed from the Ambassador and booked into evidence.[7](#) Given that the AP photograph was circulated on June 5, 1968, it seems beyond the realm of plausibility that such an order could have been given in ignorance of the suspicions that would surely surround the doorjamb and ceiling panel evidence.

Ten bullets (and likely more) would indicate that at least two guns were being fired in the pantry that night, and that a conspiracy had been at work. But if more guns were firing, why didn't anyone report this? ***Or did they?***

Multiple Gun Sightings

Contrary to popular belief, there were witnesses who indicated that more than one gun had been present in the pantry that night. Consider the following statements:

"It sounded as if there was more than one gun being used at that point." – Booker Griffin to the LAPD, 7/25/68.

"After the shots, I saw to my left a guard holding a revolver." – Statement attributed to Richard Lubic in a manuscript analyzed in the LAPD files.

"But the security guard had a gun and I think he went like this [drawing a gun] or he put it in a holster or something..." – Lisa Urso to Dr. Phil Melanson.

"I'm pretty doggone sure he [a security guard] fired his gun." – Don Schulman to the DA's office in 1971, reiterating his earlier comments to a reporter on 6/5/68.

"TV reports&ldots;.suspect shot at guard, guard shot suspect in the leg." – Intelligence Division log entry from 6/5/68, LAPD.

"Two or three seconds after Kennedy entered the kitchen, he heard 8 or 9 shots in quick succession. (He thought there had been two guns.)" – LAPD interview of Roy Mills, 8/9/68.

"The guy with the gun could have left. No one seemed to pay any attention." – Darnell Johnson to LAPD, 7/24/68.

"My God, he had a gun and we let him go by." – Joseph Klein, referring to a man leaving the pantry in the hurry while Sirhan was being subdued, to LAPD, 7/3/68.

"We had reports from two of the eyewitnesses that there were two assailants involved." – Larry Scheer, KTLA live broadcast footage from 6/5/68.

This is by no means intended to represent a comprehensive list of such statements, but is included here to show that the LAPD had no reason to assume from the start that Sirhan was the only person firing in the pantry that night.

There were Ace Security Guards in the room that night. One of them, Thane Eugene Cesar, told the LAPD the morning of

June 5th that when he saw a gun in an extended arm, he reached for his own gun. Incredibly, no one from LAPD asked to see Cesar's gun, or even inquired as to what kind of gun he had on him! If it was **not** standard procedure, then someone should have followed up with Cesar as to just why he did have a gun that night. If it **was** standard procedure for guards to carry guns, then the LAPD should at least have questioned each of the guards about their guns, and perhaps should have confiscated and tested them. Cesar once told Ted Charach, "there were three of us [guards who] had their guns out [when the shooting began.]"[8](#)

Those who have wished to refute the evidence of conspiracy in this case just choose to ignore statements such as those shown here. People were just confused, or mistaken, and even if Cesar had his gun out, there is no evidence that he fired. Those people should remember, however, that absence of evidence is not evidence of absence, and it would have been prudent for the LAPD to thoroughly investigate these claims if only to refute them. Cesar, for example, claimed to have a .38 on him. But the police never asked to see the gun, never fired any test shots, never followed up on the evidence of too many bullets that necessitated the presence of at least one additional gun.

The perplexing lack of curiosity is amplified by the fact that at least for the next several days, LAPD officers were far from sure that Sirhan was acting alone. In fact, even before Sirhan was taken to the Rampart Station, an APB had been put out on two very different suspects: a man in a gold sweater and a girl in a polka-dot dress.

Multiple Original Suspects

Immediately after the shooting, 20-year old "Youth for Kennedy" volunteer Sandy Serrano saw something disturbing, and reported it immediately to both the press and the police. A recent BBC special included the video of the live interview of Sandy Serrano from this night. She was very credible, very sure of what she had heard. She told Sander Vanocur of NBC about a wild encounter she had just had. At 2:35 a.m. on June 5th, and several additional times that morning, she repeated this story to the LAPD. Earlier in the night, she had seen a young woman in a white dress with

black or dark blue polka dots walk up the back stairway of the Ambassador hotel, accompanied by two men—one in a white shirt and a gold sweater, the other looking dirty and out of place, "boracho,"⁹ under 5'5", with bushy dark hair. Shortly after hearing what she assumed were backfires from a car, the woman and one of the men came back down the stairs, in an excited fashion, talking loudly. She described the encounter in this way:

She practically stepped on me, and she said, "We've shot him. We've shot him." Then I said, "Who did you shoot?" And she said, "We shot Senator Kennedy." And I says, "Oh, sure." She came running down the stairs, very fast, and then the boy in the gold sweater came running down after her, and I walked down the stairs."¹⁰

Serrano's description of the third man in this group, the one who had gone up but had not come back down, bore a strong resemblance to Sirhan.

An older couple who spoke to the first policeman to arrive at the scene provided confirmation of Serrano's story. Sergeant Paul Sharaga had only been a block away from the hotel when the call came that shots had been fired at the Ambassador Hotel. Sgt. Sharaga recounted this event to author Dan Moldea as follows:

I arrived at the hotel, and there was mass confusion. I got up on the parking lot, and there were people running in all directions.

Right away, an older Jewish couple ran up to me, and they were hysterical. I asked them, "What happened?" The woman said that they were coming out of the Ambassador Hotel by the Embassy Room, when a young couple in their late teens or early twenties, well dressed, came running past them. They were in a state of glee. They were very happy, shouting, "We shot him! We shot him!" The older woman asked, "Who did you shoot?" The girl said, "Kennedy, we shot him! We killed him!"

&ldots;This put this old Jewish woman into hysterics. She was still in hysterics at the time I talked to her.

The one thing I learned during my many years in the police department is that remarks that are made spontaneously are seldom colored by people's imagination. These were spontaneous remarks from this couple. As far as I was concerned, that was the most valid description available.[11](#)

Sharaga put out APBs on both the male and female suspects. The female was described in the APB as follows:

Prior to the shooting, suspect observed with a female cauc., 23/27, 5-6, wearing a white viole dress, $\frac{3}{4}$ inch sleeves, with small black polka dots, dark shoes, bouffant type hair. This female not identified or in custody.[12](#)

An early entry in the LAPD's log of radio dispatches contains the entry of the male suspect just before 12:30 a.m.:

description of a suspect in the shooting at 3400 Wilshire Boulevard, male Caucasian, 20 to 22, 6' to 6'2", built thin—blond curly hair, wearing brown pants and a light brown shirt, direction taken unknown at this time.

Sirhan was short, dark-haired, and wearing a light blue shirt and blue pants. The police were already looking for **two other suspects** besides Sirhan within minutes of the shooting. A **third** suspect is referred to in the following LAPD broadcast log. Note how the talk of multiple suspects becomes a cause for concern. (The number 0034 refers to the time, 12:34 AM.)

114 to 33, ... Is the suspect in custody or what's the story?...

0034

He left there approximately five minutes ago. He was taken into plus — in custody in a police car, and **there was another suspect being held within the building**, and I sent Nunley into —

114 to 70 Boy, one suspect in custody. One suspect inside the building. Is there a supervisor up at the

station? ...

0113

2L30, 2L30, come in.

2L30, go.

2L30, the description we have is a male Latin, 25-26, 5-5, bush hair, dark eyes, light build, wearing a blue jacket and blue levis and blue tennis shoes. Do you have anything to add?

2L30, that's not the description that I put out.

2L30, the description I put out was a male Caucasian—

0114

—20 to 22, approximately 6' to 6'2, sandy blond curly hair, and wearing brown pants and a light tan shirt.

Rampart Base Station to Tac 1 units, we now have a base station set up in the watch commander's office, Rampart Station. KMA 367.

2L10, go.

2L30 Roger. 2L30, would you suggest I contact Rampart Detectives and find if this suspect is in custody?...

Affirmative 21-1 Attn units in the vicinity of the Ambassador hotel, Sups descrip is a male, cauc, 20/22, 6' to 6'2 Sandy blond curly hair Brn pants Lt. tan shirt. end of description

2L30 to control come in

2L30 go ahead

2L30 Code 2 on that Bus

affirmative...

0143...

2L30 the 2nd suspect came from a witness who was pushed over by this suspect. Witness and his wife we have name and address

0144

The Juv officers who were collecting witnesses initially have a sheet of paper with the name and address and phone number of this witness.

What proximity to the shooting were these people

Staff 9 Staff 9 Come into Control 1

—to 2L30 in what proximity where these 2 witnesses [sic]

2L30 they where adjacent to the room [sic]

2L30 Disregard that Broadcast, we got Rafer Johnson and Jesse Unruh who were right next to him and they only have one man ***and don't want them to get anything started on a big conspiracy.*** This could be somebody that was

0145

— getting out of the way so they wouldn't get shot. But the people that where [sic] right next to Kennedy say there was just one man....

2L30 to control disregard my broadcast. A description M/C 20-22 6' to 6'2 this is apparently [sic] not a correct description. Disregard and cancel. [13](#) [Emphasis added.]

That others were being considered seriously by the LAPD as suspects in the original shooting is not surprising. What *is* surprising is how quickly they were willing to dismiss these suspects; a curious bias displayed overtly, on the record, and just over an hour after the shooting. Had this been the first political assassination of a Presidential figure by the name of Kennedy in this country, such an attitude, while surprising, may have been normal. But after all the questions raised in the aftermath of President John F. Kennedy's assassination, such a cavalier dismissal of the evidence of additional

suspects becomes more serious. As Los Angeles Chief of Detectives Robert Houghton reported in his book about the case, it wasn't as if no one was making the connection:

Inspector [John] Powers had instructed Communications Division at 1:44 a.m. to cancel its broadcasts of Sharaga's "second suspect" the male Caucasian with blond curly hair, after satisfying himself that it was a false lead....

Thoughts of accomplices were much on the minds of both [Captain Hugh] Brown and Powers. Had the man they were holding really been alone? Could it possibly be a foreign conspiracy? Could it be the first in a series of assassinations planned in the midst of national election campaigns in order to paralyze the entire nation? Or was this perhaps the second? Just two months had gone by since Dr. Martin Luther King, Jr., was murdered. As yet, there was no suspect in that killing. Could it possibly be the third? Dallas, Memphis, Los Angeles?[14](#)

Houghton fails to explain how Brown was able to "satisfy himself" that the APB should be cancelled when he harbored such dark thoughts and when an hour was hardly long enough to get to the bottom of a conspiracy. But this would become the *modus operandi* of many at Special Unit Senator, the LAPD task force created to investigate the circumstances of the assassination. While one public official after another proclaimed that they "didn't want another Dallas", they avoided, denied, and as we will see lied and even destroyed evidence, creating in effect a second "Dallas".

The evidence in the pantry presents many problems. There were too many bullet holes than could be accounted for by one gun. At least one other gun was present in the pantry, and possibly more as well. Suspicious characters fled the scene, one laughing, "We killed him."

In the final analysis, we will find that not one of the bullets recovered from the pantry victims was ever legitimately matched to Sirhan's gun. There is even reason to doubt the gun currently recorded as Sirhan's gun was the one he fired that night! And if we follow the evidence, we will reach the point where we must seriously question the case for Sirhan's

guilt, even if there **was** a conspiracy.

This begins to sound like a rip-off of an *X-Files* episode. Yet it is no fiction; it is the bizarre reality presented by the official records of the case.

The Problem of Distance

One of the most problematic pieces of evidence for the case against Sirhan's having fired the shots that killed Kennedy is his distance from Kennedy. Autopsy evidence showed that all four bullets that entered Kennedy's body and clothes were fired at a distance no greater than six **inches**, and that the fatal head shot was fired at a distance of no greater than two **inches**. Yet all the eyewitness testimony puts Sirhan's gun muzzle at a range of from one and a half to three **feet** from Kennedy. Sirhan would have had to be standing considerably closer to have been able to position the gun close enough to Kennedy's head to have produced the stippling patterns found during the autopsy.

The LAPD had a list of the "five best" witnesses who were in a position to see both Sirhan and Kennedy. These were (in alphabetical order): Frank Burns, Martin Patrusky, Jesus Perez, Juan Romero, and Karl Uecker. Others close by who had an opinion on the distance included Richard Aubrey, Vincent DiPierro, Pete Hamill, Richard Lubic, Edward Minasian, Valerie Schulte, Lisa Urso, and Boris Yaro.

Phil Melanson questioned Frank Burns about his recollection as to distance in 1987. Burns told him that there were "several feet" between Sirhan and Kennedy. Burns did a mock recreation of the scene in his office, and positioned the gun about three to four feet from Kennedy's head.¹⁵ Martin Patrusky, in the signed statement he gave to Bugliosi, specified the distance between the gun muzzle and Kennedy at "approximately 3 feet."¹⁶ I have been unable to find a record of Perez's opinion on the distance.

Juan Romero reported the gun being "approximately one yard from the senator's head."¹⁷ Romero, incidentally, did not identify Sirhan as the gunman at the trial. Asked if anyone in the courtroom resembled the killer, he said no. Asked specifically if the defendant, pointed out to him, was the assassin, he replied, "No, sir. I don't believe that's him."¹⁸

Uecker, considered by the prosecution to be their "star witness", was not asked to speak on the question of the distance at the trial. Uecker, however, gave a written statement later to Congressman Allard Lowenstein in 1975. At that point, Lowenstein was seriously considering calling for a reinvestigation of the case. In his statement, Uecker said:

[T]here was a distance of at least one and one-half feet between the muzzle of Sirhan's gun and Senator Kennedy's head. The revolver was directly in front of my nose. After Sirhan's second shot, I pushed his hand that held the revolver down, and pushed him onto the steam table. There is no way that the shots described in the autopsy could have come from Sirhan's gun. When I told this to the authorities, they told me that I was wrong. But I repeat now what I told them then: Sirhan never got close enough for a point-blank shot.[19](#)

Richard Aubrey heard the shots and saw a blue flame from the gun. He told the LAPD that Sirhan was six or seven feet ahead of Senator Kennedy.[20](#) Vincent DiPierro told the Grand Jury that Sirhan was four to six feet from Kennedy.[21](#) Hamill put the gun at a distance of at least two feet from Kennedy; Minasian put the gun barrel about three feet away; Schulte put it six feet away, and Urso said the distance was "three to six feet".[22](#) Boris Yaro has been the only witness to put the gun inside of one foot from Kennedy; however, Yaro was also looking through a camera viewfinder in a foreshortened sightline, and told the FBI that Sirhan and Kennedy were "little more than silhouettes."[23](#)

Clearly, Sirhan was just not close enough to have fired the shots described by the wounds. In addition, even if Sirhan **had** been close enough, it's unlikely he would have been able to position his right hand at Kennedy's right ear **and** behind Kennedy's back to shoot upwards at angles near 70 degrees to the vertical, considering that Kennedy's body, if not his head as well, was reported to be facing Sirhan.

Solve this one for yourself. Place a friend in front of you and slightly to your left, as Kennedy was reported to be in relation to Sirhan. Now, with your right hand, reach around behind your friend's head with your right hand, as if you held a gun.

Feel the awkward flexion required of your wrist to position yourself in such a manner. And even if your friend obligingly turns his or her head, you would still, from your position in front of and slightly to the right of your friend, need to reach around the right backside of your friend and fire upwards, and in a back-to-front direction, into the back bottom of your friend's armpit.

Now of course, you could just cheat and turn your friend's back to you. Anything is possible if you are willing to alter the evidence in this case. Evidently, the LAPD felt the same way, for that is exactly what they did. Regardless of the testimony, they constructed their own scenario of how the bodies were positioned. Despite the fact that they used actual witnesses and filmed reenactments that made a farce of their scenario, the LAPD decided that the only way to prove their case was to make all the witnesses wrong, and their postulation right.

Los Angeles District Attorney Evelle Younger, in one of the most provably inaccurate statements ever uttered by a public official about this case, shrugged off the distance problem with the following:

If somebody says one inch and somebody else says two inches, that's a discrepancy. But the jury didn't think it was significant and neither did I.

Younger's statement lies on two counts: 1) the "discrepancy" is a distance of a **foot and a half or more**, not an inch or two, and 2) the jury was never made aware of the distance problem during Sirhan's trial. And even assuming Sirhan's defense team would have acted honestly with this information had they taken the time to understand it, they were not given that chance.

The Delayed Autopsy Report

"I'll never forget reading that autopsy report. By God, the whole cosmos shook." – Allard Lowenstein (***New York Post***, 5/19/75)

People who get this far in the case inevitably ask, how could Sirhan's defense team not have brought this discrepancy into evidence? According to Robert Kaiser, a ***LIFE*** magazine reporter who was serving as an investigator for the defense in

this case, the official autopsy report was not made available to the defense until after Sirhan's trial had commenced on January 7th, 1969. The first mention of the autopsy report from the defense appears in a memo dated February 22, 1969 that Kaiser wrote to Sirhan's lead attorney, Grant Cooper, indicating that the report showed the gun was fired from a distance of one to two inches. In a sworn statement that accompanies Sirhan's current writ, Kaiser states that he usually reported anything he found within a day or two of discovery, so it seems unlikely that the defense team had the report much sooner than a couple of days preceding the date on Kaiser's memo. Kennedy had died on June 6, 1968, and the autopsy had been performed immediately upon his death.²⁴ In the SUS card index, a card labeled only "Medical reports: "Coroners protocol – Final Summary: 10 pages received 11-27-68."

What could possibly have kept the autopsy report from being delivered for nearly six months? Was it held back to keep the defense from figuring out that Kennedy was shot at a distance that could not be reconciled with the consistent reports as to Sirhan's position relative to Kennedy's?

The autopsy report discusses the three wounds in Kennedy. The wound numbers are not meant to correspond to the order of entry of the bullets, which could not be determined. Wound #1 was to the head, the actual fatal wound. The bullet that entered fragmented into a couple of large and many tiny pieces. Two wound tracks were visible in the X-rays. Wounds #2 and #3 were fired from near the back of Kennedy's armpit and traveled upward at angles of respectively 59 and 67-70 degrees to the vertical, moving back to front. Wound #2 was described as a "through and through" wound. Wound #3 was caused by a bullet moving in a nearly parallel path, but the bullet did not exit the skin, lodging near the 6th cervical vertebrae, just about where the neck meets the back. All three bullets traveled back to front, right to left, and upwards. There was a fourth bullet that passed through the outside of his coat without entering his skin, also traveling the same path. This, recall, was the bullet that was to have entered Paul Schrade's head. The killer would have nearly had to be touching Kennedy from behind his right side to have fired any of these shots. Powder tests were conducted by LAPD Criminalist DeWayne Wolfer, and by Coroner Noguchi. Both

concluded that the firing distance, based on comparable patterns produced by test firings, was approximately one inch.

By now, most people would be convinced that it was not possible for Sirhan to have been the sole gunman. Dan Moldea, who until recently seemed to be calling for a new investigation, wrote in his book on the case that he feels Kennedy must have somehow been in the correct position for Sirhan to have made all the shots, and that the eyewitnesses all just missed that crucial moment. As bizarre a deduction as that is, let's follow that for a moment and see where it takes us. Were that true, one would expect, at a minimum, to find some evidence that the neck bullet found in Kennedy from Wound #3, and the bullet fragments from the fatal bullet in the head, could be matched to Sirhan's gun. Most people who have heard passing news about the case over time assume this has been done. Most people are in for a surprise.

On the Trail of the Evidence

On the morning of the autopsy, June 6, 1968, bullets and bullet fragments were removed from Kennedy's body. The neck bullet had not been removed immediately because it was not life threatening. The surgeons had focused on removing bullet fragments from the head. The autopsy report states that **fragments** were recovered from Kennedy's head. Wolfer's log, however, reports receiving a "bullet" from Kennedy's head, and even indicates that color photographs were taken of this "bullet". In the autopsy report, a 6 x 3 x 2 millimeter fragment was found in Kennedy's head, but no mention is made as to this fragment's recovery. Slides are taken, and fragments are in evidence, but nowhere in the autopsy report does it state who took the fragments or who booked them into evidence.

In the summary section of the report, under the heading "Bullet Recovery" for Wound #1, you will find only "see text." But within the text of the section regarding Wound #1, there is no mention of the recovery of fragments, although many fragments were seen and described. Fragments **were** recovered and are in evidence, but there is no record in the report of whom the fragments were given to or when. Yet under both the summary and within the text for Wound #3,

there is a *specific* reference to the bullet found, its removal and the all-important markings made to preserve the chain of evidence. The following detailed description for Wound #3 is provided in the report:

A deformed bullet (later identified as .22 caliber) is recovered at the terminus of the wound path just described at 8:40 A.M., June 6, 1968. There is a unilateral, transverse deformation, the contour of which is indicated on an accompanying diagram. The initials, TN, and the numbers 31 are placed on the base of the bullet for future identification. The usual evidence envelope is prepared. The bullet, so marked and so enclosed as evidence, is given to Sergeant W. Jordan, No. 7167, Rampart Detectives, Los Angeles Police Department, at 8:49 A.M. this date for further studies.

Clearly, the autopsists were being careful, marking the evidence appropriate and tracking where it went. So why wasn't this done with the head bullet? This author has no satisfactory answer for that question.

In the evidence log, there is also something odd about the way the fatal bullet fragments were booked. On one page (pictured on the opposite page), items 13-27 are listed. But where entry number 24 should be, something odd happens. The handwriting changes drastically, the numbers 24 and 25 are mysteriously skipped, and the number of the item booked immediately after item 23 is number 26. It looks like the numbers "26" and "27" have been added over previous numbers that were partially whited out. The back of the page reports the following:

Item #26, bullet fragments, were taken from the right mastoid area of vict's head, along with numerous bone fragments. These items were removed from the operating room by Dr. Wertlake, Good Samaritan pathologist, and taken into custody by Sgt. D. D. Varney 10833, from Dr. Wertlake. The items were taken to Rampart station and booked as evidence. Photos of the items were taken by Dept photographer Gaines, prior to removal from the hospital.

Item #27, received from Dr. Wertlake at 7:00 A.M. by Lt. Hogue. Taken to Rampart station and booked as evidence by Sgt. Varney.

It's clear that these items were originally recorded as items number 24 and 25. The actual evidence vials and tags still contain this original number listing, as shown in the photo (at right). Why was it changed? Why were the photos of "George Clayton" booked into evidence instead as items 24 and 25 (see page 17)? What was so important about these photos that it necessitated reordering the evidence log? Or was the purpose to hide the bullet evidence relating to the only fatal wound in the pantry?

But the story gets curiouser. After entry number 37 in the evidence log, we find out where the bullet fragments spent the next several nights:

Items 26-34 inclusive were released to F.B.I. Special Agent E. Rhead Richards Jr. Credential #4560 on 6-5-68 3:00pm by Sgt. W. E. Brandt # 10004.

At this point, the bullet fragments labeled items numbers 24 and 25 but booked as 26 and 27 disappear from official records for a period of eight days. On June 13th, Wolfer's log reports the recovery of these fragments as follows:

9:30 a.m. – Received Items #24 and #25, bullets from Kennedy's head (Lodola, Patchett and MacArthur).

On the following day, Wolfer's log reports a startling pair of entries:

8:00 a.m. – Ballistic tests and ***clean fatal bullets.***
Ammunition and nitrate patterns.

1:00 p.m. – Photos taken in color of Kennedy's head bullet by Watson. [Emphasis added.]

The first entry begs this question: is it usual practice to "clean" evidence in a murder case? The second entry is interesting as well. Dinko Bozanich, in a 1974 memo to Joseph Busch, both of the DA's office, wrote:

Wolfer never had any photographic reproductions

prepared of the evidence and test bullets used in his microscopic comparisons during the Sirhan investigations.

For whatever reason, the fatal bullet fragments were entered into evidence under one set of numbers, booked as evidence under new numbers, disappeared with an FBI agent for over a week, and then returned only to be cleaned and photographed, while officially no photographs were taken. What is going on here?

And what of the neck bullet? That bullet, marked by Noguchi upon removal, is at the center of one of the most damning indications of deliberate fraud in this case. Before that episode can be understood, another event needs to be examined, one that occurred a year prior to the assassination.

Wolfer and Kirschke

In 1967, former Los Angeles Deputy District Attorney Jack Kirschke was charged with the murder of his wife and another man. At that trial, LAPD Criminalist DeWayne Wolfer showed the jury huge blow-ups of bullet comparisons, and told the jury that based on his own examination of the evidence, "No other gun in the world other than Jack Kirschke's could have killed his wife and her lover." Kirschke had alibis that put him on the road to Las Vegas at the time of the murders. Veteran Criminalist William H. Harper of Pasadena was called into the case by the defense to examine the evidence. The evidence showed that the bodies had been shot while in bed. But the man's body was discovered on the floor. Wolfer tried to say that a post-mortem "settling" of the body fluids had caused the body to roll off the bed, a notion not supported by any known scientific phenomena. But on a more serious note, Harper found that the photographs Wolfer had introduced into evidence compared ***one land*** from a test bullet with ***two different land impressions 120 degrees apart*** on the fatal bullet. In other words, Wolfer had fudged the evidence and presented it to the jury as fact in order to obtain a conviction in a murder case.

In 1971, when Wolfer was promoted to head of the LAPD Scientific Investigation Division (SID) Crime Laboratory, Los Angeles attorney Barbara Warner Blehr submitted a formal

request for a hearing on Wolfer's qualifications before the Civil Service Commission. Blehr stated six basic precepts of criminology, and then examined three cases in which Wolfer had violated these basic precepts. The middle case was the Robert Kennedy assassination. Of the Kirschke case, Blehr wrote:

His testimony, combined with his very esoteric photographic manipulations label his work in this instance nothing but perjury.

Her words were uncanny; she could not possibly have known at that point in time that history was to repeat itself in the case of the Robert Kennedy assassination. But again, I'm ahead of the story.

Hero Harper

If this strange, twisted case has heroes, surely Harper is at the top of the list. Harper had contact with the Robert Kennedy case almost from the beginning. After his experience with Wolfer, Harper felt it his duty to inform Sirhan's defense lawyer Grant Cooper not to accept Wolfer's testimony at face value. Harper even warned the DA, Evelle Younger, to keep an eye on Wolfer's handling of the evidence. Younger was eager to build a career, however, upon the successful prosecution of Sirhan, and Cooper had his own troubles, a topic that will be dealt with in part two of this article. Cooper stipulated eagerly to anything that came out of Wolfer's mouth, regardless of whether or not it was supported by the evidence. Harper had enough doubts about Wolfer that in 1970, through Sirhan's lawyer, he obtained permission to examine the evidence.

Harper read much of the witness testimony, and the autopsy report, and reached his first conclusion. There had to be at least two firing positions to account for all the bullets and all the wounds.

Harper took a Balliscan camera to the County Clerk's office so that he could photograph the bullets in evidence. He focused attention on the two least-mutilated bullets, the Kennedy neck bullet and the bullet removed from William Weisel. What he found stunned himself, and all who heard about his findings. In the sworn affidavit he executed outlining

his findings, Harper stated:

My examinations disclosed no individual characteristics establishing that Exhibit 47 [the Kennedy neck bullet] and Exhibit 54 [the Weisel bullet] had been fired by the same gun. In fact, my examinations disclosed that bullet Exhibit 47 has a rifling angle of approximately 23 minutes (14%) greater than the 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.

Harper's findings sent shockwaves, and may well have provided the impetus to the elevation of Wolfer to the head of the Crime Lab. Once Wolfer became the head of the Crime Lab, would not his word seem by the uninformed to carry more weight? Blehr and Harper failed in their efforts to overturn Wolfer's appointment. LAPD Chief Ed Davis hailed Wolfer as "the top expert in the country." Klaber and Melanson have a whole chapter of their book devoted to Wolfer, and wrote this about his qualifications:

At the time of the [Sirhan] trial, there was no specific major or grade point average required for the position of LAPD criminalist, and Wolfer's studies at USC seemed to relate tangentially at best to his chosen profession. As a zoology major he received more C's than all other grades combined, and he received five D's, including one in his major and two in chemistry. He also had a history of offering inflated credentials to bolster his perceived expertise, something that would come to haunt him in a few years.[25](#)

But the fact that the bullets could not be matched to the gun or to each other was only a *piece* of what Harper found. He found another element when he started looking at the test bullets. They came out of an envelope with the *wrong gun number on it*. The Sirhan gun had a serial number of H53725. The serial number for the gun on the evidence envelope, however, read H18602. Harper used an analogy to demonstrate the significance of this problem:

"Let us ponder a simple analogy," Harper, 72, said recently. "Let's say that one day you become ill and your doctor sends you to a hospital for a biopsy test

for cancer. The biopsy specimen is numbered H53725. The test is reported negative for cancer, and you go home. Then you get your bill—and you find out you're paying for a test with a different number, H18602.

"Hell's fire, you'd want to get tested again, wouldn't you?"[26](#)

Wolfer's Second Gun

Wolfer claimed that he had fired eight test bullets from Sirhan's weapon after the gun was recovered. One of the bullets was not recovered. Wolfer testified that he had given four of the remaining seven to the Grand Jury to examine, while retaining the three "better" bullets to compare against other victim bullets which had not at that point been recovered. The four that were given to the Grand Jury became Grand Jury item 5B. The three that remained, however, were stored in an evidence envelope that bore something troubling. The serial number of the gun indicated did not match that of the Sirhan gun. The Sirhan gun had a serial number of H53725. The test bullets evidence envelope, however, bore the serial number of H18602. Wolfer tried to pass this off as a simple mistake, claiming he had asked someone for the number for the Sirhan gun, and this was the number given to him. But this gun had belonged, according to the LAPD's records, to a Jake Williams. It does not make sense that someone would look up the record of the Sirhan gun and come up with Jake William's gun number by mistake. Wolfer claimed he stored these bullets in, depending on which version you want to believe, a plain envelope, a manila envelope, or a paper bindle. He claims that the bullets were stored in his desk drawer for some time, and that he recorded them later. If this is true, Wolfer's actions showed a remarkable disdain for the necessity of retaining an impeccable chain of possession for important evidence in a highly visible case of political assassination.

There is, of course, another possible explanation. Wolfer had marked the envelope with the **correct** gun number, one that **differed** from the Sirhan gun. Wolfer had, after all, fired gun H18602 in relation to the Sirhan case. He admitted to using that gun to fire test shots to recreate stippling patterns in

order to determine the distance of the gun from Kennedy. He also used the gun to conduct sound tests. Is it possible he fired bullets from that gun and put them in an evidence envelope instead of bullets fired from gun H53725? If that is the case, Wolfer's statement at Sirhan's 1969 trial that "no other gun in the world fired the evidence bullets" would indicate either that gun H18602 had been fired in the pantry (!), or that Wolfer's comparisons were simply not credible on any point.

Wolfer claims that he was not in possession of the gun H18602 until June 10, 1968. However, this is contradicted by Wolfer's own log. He claimed that he turned four test bullets and Sirhan's gun over to the Grand Jury on June 7, 1968. (The serial number of the gun turned over to the Grand Jury was, inexplicably and quite contrary to policy, not recorded. The gun was tagged as Grand Jury Exhibit 7. To date, there is no Grand Jury tag on the "Sirhan" gun currently in evidence, nor is there any gun tagged Grand Jury Exhibit 7 in evidence.)

It was the absence of Sirhan's gun, says Wolfer, that necessitated his using a second gun to perform the sound and powder pattern tests. Wolfer said, in a sworn deposition statement, that he conducted tests at Cal State Long Beach. But his log places the date of this event as June **8th**, contradicting his assertion that he did not withdraw gun H18602 from the LAPD until June **10th**.

Blehr questioned Wolfer during a 1971 deposition about the possibility of his having used any other gun for the Long Beach tests. The exchange went as follows:

Q: How many guns did you use, other than H18602, and the Sirhan gun 53725, in your testing for sound, muzzle distance, whatever?

A: I believe this was the only gun that we used.

Q: What test exactly, did you use?

A: For the sound test – I am sorry, but that is for the sound test and the muzzle distance test. Those are the only two tests.

Q: Those were the only two tests that you ran?

A: No, I am sorry. I did run a test down at Long Beach State on the cc. Those were the three tests that I recall here today.

Q: And this gun, H18602, was used for all those tests?

A: I believe it was, to the best of my recollection here today. I am not sure.

ABC, not ACB

The four Grand Jury test bullets, the three withheld test bullets, and the Kennedy neck bullet were ultimately stored in evidence envelopes labeled respectively "A", "B", and "C". Envelopes are usually numbered in a logical sequence, and any reasonable person would expect that envelopes marked A, B and C would have been created and filled in a chronological order. But this presents a problem for those striving to believe Wolfer. Envelope A (the A is partially but recognizably visible), bearing the gun serial number of H53725, was dated June 5th. Envelope C is dated June 6, 1968. One would then logically expect envelope B to have been prepared sometime on the 5th or 6th, certainly not on, say the 10th. Envelope B is dated June 6th, which certainly makes sense.

But inexplicably, Envelope B bears the gun number H18602.

This presents a serious problem for those wishing to believe Wolfer. He claims he didn't have any contact with gun H18602 until June 10th. Yet envelope B, bearing that number, is dated June 6. We know the date could not have been in error, at least not for a later date, as the following envelope, marked C, was created on June 6th. In other words, Wolfer had to have had gun H18602 as early as June 6th, contradicting his own sworn assertions, and casting doubt on his other sworn assertions.

It is easier to believe that Wolfer is wrong (or even lying) than to believe that on June 6th, someone had a premonition of the number of a gun that would not enter the case until four days later!

There is no simple excuse for the mishandling of evidence in such a case. The notion that Wolfer was simply sloppy just does not hold water. What criminalist worth his salt would not only make such mistakes, but go out of his way to leave no written or photographic record of the work he had done? Wolfer claimed to have performed all sorts of examinations and tests. But there are no extant records to support any of his assertions. In a case sure to receive extraordinary scrutiny, it is beyond belief that Wolfer just forgot to record his examinations, and suggests instead that perhaps his examinations were not producing the desired findings.

In *Shadow Play*, Klaber and Melanson quote from Sir Gerald Burrard's book *The Identification of Firearms and Forensic Ballistics* about the caution that should be accorded any criminalist's unsupported claims:

Mere assertions by some investigator, no matter how great his reputation as an expert, should be regarded with extreme caution.... The most ridiculous claims have been put forward on behalf of the comparison microscope, and there is a danger that the mere fact of its possession may endow a witness with all sorts of imaginary skill and knowledge, at least in the eyes of the jury and public.... If, therefore, the evidence is unsupported by photographs which clearly tell their own story, that evidence should be regarded with suspicion.[27](#)

As we saw in the Kirschke case, Wolfer certainly understood the importance of photographic comparisons, blowing up a huge, but ultimately misleading (some would say dishonest) representation of a comparison, designed to lead the jury to the conclusion of guilt. Wolfer apparently realized that sooner or later his word would not be enough. His worst fears came to pass in 1974, when County Supervisor Baxter Ward held public hearings to present evidence that shattered Wolfer's presentation of the case.

Baxter Ward's 1974 Hearings

In 1974, Los Angeles County Supervisor Baxter Ward presented to the public a hearing on evidence from the Sirhan trial. By that time, Ted Charach with his film *The Second Gun* and William Harper with his 1970 findings had raised the

specter of a second gun having been fired in the pantry that night. Ward conducted hearings that included the testimony of two highly respected ballistics experts: famous New York criminalistics professor Herbert Leon MacDonnell and California state crime lab veteran Lowell Bradford.

In his original 1970 affidavit, Harper had stated that he could not match either of the two most intact bullets, the Kennedy neck bullet (Exhibit 47), and the Weisel bullet (Exhibit 54) to each other, casting doubt on whether they had been fired from the same gun. MacDonnell had signed an affidavit in 1973 that presented the following as his professional conclusions:

- 1) The bullet removed from the late Senator Robert F. Kennedy, exhibit #47, and the bullet removed from Mr. Weisel, exhibit #54, could not have been fired from the same weapon.

- 2) The bullet removed from the late Senator Robert F. Kennedy, exhibit #47, was not fired from the Iver Johnson .22 Cadet #H53725, the revolver reportedly taken from Sirhan.

In 1974, MacDonnell was questioned about his findings, as was Bradford. Bradford explained to Ward at the hearings the significance of a problem raised by dissimilar cannelures.

Bradford: It appeared from these photographs [the photographs of the bullets taken by criminalist Harper] that there was one cannelure of the knurled type, and let me stop for just a moment and explain cannelures. A cannelure is defined as any circumferential groove around a bullet or cartridge case, and that refers then not only to the knurled types of grooves which are placed there by the manufacturer as you depicted in your earlier sketches, but it also includes the groove which is placed there for the purpose of receiving a crimp by the cartridge case – and I'll limit myself to the knurl cannelures now....And I noticed that the photograph No. 47 portrays an image which appears to be that of one of these knurled cannelures, whereas 54 has an image which appears to portray two.

In addition to this evidence, Bradford went on to present his conclusions, or lack thereof, regarding matching the bullets to each other:

I could find no evidence of any specific identification marks of the type which would be necessary to identify one bullet as having been fired from the same weapon as the other.

The following exchange summarizes MacDonnell's findings regarding these two bullets:

MacDonnell: The only two that I have really had an opportunity to compare are 47 and 54, and I could not find sufficient agreement in individual characteristics to consider it a positive identification.

Ward: In the layman's consideration or evaluation, of what you've just said, are you suggesting then that the bullets were not fired from the same gun?

MacDonnell: I'm suggesting that they were not fired on the same gun, based upon the photographic evidence....I could not positively identify them as being fired in the same weapon.

MacDonnell, like Bradford, also noticed the differing number of cannelures. Ward and MacDonnell shared the following exchange on this matter:

Ward: To go back, the cannelures between 47 and 54 are different in number?

MacDonnell: That is correct.

Ward: Would that suggest they are from a different manufacturer?

MacDonnell: Yes.

Ward: Trial testimony, as I recall, in the Sirhan case indicated that all of the bullets used in the Sirhan gun came from the same manufacturer and also from the same batch of lead development. If you state that the cannelures are numbered differently, would this rule out the possibility of their being from the same

manufacturer and same batch of lead?

MacDonnell: For all practical purposes, yes. However, I must qualify that by saying that it is reasonably common for the manufacturer to purchase projectiles from another manufacturer, but it is extremely unlikely that if, for example, Omark Industries did in fact purchase a single-caliber projectile from Federal, that just one or two in the Sirhan revolver happens to be the one that hit Kennedy, and the other ones are consistent with their normal manufacture. It is an astronomical improbability, but it is a probability.

Ward's motives in presenting these hearings was to urge a reexamination of the ballistic evidence by a panel of experts. Such proposals had been made in the past, but with the momentum gained by such strong statements from respected experts, and with Allard Lowenstein's persistent efforts, it became necessary to create just such a panel, which could either conclusively refute or support the findings to date. Dr. Robert J. Joling, then President of the American Academy of Forensic Science, called for the same, stating that "Only an independent, non-governmentally controlled body of experts can really be relied upon to let the arrows of truth come to rest wherever that may be."

The efforts of Ward et al. in conjunction with a suit filed by victim Paul Schrade finally came to fruition in September of 1975, when Superior Court presiding Judge Robert A. Wenke formally ordered a retesting of the firearms evidence.

From the start, there was something odd at work with this panel. Joling's warnings concerning the importance of finding an impartial panel apparently went unheeded. One of the experts appointed, Alfred Biasotti of the state crime lab, had been on record as backing Wolfer's shenanigans in the Jack Kirschke case. Considering the panel was convened specifically to reexamine Wolfer's evidence in the Kennedy case, Biasotti's past record implied a conflict of interest. Attorney General Younger, the one who had claimed that the important distance problem between the gun and Kennedy was nothing more than a minor "discrepancy," picked another expert whose objectivity left something to be desired:

Courtland Cunningham of the FBI. Cunningham had been one of the FBI men involved in the investigation of the John Kennedy assassination evidence. In that case, Cunningham tried to explain away the negative results of a paraffin test on Oswald's cheek. While false positives could be expected, false negatives seemed odd. Cunningham created a test condition that produced false negatives; however, to do so, he used a scenario where the gun was cleaned between shots and handed to the shooter. Cunningham failed to explain how this situation approximated Oswald's "loner" act.
[28](#)

Beyond the conflict of interest issues, even more serious problems were at hand. In the original court order, Wenke had asked the panel to examine not just the bullets, but the shell casings as well. Yet when the order was conveyed to the panel, the reference to shell casings had been curiously, and without explanation, deleted.

This becomes a significant point because there has always been a problem surrounding the shell casings. SUS leader and chronicler Robert Houghton wrote about the importance of shell casings, describing them as:

used brass, each branded with the indentation mark of the firing pin, a brand as unique and infallible in matching spent shells to the guns which fired them as fingerprints are in identifying people.[29](#)

How could such "infallible" evidence have been omitted in the new version of Wenke's court order? And was this omission a mistake, or a deliberate act?

Lending credibility to the notion that the deletion of the reference to the shells was deliberate was the fact that Wolfer was given over 489 expended shell casings from the range where Sirhan allegedly spent June 4th, 1968, firing his gun. Wolfer's comment at the bottom of this evidence report, dated 7/8/68, reads: "None of the above shells were fired in the Iver Johnson 22 caliber revolver H53725". This was apparently such a serious problem that a week later, Sgt. McGann of the LAPD brought *37,815 more shell casings* from the range into evidence. The comment on this report reads: "I was unable to find any shell casings which were fired from the weapon taken from arrestee Sirhan Sirhan (Iver Johnson, 22 caliber

revolver #H-53725)."

In the daily log of the Commander of Detectives for the Bureau of Investigations, the August 27, 1968 entry displays concern at this failure:

One hole that has been overlooked that should be checked was discovered in this reading. The FBI, within a day or two after the Kennedy assassination, sent agents to the Pistol Range in San Gabriel and they gathered some 40,000 shell casings which were forwarded back to the FBI Crime Lab. They threw up their hands, and at our request, the brass was sent back to us. Wolfer reports he examined all of these casings and could not connect any of them to Sirhan's gun. This means that *if* Sirhan shot several hundred rounds at the San Gabriel range, either he took the brass with him or someone else picked it up. *Neither of these conclusions appears at this time to make sense.* More investigation is needed. There is a possibility that Wolfer really did not examine all of this brass (this should be checked) or that the FBI still has brass in Washington (this should be checked.) [Emphasis added.]

Apparently this *was* checked, and SUS continued to come up empty, for Wolfer's failure to match any shells to the gun is reported in a footnote in Houghton's 1970 book *Special Unit Senator*.[30](#)

Despite the presence of a few experts with questionable independence, their findings were in the end, at best, inconclusive, and as supportive to the notion that the bullets from the victims were *not* fired from the Sirhan gun as to the notion that they *were*. While several of the experts said it was their *belief* that the bullets did indeed come from the Sirhan gun, not one of them was willing to say the evidence proved such.

One thing the panel uncovered, however, was significant. Wolfer misrepresented to the Panel surprise evidence in the form of a long hidden photograph that became the panel's Special Exhibit 10. And for all the panel found regarding this exhibit, the truth is worse yet. For in this little item lay the heart of the case against Sirhan. And it contained a two-tiered

deception.

Special Exhibit 10

LAPD files contain these statements in regards to the RFK case: "Comparison photographs are not taken in Los Angeles Police Department cases," and "There were no photomicrographs taken for comparison purposes." But the LAPD files also contain the following:

Confidential Addenda to the Lowenstein Inquiry

This separate addenda contains confidential information relative to the questions submitted by Allard Lowenstein. The information has not been revealed prior to this report and may conflict with previous statements made by the Chief of Police and other officials.

Serious consideration should be given to the release of this information.

There exists a photograph of the Kennedy bullet and a test bullet taken through a comparison microscope showing one Land comparison.

It is *not* intended to be a bullet striation identification comparison because the lighting and details of the bullet are not displayed in the proper position.

The photograph is an overall photo *not* shot for striation detail. [Emphasis in the original.]

The photograph is of a groove made by a Land in the barrel of the gun; the principal area of the photo is referred to as "one Land width." The area on either side of this Land width depicts a partial groove marking.

The fuzzy area on the left side of the photo is due to a deficiency in the optics of the microscope. This defect has existed since the Department first received the microscope and efforts to correct the defect have been unsuccessful.

The defect was a subject in the Kirschke case. The photograph shows identical Land widths between the Kennedy and test bullet. It also shows a comparison area between the shoulders of the Land widths. This comparison area is located approximately in the center of the shoulders.

The existence of this photograph is believed to be unknown by anyone outside of this Department. It should be rebuttal evidence were this case ever to be retried. However, the release of this information at this time would be susceptible to criticism because lay people would in all probability have difficulty deciphering this photograph. The issue as to its not being revealed at an earlier time may further make its authenticity suspect, particularly to the avid, exact assassination buff.

Using the same defective equipment Wolfer had used to manipulate evidence in the Kirschke case, a secret photo had been prepared in the RFK case. This photomicrograph purported to show a comparison of the Kennedy neck bullet compared to one of the original test bullets fired from the Sirhan gun. But the 1975 panelists found that Wolfer's photograph was *not* a comparison against a test bullet, but rather, against another *victim* bullet, the Goldstein bullet. To prove their point, they made their own photographic comparison, carefully lining up and photographing the same sections of both bullets. So someone was pulling yet another fraud in this case by concocting evidence in the hopes of convincing a panel of experts that a test bullet from Sirhan's gun matched a bullet from Kennedy himself.

But the finding that the photo did not depict the bullet described was only half of the deception. In the film *The Parallax View*, a film whose subject seems loosely patterned after the Robert Kennedy assassination, the main character is seeking an alias under which to operate. He uses a fake alias, but when that is discovered, he gives yet another alias, telling the person checking him out that he used the fake identity to hide the fact that he had committed indecent acts in public. His friend had told him to do this so that, after checking his first alias carefully, anyone would be less careful checking out the second, figuring he had nothing more to

hide.

This same logic appears to have been at work in the 1975 Panel's identification of the bullets in the photomicrograph. Having discovered one level of deception, not one of the experts sought to examine the evidence further. And by stopping there, the Panel could make the assertion that whether or not the bullets matched each other, at least they had both come from the same gun, which would discredit the notion that Kennedy was shot by a different gun than had been used against the other victims.

Lynn Mangan, however, at Sirhan's request, looked deeper. Mangan had become close friends with William Harper. He so trusted her that he left her all his files. Harper had become a lightning rod to people within the LAPD looking to expose the fraudulent goings on with regards to the evidence in this case. He had many contacts in the Pasadena Crime Lab, and once he went public with his affidavit in 1971, people began leaking information to him. He had told Mangan many times, and in no uncertain terms, that the 1975 panel had been "a fix." "They switched the guns," he told her. "They switched the bullets." Not many people are aware that Harper himself used to be a member of the OSS, the WWII intelligence apparatus that became, after the war, the CIA. Harper had maintained contact with some people over the years, and his information always checked out. So in 1994, when Mangan, after a long absence, reentered the case as Sirhan's official investigator, along with Sirhan's ever-faithful brother, Adel, she paid special attention to the evidence from the 1975 panel.

What they found exposed the second layer of deception.

Patrick Garland had written a detailed inventory of all the evidence to be examined. He noted which bullets bore which markings. The Kennedy neck bullet, #47, bore the markings "DWTN" on its base. The Goldstein bullet, #52, bore only a "6".

The original bullet #47, however, should have had "TN31" on its base. And bullet #52 should have had only an "X".

Someone had switched the bullets, and then created the

photographs. The chain of evidence had been completely broken, and there is no way to know what two bullets the panel had evaluated.

Mangan also obtained first-hand proof of evidence tampering. Examine the two bullets in the photo at right. Mangan visited the California State Archives to examine the evidence from the Sirhan case. On the right side of the photograph is the bullet that was in evidence as People's #47, the Kennedy neck bullet, on March 11, 1994, the date of her visit. Mangan knew just by looking at it that the bullet could not be the correct one. She called Lowell Bradford and demanded he come to the Archives with her. He could not believe that just by looking at a bullet she could tell that it was incorrect. But he did not understand Mangan, her eye for detail, and her voluminous knowledge of the minutiae of the case. Mangan recalled distinctly the description of the bullet, which indicated a deformity not present on the bullet in evidence.

Bradford finally relented at Mangan's insistence, and accompanied her to the Archives. The bullet at left in the photo above shows the bullet that was in evidence as People's #47 on August 3, 1994. Lest someone think the bullets were simply photographed from different angles, Mangan and Bradford labored to position the bullet in a way that would most resemble the bullet in Mangan's photo from her earlier visit. But the deformity caused the bullet to consistently roll to the same position, and they concluded that this could not be the same bullet.

Mangan asked Bradford to examine the all-important markings on the base of the bullet. Bradford found that grease had been applied to the bullet, making identification impossible. Such grease can rapidly disintegrate details, and Bradford complained to the State Archivist, insisting that the bullet be cleaned.

Shortly after this episode, Mangan states that the Archives barred her access to the evidence in the case.

There is a great deal more evidence that cannot possibly be fit into this article that shows not just occasional problems, but a *pattern* of substitution of evidence in this case. Mangan has discovered several evidence envelopes that were clearly forged after the fact, as they bear Sirhan's name at a time

when it was not yet known, and they bear a murder charge at a time when Kennedy was still *alive*, and when other contemporaneous envelopes bore the correct charge for *attempted* murder. These items are the subject of the Writ that is in court now, awaiting a chance for a genuine hearing.

There is just one other item I wish to deal with in this article, and that is the gun in evidence, H53725. Throughout this article I have referred to it as the "Sirhan gun." But *is it?* As with so much else in this case, that conclusion no longer seems certain.

Which Gun Was It?

A little known fact, brought out at the trial but hardly discussed since, is that at some point during the struggle in the Pantry, the gun was temporarily out of Sirhan's hand. Uecker had been slamming Sirhan's hand against the steam table in an effort to get him to drop the gun. Bill Barry told the LAPD later that morning:

I took the gun away from him and put the gun on the counter. The susp. grabbed the gun and then Rayford [sic] Johnson and Roosevelt Grier helped me subdue the susp. again.

Supporting Barry's original statement to the LAPD was pantry witness Jack Gallivan:

Then I turned to where Bill [Barry] was and he had the suspect pinned against the steam tables and disarmed him, with the weapon sitting on the steam table, not far from where the suspect was.[31](#)

At the trial, Barry told a slightly different version of events:

A [Barry]: At this time this individual with the gun fell on this table.

Q: [David Fitts]: And the gun fell out of his right hand?

A: Yes.[32](#)

Barry also added, "I am not sure who took the gun at this juncture. There were many hands grabbing it."[33](#) One of the

those hands apparently belonged to Boris Yaro, who claims to have been momentarily in possession of it:

... the two guys went for him, and I moved; and they hit him; and pushed him kind of spread eagle on the counter; and they were trying to slam the gun loose; and the gun came loose; and I took it ... And I picked it up and I'm thinking the son of a bitch doesn't have any knurls on the grip. This gun is still warm ... And I'm thinking this. And all of a sudden, wham, and the gun goes over my shoulder. Somebody pulled it out of my hand. As it turned out, it was apparently Rosy Grier But the first thing I said when I came to and into [sic] our office, where I'm on a dead run, and I hollered at Bill Thomas who is now the editor of the Los Angeles Times, and I said, "My finger prints are on that gun!"[34](#)

Grier too remembered the gun being out of Sirhan's hand:

I saw the gun in his hand at first and then it seemed that the gun was lying on the table....and I looked back again and it was in his hand and that is when I went for him.[35](#)

How the gun ended up back in Sirhan's hand is not clear. And whether the gun that ended up in his hand is the same gun that was taken from it cannot truly be proven. That's not to say it wasn't, but there is room for question.

But the weirdness doesn't end there.

After Sirhan was subdued, Rafer Johnson took the gun, and did not give it to the police. Instead, he went home and wrote the gun number in his diary.[36](#) Almost two hours after the incident, he took the gun to the police. The following is the very curious exchange recorded when Rafer handed the gun to Sgt. Michael J. McGann of Homicide, in the presence of Sgt. R. L. Calkins:

McGann: We have an Iver—

Calkins: Iver-Johnson—

McGann: Iver-Johnson Cadet, model 55-A

Calkins: More of these goddamn guns kill more people—

McGann: Model number 50—number 56-SA. The serial number is H53725....

Normally this would seem to be just a simple confusion, and were it not for the other evidence of deliberate deception in this case, frankly I would have dismissed this. But Harper had also told Mangan something he had learned as "fact" from one of his LAPD sources. And that was that Sirhan was firing blanks. That would go a long way towards explaining why almost no one recognized gun shots, and thought instead the noise was just balloons popping. Turner and Christian also came to the conclusion that Sirhan had to have been firing blanks, which are basically shells stuffed with paper that flash-burns, creating a visible flame that appears from the muzzle and a little shower of paper residue. Before I return to the model number issue, considering the following witness statements:

"It didn't sound like gun shots to me, and I've heard a lot of gun shots. It sounded like a cap pistol or somebody cracking a balloon." – Norbert Schly [spelling unknown], on a KTLA interview broadcast immediate after the assassination, 6/5/68

"I just saw this blue...like a flash, like maybe something from a firecracker...flash, like a little spark from a....it was just the flashes I saw, I thought somebody threw a firecracker right at him...."
– Richard Aubrey to the LAPD, 6/5/68

"I – at that time I didn't recognize what it was, and I saw some paper flying. I don't even remember what it was, paper or white pieces of things."
– Karl Uecker to the LAPD, 6/5/68

Richard Lubic&ldots;heard two shots "which sounded like shots from a starter pistol at a track meet." –
Reported by Robert Blair Kaiser in *R.F.K. Must Die!*

"I thought it was a balloon. I heard the first pop and then I heard about three or four just right after another....I looked, and then the second shot, I saw

smoke and saw like something from a—like a—the residue from a bullet or cap, looked like a cap gun throwing off residue." – Rafer Johnson (an Olympic Decathlon champion who would certainly recognize the sound of a blank being fired) to the LAPD, 6/5/68

It is a shame McGann couldn't have told us only one model number when he took the gun into evidence. Like so much of the evidence in this case, it may go down as an unsolvable mystery.

The gun in evidence today is an Iver-Johnson Cadet, Model 55-SA.

Iver Johnson Model 56-A, however, is a starter gun that fires blank cartridges. ±

[\(Go to Part II of this Article\)](#)

Notes

1. Robert A. Houghton with Theodore Taylor, *Special Unit Senator* (New York: Random House, 1970), p. 42
2. Robert Morrow, *The Senator Must Die* (Santa Monica: Roundtable Publishing, Inc., 1988), p. 279. Morrow was sued by a person he claims in this book was the real killer, using a special camera that was rigged to fire bullets (Morrow is himself an ex-CIA operative who claims to have known of such weapons). Morrow lost his suit. I viewed footage of the Ambassador from that night and found that Morrow's suspect did not even enter the pantry at the time of the shooting, but was clearly visible on the stage the Senator had left, with camera still in hand. As a result of this lawsuit, the judgment required Morrow to destroy all remaining copies of this book. I am including the quote here on the assumption that Morrow has accurately represented Yaro's comments to him in the transcript included in his book, and primarily because Yaro's statements correspond to the record of that of other witnesses at this moment.
3. Paul Schrade in a 1975 petition to the Superior Court of California.
4. Philip Melanson, *The Robert F. Kennedy Assassination*

(New York: SPI Books, 1994) p. 55.

5. This letter, dated November 2, 1977, appears on the last microfilm reel of the SUS files from the California State Archives (SUS hereafter.) I have yet to find any official response in any of the files I have viewed. Philip Melanson discovered this letter and wrote about it *The Robert F. Kennedy Assassination* (pp. 46-47). He pursued this by writing the FBI in 1985. He received a response from Assistant Director William M. Baker, who stated, "Neither the photographic log nor the photographs were ever purported to be a ballistics report," an interesting non-denial of the evidence.

6. Turner and Christian, *The Assassination of Robert F. Kennedy* (New York: Thunder's Mouth Press, 1993), p. 350.

7. Turner and Christian, p. 178, citing LAPD Deputy Chief Daryl Gates in an August 22, 1975 NBC network interview.

8. From Ted Charach's video, *The Second Gun*.

9. LAPD Interview of Sandy Serrano, 4:00 a.m., June 5, 1968, p. 12. On p. 15 she explains that by "boracho" she didn't mean he was drunk, but that he "looked messy" and "he looked like he didn't belong there."

10. LAPD Interview of Sandy Serrano, 2:35 a.m., June 5, 1968, p. 27.

11. Dan Moldea, *The Killing of Robert F. Kennedy* (New York: W. W. Norton & Company, 1995), p. 40.

12. APB from SUS files. This one was dated 6/5/68, and was not cancelled until 6/21/68.

13. Telephone and Radio Transmissions Log (H-XIII), Radio transmission, reel 6 from the California State Archives SUS Files Microfilm Collection (SUS hereafter). The man who knocked over the people while running out of the room was Michael Wayne, a curious figure to be discussed in the second half of this article (to follow in the next issue of *Probe*).

14. Houghton, p. 32.

15. Melanson, *The Robert F. Kennedy Assassination*, p. 33.

16. Turner and Christian, Copy of Patrusky's signed statement, p. 350.

17. Klaber and Melanson, *Shadow Play: The Murder of Robert F. Kennedy, the Trial of Sirhan Sirhan, and the Failure of American Justice* (New York: St. Martin's Press, 1997), p. 96.

18. *The New York Times* (2/15/69), p. 12.

19. Klaber and Melanson, p. 96.

20. LAPD Interview of Richard Aubrey, June 5, 1968, p. 16.

21. Melanson, p. 33.

22. Klaber and Melanson, p. 96.

23. LAPD case summary, p. 25.

24. As a side note to those who follow the John Kennedy assassination, it's interesting to find the reappearance of Pierre Finck, one of the autopsists in the John Kennedy assassination, as well as Russell Fisher. Fisher was the Maryland Coroner who made the preposterous claim that a bound, gagged, and weighted man found in the ocean was really a suicide victim, the sensitively positioned CIA officer William Paisley. Fisher's improbable verdict of suicide prevented what would have led to an uncomfortable examination that could have embarrassed the CIA. Fisher, in 1968, was part of the Clark Panel, a panel convened to examine the autopsy photographs from the John Kennedy assassination. The Clark panel had suspicious origins, and was timed to discredit the growing voices critical of the Warren Report, as well as the investigation of New Orleans District Attorney Jim Garrison. Both Finck and Fisher provided advice and assistance in the autopsy of Robert Kennedy.

25. Klaber and Melanson, p. 94.

26. *New York Post*, 5/21/75.

27. Klaber and Melanson, p. 102, citing Sir Gerald Burrard, *The Identification of Firearms and Forensic Ballistics* (New

York: A.S. Barnes, 1962), pp. 154-155.

28. Warren Commission Hearings, Vol. III, p. 494.

29. Houghton, p. 266.

30. Houghton, p. 266.

31. Jack Gallivan's Testimony, *Sirhan Trial Transcript*, p. 3351.

32. Bill Barry's Testimony, *Sirhan Trial Transcript*, p. 3451.

33. *Ibid.*

34. Morrow, p. 279. No fingerprints of any kind were recovered from the gun, despite it having been held by Sirhan, Grier, Johnson, Barry, and others at the shooting range earlier that day.

35. Roosevelt Grier's Testimony, *Sirhan Trial Transcript*, p. 3310.

36. Mangan's record of a conversation she had with Rafer Johnson during a chance meeting. He told her he had the gun number, and gave her his unlisted number, saying if she called he would read to her the number. Mangan called many times after that, but Rafer's mother always answered, and always told her he was not available, but that she would take a message.