

1 Q You met him?

2 A No, I was with him all the way and nobody got in
3 between us.

4 BY SGT. MELENDRES:

5 Q Through the kitchen?

6 A No, through the pantry doors.

7 Q Through the pantry doors?

8 A Into what is the kitchen more or less, the start of
9 the kitchen right by the ice machines just where I started
10 to walk by the ice machines which were at the end of the table
11 where these people were standing, and this guy, he was wearing
12 at the time, he had a blue jacket on, powder blue.

13 BY SGT. PACHETT:

14 Q Light blue?

15 A Light blue, and a white shirt and he had blue pants
16 and I believe they had black checks, I'm not sure.

17 Q Would you describe the pants as light or dark?

18 A Light blue, light blue pants.

19 Q If you looked at the pants would you say they were
20 light or dark?

21 A Light.

22 Q All right.

23 A And he was sitting there -- he was in kind of in a
24 funny position, because he was kind of down -- like if he were
25 trying to protect himself from something.

26 Q Sitting where?

Form 623 (2-3-4)

1 A He wasn't sitting, he was like in a crouch.

2 BY SGT. MELENDRES:

1 A He wasn't sitting, he was like in a crouch.

2 BY SGT. MELENDRES:

3 Q Crouched?

4 A He was standing, but crouched.

5 BY SGT. PACHETT:

6 Q Kennedy is waling towards him?

7 A Walking towards him. Well, he stopped to shake hands
8 with, I guess it was the dishwasher, and then Martin shook his
9 hand, the same waiter that was taling to me. He was directly
10 across from me at the time.

11 BY MR. HOWARD:

12 Q Is that Martin Polotsky (phonetic)?

13 A Yes sir, and he was directly across from me.

14 BY SGT. PACHETT:

15 Q Now at this particular moment are there still two
16 people between you and the Senator?

17 A No, at this time there are -- Mr. Kennedy, the young
18 man who got shot, the boy, and there was no one in front of me.

19 Q You wore on Mr. Kennedy's left side or right?

20 A Right side near the ice machines.

21 Q And who was next to you to your left?

22 A Oh, a crowd of people. There was a green barrier
23 with, you know, those plastic leaves, and it was on a white
24 thing we use as screens.

25 Q Okay.

26 A There was that and there was some people, and I

1 don't know how many people, but they -- as I was getting
2 squeezed closer and closer to the ice machines because the
3 crowd was pushing in on him and he tried to shake as many hands
4 as he could, and then this guy, I thought he was going to go
5 and shake his hand cause he had his hand down like this.

6 Q Was his one hand down and the other hand covering it?

7 A Yes, like if he tried to push the people away from
8 his hand, like if he had a sore hand or something, and then
9 he kind of swung around and he went up on his -- like on his
10 tiptoes -- and he stuck over with the gun and he shot, you
11 know, and the first shot I don't know where it went, but I
12 know it was either his second or third one that hit Mr. Kennedy
13 and after that I had blood all over my face from where it hit
14 his head, because my glasses -- Martin saw the blood all
15 over my face -- he's the only one that could vouch for that --
16 because he was directly with me, looking straight at me. And
17 the other man, who was behind Mr. Kennedy, all I remember is
18 he was the last man they took out of the hotel. I believe he
19 was shot in the head, I'm not sure, but he fell in my arms.

20 Q The other man?

21 A The other man fell in my arms and the boy was next.
22 He fell after Mr. Ucker (phonetic) grabbed the gun -- which is
23 a captain there.

24 Q Excuse me, who grabbed the gun?

25 A Mr. Carl Ucker.

26 Q Who is Mr. Carl Ucker?

1 A He's the captain in banquets. He works for my
2 father.

3 BY MR. HOWARD:

4 Q Ucker? U-c-h-r-e?

5 A Ucker, U-c-k-e-r or something.

6 BY SGT. PACHETT:

7 Q It sounds like Ucker.

8 A I'm not sure, I'm sorry.

9 Q Let's take a moment now, and we will talk about the
10 fellow who you saw with the gun in his hand.

11 First of all, what nationality? How would you
12 describe this man?

13 A A Latin.

14 Q Latin?

15 A A Latin, a man about --

16 Q Excuse me, what is the youngest this person could
17 possibly be?

18 A The youngest?

19 Q Yes, in your opinion?

20 A Maybe 23.

21 Q He would have to be at least 23?

22 A At least; something like that.

23 Q What's the oldest he could possibly be?

24 A I don't think older than 28.

25 Q Somewhere between 23 and 28. About how tall would
26 this person be?

1 A Approximately, I guess, 5'4".

2 Q How tall are you?

3 A 5'10", I'm not sure.

4 Q So he appeared to be somewhat shorter than you?

5 A Yes, he was. He was shorter than I was.

6 Q And how would you describe his build?

7 A He was slender.

8 Q Slender?

9 A Slender build. He must not have weighed over 120 po
10 pounds, I don't think he could have.

11 Q How about the color of his hair?

12 A Dark brown or black, but it was wavy.

13 Q Wavy?

14 A Wavy, yes. It looked wavy at the time.

15 Q Did this man have sideburns?

16 A I didn't notice, I'm sorry.

17 Q Did his hair look short or long or was it just an
18 ordinary haircut?

19 A It looked like an ordinary Latin -- the way they
20 wear their hair.

21 Q Well, how do the ordinary Latins wear their hair?

22 A Kind of back a little I guess because I really didn't
23 take notice of his hair. All I could see was the gun, you
24 know, and he had a stupid smile on his face at the time.

25 Q Do you think you could recognize this man if you
26 ever saw him again?

1 A Yes, definitely.

2 Q Is there any question in your mind?

3 A No, none at all, because I'll never forget the way
4 he looked at me.

5 Q All right.

6 A Do you want to know where he was standing?

7 BY SGT. MELENDRES:

8 Q No, we'll get to that before we finish. Give us a
9 description of how he was dressed, as best as you can.

10 A When I saw him first there was a girl behind him too.
11 I don't know if you need that. There were two people that I
12 saw.

13 BY SGT. PACHETT:

14 Q Excuse me one moment. Let's take first what he's
15 wearing.

16 A Okay.

17 Q Does he have on a jacket?

18 A He had a blue jacket on.

19 Q Was this a sport coat?

20 A A sport coat.

21 Q This has no zipper, it has buttons?

22 A Buttons.

23 Q Like a suit coat, only a sport coat?

24 A Right.

25 Q And what color is this?

26 A Blue, powder blue.

1 Q Powder blue?
2 A Yes.
3 Q Quite light?
4 A Quite light.
5 Q His shirt that he was wearing --
6 A As far as I could tell it was light.
7 Q Was he wearing a tie?
8 A No, sir.
9 Q No tie. How about the trousers?
10 A They were blue, possibly with fine black checks on
11 them. I'm not sure of that, but they were a light blue.
12 Q All right, did you see his shoes?
13 A No sir, I did not.
14 Q Did you see any jewelry on his hands?
15 A No, I didn't, I'm sorry.
16 Q All right. Now you say you saw a gun in this man's
17 hand?
18 A Yes sir, I did.
19 Q What was the color of this gun?
20 A It looked like black, not black, but blue -- what is
21 it they call it -- it's real dark blue.
22 Q All right, that's sufficient. Are you familiar with
23 guns at all?
24 A Yes sir, I am.
25 Q Do you know the difference between a revolver and
26 an automatic?

1 A The only difference I know is that an automatic is
2 like a 45, that's the only kind of gun I can remember.

3 Q All right, do you know what a clip is?

4 A Yes..

5 Q All right, now this particular type of gun, did it
6 look like an automatic?

7 A No, it looked like a revolver, a snub-nosed revolver
8 like the police have, you know, it couldn't have been longer
9 than this.

10 Q By "longer than this" you are referring to the length
11 of a ball point pen or perhaps a little longer?

12 A A little longer, maybe one inch longer than a ball
13 point pen.

14 Q That's what you saw?

15 A That's what I saw from my position.

16 Q Do you recall which hand this gun was in, if any?

17 A I think it was the right because when -- he had to
18 stretch -- it looked as though it was this hand, because you
19 see, in all the bouncing around, all I could see was the gun.

20 Q Uh hum.

21 A And I didn't take notice. I tried to, you know --
22 everybody tried to put their hands up.

23 Q When you first saw this man you say that he was
24 slightly bent over?

25 A Yeah, I thought he was sick. I thought somebody was
26 sick.

Q Could you see his entire body?

1 A No, he was -- he looked as though he was crouched.

2 Q Were there people in front of him?

3 A Yes, two grown -- two big men -- in front of him.

4 I don't know who they were.

5 Q Yet you describe the man when there are two big men
6 in front of him, how do you do this?

7 A Because he had to step, well he did, he pushed with
8 this hand. You see, when he had to step over --

9 Q Prior to this, when you say you saw him slightly
10 bent over --

11 A Yes, yes, he was up on the trays. He was up on the
12 tray stand.

13 Q He was up on the tray stand?

14 A Yes, he was up looking, you know, and he was looking
15 around and this was when we first came in.

16 Q Excuse me, how tall is a tray stand, as tall as a
17 table?

18 A No, no, the trays were piled up, but maybe four
19 inches off the ground and he stood on this.

20 Q And you could see him at that time?

21 A Yes, you could see him good. He was the only one
22 that was standing up on that side.

23 Q Then there was no one else on that side, is that
24 right?

25 A No, there wasn't.

26 Q And then as the Senator walked towards this man,
somebody got in front of him?

1 A Yes, these, you know, the people all mingles in this
2 one area and he pushed his way through. The only reason that
3 he was noticeable was because there was this good looking
4 girl in the crowd there.

5 Q All right, was the girl with him?

6 A It looked as though, yes.

7 Q What makes you say that?

8 A Well, she was following him.

9 Q Where did she follow him from?

10 A From -- she was standing behind the tray stand
11 because she was up next to him on -- behind, and she was
12 holding on to the other end of the tray table and she -- like --
13 it looked like as if she was almost holding him.

14 Q Did you see him get off the straight stand?

15 A Yes, I did.

16 Q And then he walked towards the Senator?

17 A Yes.

18 Q This girl, --

19 A She stayed there.

20 Q At the tray stand?

21 A Right. I glanced over once in a while. She was
22 good looking so I looked at her.

23 Q What is it in your mind that makes you think they
24 were together, the fact that they were standing together?

25 A No, no, he turned when he was on the tray stand once
26 and he had the same stupid smile on, you know, and then he kind

1 of turned and said something. I don't know what he said.

2 BY MR. HOWARD:

3 Q You did see him speak to her?

4 A He turned as though he did say something, whether he
5 said anything --

6 Q Did she move her mouth like she was speaking to him?

7 A No, she just smiled.

8 Q But in other words, he was looking towards, say, the
9 Senator?

10 A Yes. He was holding on up here and there was
11 another pole behind him, where she was holding on and he
12 turned like this, as though to say something, and whether his
13 lips moved or not I couldn't see that.

14 Q And it was after he turned and she smiled?

15 A She smiled.

16 Q And would it seem to you that she smiled at something
17 that had been said?

18 A Yeah, or --

19 Q Or that she was smiling because the Senator was
20 walking towards her?

21 A No, when she first entered she looked as though
22 she was sick also.

23 Q All right, this girl, what nationality would you
24 say she was? Any idea at all?

25 A No, all I know is she was white.

26 Q She was white; Caucasian?

1 A Yes, a Caucasian girl.

2 Q What is the youngest this girl could be?

3 A 21, 20, 21.

4 Q At least 20 or 21?

5 A Yes.

6 Q Would you have no question about serving her a drink

7 in a bar?

8 A On no, no.

9 Q She was definitely of age?

10 A Yes.

11 Q What is the oldest you think she was?

12 A I don't know, about 24.

13 Q All right, how tall was this girl?

14 A I really couldn't determine because I only saw her

15 in the dining room. I never seen, saw her standing on the

16 ground.

17 Q In relation to the fellow who was standing on the

18 tray thing that we discussed, that was four inches above the

19 ground, where was her head in relation to his body; were they

20 about the same height at that time or --

21 A You could say approximately.

22 Q Well, when they turned to talk to her --

23 A They were almost eye level.

24 Q They were almost eye level at that time?

25 A But, you see, with the tray stand you would never

26 know how it's balanced. I don't know whether one end was

1 higher because the way it is now, it's central, it's not
2 equalized.

3 Q So, you couldn't really --

4 A You can't really judge, no.

5 Q How about her build, could you see it?

6 A Oh yeah.

7 Q "Oh yeah," what does that mean?

8 A Very shapely.

9 Q She wasn't skinny, she wasn't fat?

10 A No.

11 Q What was this girl wearing?

12 A She had a white dress with -- it looked like either
13 black or dark violet polka dots on it and kind of a bively (phon-
14 etic) like collar.

15 Q A what kind of collar?

16 A A thing that goes around like that. I don't know
17 what they call it.

18 BY MR. HOWARD:

19 Q Pretty greasy looking?

20 A You could go out -- you couldn't go to the Coconut
21 Grove with it, you know, but it was a nice dress to dress up
22 in, a nice dress.

23 BY SGT. PACHETT:

24 Q How about this girl's hair, what color was it?

25 A Brown I would say, a brunette.

26 Q Your hair is brown?

1 A Yes.

2 Q Lighter or darker than your's?

3 A A little darker than mine.

4 Q Was it long or short or what?

5 A I would say about to here, not much longer.

6 Q Just above the shoulders?

7 A Just above the shoulders kind of --

8 BY SGT. MELENDRES:

9 Q To her neck?

10 A Yes, about the neck, maybe just a little longer,

11 I don't know.

12 BY SGT. PACHETT:

13 Q Was it straight or curly?

14 A One side was a little puffed up a little.

15 Q Did you see anyone else with this girl, that you

16 recall?

17 A Not that I recall. Those were the only two people I

18 saw on the tray stand.

19 Q All right, did you see this girl after the shooting?

20 A No, I was too busy trying to see what I could do.

21 Q Do you recall seeing her during the shooting?

22 A No, I just saw the girl and I forget about her and

23 everything else but the gun.

24 Q Did you hear any comment or any statement made? What

25 do you recall hearing at the time of the shooting, anything?

26 Anybody holler something?

1 A No, all I remember is one person just a split
2 second before the gun went off, "Grab him," and that was it.

3 Q You heard somebody say, "Grab him?"

4 A Yes.

5 Q Did you see anybody grab this person.

6 A Yes, Mr. Rafer Johnson and the other big Colored
7 guy, I don't know his name, that had a beard.

8 Q Do you know Rafer Johnson?

9 A Yes, he used to be on TV, a sportscaster. I've seen
10 him on TV.

11 Q And you observed Rafer Johnson grab this man?

12 A Evidently, yeah, I thought he was going to break his
13 ribs but he evidently pushed or grabbed him.

14 Q In a bear hug?

15 A He looked as though he grabbed him bear hug like,
16 but all the people jumping on top of this one man, it was very
17 hard to see what happened exactly, then that other big Colored
18 guy got him and I could have -- I know he put him against the
19 heater. We have -- it's a long -- it looks like a stainless
20 steel cabinet that we heat all the plates in.

21 Q Uh hum.

22 A And he pushed his stomach right into that.

23 BY SGT. MELENDRES:

24 Q The plate heater?

25 A The plate heater, right. It's, well, it's --
26

1 BY SGT. PACHETT:

2 Q So this man is facing the back of the fellow that
3 did the shooting?

4 A Yes, he had him first, but by that time he had shot.
5 I heard four distinct shots.

6 Q Let me ask you this. Is there any doubt in your
7 mind that the fellow that you saw pushed over this plate
8 heater was the same person that you saw with the gun in his
9 hand?

10 A There was no doubt about it; it was, because he
11 still had the gun in his hand.

12 Q He did?

13 A Yes.

14 Q As far as the shooting was concerned, how many shots
15 did you hear, do you recall?

16 A I saw the first two go off. I saw them actually --

17 Q You saw the flash?

18 A The flash, I saw the powder burn and I saw those
19 two go off and after the second one I couldn't see because I
20 had blood all over my face. And I didn't get it all over me,
21 why I didn't get it all over me but I got all smashed up when
22 the guy fell on me, when he fell down right on top of my
23 hands, and the other boy, I tried to grab him when he fell.
24 When he got shot it was in the leg or some place.

25 BY MR. MURPHY:

26 Q Right after the shooting when Rafer Johnson, if it

1 was, --

2 A Yes.

3 Q -- that grabbed this fellow, and this other Colored
4 man --

5 A Yes.

6 Q -- did the fellow who did the shooting say anything?

7 A I didn't hear over the yells and the other people.

8 Q You don't recall?

9 A I wasn't on that side of the room.

10 Q Do you recall who took the gun from this fellow?
11 Did you see anyone take the gun?

12 A I did not see the gun being removed from his hands.
13 There were too many things going on.

14 Q The last time you saw this fellow --

15 A He had the gun still clasped in his hand.

16 Q And that's the same fellow that had the gun in his
17 hand --

18 A -- when he shot Mr. Kennedy.

19 BY SGT. MELENDRES:

20 Q Can you identify him if you see him again?

21 A Yes sir, I can.

22 BY SGT. PACHETT:

23 Q Is there any doubt in your mind?

24 A No sir, there isn't.

25 Q About how long a period of time were you looking at
26 this man?

1 A From the time when he was on the tray stand?

2 Q From the time that he first caught your eye.

3 A Well, approximately, I guess, less than half --

4 about a half a minute or 30 seconds, because it couldn't have
5 been longer than that.

6 BY SGT. MELENDRES:

7 Q This all happened split seconds?

8 A It all happened so fast that you couldn't do anything.

9 Everybody saw the gun in plain sight and everybody I guess was
10 kind of, you know, dumbfounded; they didn't know what to do.

11 BY SGT. PACHETT:

12 Q Okay Vince, I think that will pretty well cover it.

13 (Discussion off the record)

14 BY SGT. PACHETT:

15 Q Okay, just to sum this up, what's the first thought
16 that comes in your mind as far as the appearance of this man
17 that had the gun? What's the first thing that you recall?

18 A In reference to which?

19 Q To anything, the picture that's in your mind, what's
20 the thing that sticks out?

21 A The stupid smile he had on his face.

22 Q Smile on his face?

23 A It was kind of like an envious smile, like ah, you
24 know, villainous -- I don't know how to describe it.

25 Q All right, let's go back to one other point. The
26 first time you said you saw him you said he was bent over a

1 little bit?

2 A Right, he was holding onto the tray stand with his
3 hand and he had it down and was at that time cramped, that's why
4 I thought he was hurt.

5 Q Was there anything on the arm or the hand or the
6 clothing?

7 A Not at this time, no.

8 Q Nothing on his arm?

9 A Nothing on his arm.

10 Q How about the other hand that was fairly close to
11 his stomach?

12 A I didn't -- you couldn't see it.

13 Q You couldn't see anything?

14 A It was like he had it inside his shirt or something.

15 Q You couldn't see it?

16 A I really couldn't see it.

17 Q Couldn't see a thing.

18 BY SGT. MELENDRES:

19 Q How about this man that you mentioned that shook
20 hands with Mr. Kennedy, Jockoloski you say, Jockoloski?

21 A No, Polotsky.

22 BY SGT. PACHETT:

23 Q Martin Polotsky.

24 BY SGT. MELENDRES:

25 Q Did he see anything? Was he there with you when the
26 shooting took place?

1 A He was there but he didn't see it because he had
2 just turned away.

3 BY SGT. PACHETT:

4 Q You talked to Martin about this?

5 A Oh, Martin was the one that came over. He yelled at
6 me, "Vinny, you're hurt!," and he saw the blood all over me
7 and he came running over to me and he said, "You all right?"
8 And I said, "Yeah," and, you know, I started bawling I was so
9 upset.

10 Q Well, how do you know that he didn't see it?

11 A He said he didn't.

12 Q He told you that?

13 A Because we had almost an hour until the clock --

14 (End)

(2) INTERVIEWS

PERSON INTERVIEWED: DIVALE, William T. DATE/TIME 8-6-68 6:50PM

SEX M RACE Mex HAIR blk EYES brn HT 6-4 WT 300 DOB 2-18-42

RESIDENCE ADDRESS 488 Landfair St., #1, W.L.A. PHONE 473-0658

BUSINESS ADDRESS _____ PHONE _____

WALTER S. CROWE, JR. INVESTIGATION

INFORMATION: (WHO, WHAT, WHEN, WHERE, WHY & HOW)

Mr. Divale attended Pasadena City College from 1963 until June 1966. He began his studies at U.C.L.A. in September 1966 and is currently enrolled there, continuing his education. Mr. Divale became acquainted with Walter Crowe, Jr. at Pasadena C.C. during the 1964 semester. They attended a history class together and discovered they had a mutual interest in Marxist theory. As a result, a friendship developed and continues to the present time.

When Mr. Divale began his studies at U.C.L.A. he and Mr. Crowe shared an apartment at 2540 S. Barrington Ave., West L.A. . They lived together from September 1966 until July 1967. They then moved to the U.C.L.A. housing co-op, but were unable to obtain joint quarters.

Mr. Divale stated that he had recruited Walter Crowe into the Communist Party in the spring of 1967. Walter Crowe had developed an extensive Marxist attitude when Mr. Divale first met him. Mr. Crowe joined the WEB DuBois Club, participated in demonstrations, attended club meetings and engaged in philosophical debates. This demonstration of interest made Mr. Divale feel that Mr. Crowe would be a good subject for recruitment into the Communist Party. He approached Walter Crowe relative to this and Mr. Crowe accepted membership in the Party.

Mr. Divale was asked to give a thumbnail description of Mr. Crowe, relative to Mr. Crowe's participation and degree of commitment to the Communist Party. He stated that Walter Crowe was what he would describe as an "intellectual Communist". By that, he meant that Crowe had a deep belief in Communist principles, but was passive from an organizational standpoint. Mr. Crowe never acted of his own initiative, relying on Mr. Divale for leadership. Mr. Divale could recall no instance of Walter Crowe ever recruiting any person into the Communist Party.

Mr. Divale stated he had never met Sirhan B. Sirhan. He became aware of the Sirhan family through discussions with Walter Crowe. His best recollection of how that came about was that Walter Crowe had brought up the subject about one year ago. They were discussing racial prejudice, and Walter Crowe had used the Sirhan family as an example. Crowe stated that the Sirhan family had been identified in the community as being of

Continued

kv/8-26-68

Mexican-American descent. As a result the family had suffered from acts of discrimination attendant to being of Mexican extraction. Mr. Divale was particularly impressed with this discussion as he is of Mexican descent.

Mr. Crowe embellished on his description of the Sirhan family by stating that they were somewhat "kooky" in their behavior. He related an instance of one male member of the Sirhan family who had made an attempt on the life of a girlfriend who had rejected him.

When Mr. Crowe and Sirhan met on May 2, 1968, Mr. Crowe discussed the meeting with Mr. Divale. Mr. Crowe again stated that Sirhan had displayed "kooky" behavior. Mr. Divale was not able to elaborate on that. He did recall that Mr. Crowe felt alienated from Sirhan as a result of the meeting.

All of the previously mentioned events served to implant the Sirhan family in Mr. Divale's mind. On the day of the assassination, he thought he would call Walter Crowe at work and discuss the assassination. He called Walter Crowe's parents in an effort to obtain Walter Crowe's business phone number. Mr. Crowe, Sr. answered the phone, but was unable to supply the phone number. Mr. Divale then discussed the assassination with Mr. Crowe, Sr. . They had a short conversation and Mr. Divale does not recall the exact content of the conversation.

Mr. Divale had been a visitor in the home of Mr. Crowe's parents on numerous occasions. He stated that Crowe's parents were not aware of his political philosophy. He had not expounded his views out of respect for the wishes of Walter Crowe, who did not wish his family to become aware of his (Crowe's) involvement with the Communist Party. Mr. Divale also stated that Mr. Crowe, Sr. was a very opinionated person with a bad temper and he did not wish to provoke an argument.

Mr. Divale stated that he had been the head of the Central L.A. WEB DuBois Club from September 1965 to June 1966. During that period, it would not have been possible for Sirhan to have been associated with the Club without Mr. Divale having knowledge of it.

FILE COPY

FILE # I-300

Informants Name:

DIVYAK, ANDREW JOHN

Business Address & Phone:

AMBASSORDOR HOTEL (Exec. Stewart)

Residence & Phone:

758 S. Ardmore #602 No phone

Investigator Receiving Info:

Patchett/Mac Arthur/Collins

Date & Time Received:

6-17-68 530pm

INFORMATION:

Informant places himself in employees eating area just off the area where the shooting occurred. He was seated at a table against the far wall and had a clear field of vision of the area where the shooting occurred. He was in the process of completing paper work, heard some noise, simular to firecrackers, got up from the table and ran in the direction of the noise. He stated he was unware of a shooting and his intend was to stop the noise. As he entered the area of the shooting he obsd some men running toward a man, who he later stated was the suspect. These men grabbed the suspect and he started to runaway the mental tables to get the suspects gun. It was at this time that he obsd Sen. Kennedy laying on the floor. He didn't recall anyone else in the eating area just prior to the shooting, but stated a fireman could have been at that location. He did not see the shooting or the suspect until the suspect was being aphred-ended.

ASSIGNED TO: ABOVE OFFICERS

ACTION TAKEN - RESULTS:

Interviewed-no re-interview necessary.

7/15
Date/Time Completed

6/17/68 422 Approved By

Lt. Rana

87

INTERVIEWS

FILE # I-2066PERSON INTERVIEWED: GARY W. DOTTERMAN

DATE/TIME _____

SEX _____ RACE _____ HAIR _____ EYES _____ HT _____ WT _____ DOB _____

RESIDENCE ADDRESS _____ PHONE _____

BUSINESS ADDRESS _____ PHONE _____

INFORMATION: (WHO, WHAT, WHEN, WHERE, WHY & HOW)

DUMONT, AND THAIR AND HAVE THEM CALL
L.A.P.D.

MR. DOTTERMAN TOOK NO PICTURES AND HAS
NOT BEEN INTERVIEWED BY ANYONE ELSE
REGARDING THE R.F.K. SHOOTING.

56-156-P.D.
SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

NOV 21 1968

FBI - LOS ANGELES

INVESTIGATORS MAKING INTERVIEW:

APPROVED BY:

AKA JERRY DAUGHTERSON
AKA GARY DAUGHTERMAN

FILE # I-2066

RECORDS
CHECKED

INTERVIEWS
FILE COPY

PERSON INTERVIEWED: GARY W. DOTTERMAN

DATE/TIME 8/21/68 SPN

SEX M RACE CAUC HAIR BLO EYES H2L HT 5-11 WT 200 DOB 6/11/44

RESIDENCE ADDRESS 1311 S. BALTIMORE AVE, TULSA OKLAHOMA 918-583-2880

BUSINESS ADDRESS 3155 S. BOULDER AVE, " " " PHONE 918-583-2161
EXT 838

INFORMATION: (WHO, WHAT, WHEN, WHERE, WHY & HOW)

MR DOTTERMAN WAS ON THE R.F.K. ADVANCE STAFF. HE WAS STAYING IN ROOM 455 IN THE AMBASSADOR HOTEL ON 6/4/68. AT 6PM HE WENT TO THE HOTEL COFFEE SHOP, ATE DINNER AND THEN WENT TO THE EMBASSY ROOM WHERE HE SPENT THE EVENING, LEAVING ONLY A FEW TIMES TO VISIT THE LOBBY AREA. MR DOTTERMAN WAS ON THE STAGE IN THE EMBASSY ROOM WHEN SENATOR KENNEDY FINISHED HIS SPEECH AND SENATOR KENNEDY WALKED OFF THE STAGE. A FEW MOMENTS LATER, A YOUNG MAN (M/L, DK RIMMED GLASSES, BLUE SPORT COAT) STAGGERED THROUGH THE DOORS EAST OF THE STAGE INTO THE EMBASSY RM. YELLING "I'VE BEEN SHOT, I'M GOING TO DIE." MR. DOTTERMAN WHILE ESCORTING THIS MAN THROUGH THE LOBBY HEARD FROM AN UNK PERSON THAT SENATOR KENNEDY HAD BEEN SHOT. MR. DOTTERMAN TOOK THIS MAN TO THE PARKING LOT. PUT HIM IN A CAB, AND INSTRUCTED
C-CONT.

INVESTIGATORS MAKING INTERVIEW:

APPROVED BY:

INTERVIEWS

FILE # I-2066PERSON INTERVIEWED: GARY W. DOTTERMAN

DATE/TIME _____

SEX _____ RACE _____ HAIR _____ EYES _____ HT _____ WT _____ DOB _____

RESIDENCE ADDRESS _____

PHONE _____

BUSINESS ADDRESS _____

PHONE _____

INFORMATION: (WHO, WHAT, WHEN, WHERE, WHY & HOW)

THE DRIVER TO TAKE HIM TO A HOSP. MR. DOTTERMAN THEN RETURNED TO THE EMBASSY ROOM AS THE POLICE WERE REMOVING SIRHAN B. SIRHAN. MR. DOTTERMAN FOLLOWED SIRHAN TO THE PARKING LOT WHERE HE WATCHED THE POLICE PUT SIRHAN IN A POLICE CAR. AT THIS TIME HE OBS. SENATOR KENNEDY BEING LOADED INTO AN AMBULANCE. MR. DOTTERMAN THEN AGAIN RETURNED TO THE EMBASSY ROOM, REMAINED THERE UNTIL 2:00AM AND THEN WENT TO HIS ROOM WHERE HE WATCHED T.V. UNTIL 10:00AM.

OTHER OBS. AT HOTEL.

* ✓ RICHARD CROW OR CROWE, TULSA OKLA.

* ROBERT DUMONT, TULSA OKLA.

* CHUCK OR CLARK THAIR, SPERRY OKLA.

BOB BROWN, NEGRO, WASHINGTON D.C.

I-504

JERRY BRUNO

I-301

* MR. DOTTERMAN WILL UPON REQUEST CONTACT CROW,

INVESTIGATORS MAKING INTERVIEW:

APPROVED BY:

INTERVIEWS

FILE # I-783Person(s) Interviewed: DRAYNE, DickDate 6-21-68Time- 5pmBusiness Address & Phone Works in office of Sen. KennedyResidence Address & Phone 33241 Livingston Street, N/W Wash. DC (202) 244-3734

Information (To be complete the report should include: Who, What, When, Where, Why,
& How)

Subject was interviewed by phone,

SEE - ATTACHED STATEMENT

Investigators making interview

Patchett & Mac Arthur

Approved by:

L.T. Peña

(X) RECORDS
CHECKED (R12)

INTERVIEWS

FILE # I-440

PERSON INTERVIEWED: DREW, Richard DATE/TIME 7-15-68/10:10AM

SEX M RACE C HAIR EYES 5-9 HT 5-9 WT 150 DOB 12-6-46

RESIDENCE ADDRESS 128 E. Colorado #1, Arcadia PHONE 445-4285 or 447-4556

BUSINESS ADDRESS Pasadena Independent Star News PHONE 681-4871

INFORMATION: (WHO, WHAT, WHEN, WHERE, WHY & HOW)

P/R works for The Pasadena Independent Star News as a photographer. On June 4, 1968 he arrived at the Ambassador Hotel at approximately 6:40 PM. During the evening he took several pictures of the crowd and continued taking pictures during Sen. Kennedy's speech. He recalls his activities as follows:

During Sen. Kennedy's speech I worked my way around the ballroom taking pictures. I started from the area by the anchor desk walking to the rear of the ballroom, then across the ballroom. I then walked toward the doors, right of stage and entered the kitchen. I obtained a glass of water and was drinking it when I saw Kennedy coming into the kitchen. I was standing about 15' from the double doors next to a metal table on Kennedy's left. Kennedy passed in front of me and I followed within six feet of him. I did not see him shake hands with anyone, I think I was setting my lens exposure. I heard firecrackers, looked up and saw smoke; Sen. Kennedy had dropped a little. I then saw the gun pointing at me and I dropped to the floor. I saw about half of the suspect's face, thought he had a blue jump suit on. Later I saw him being held by a group of people and recognized him as the same person who had held the gun. Someone lowered the Senator to the floor, I couldn't see where he was hit. I saw Paul Schrade back and to my right. I started taking pictures. I didn't have a flash and tried to get my pictures as other photographers moved in with their lights. I moved over to the metal table, got up on it and took pictures. I took the pictures from the table about four minutes after the shots were fired. The group holding Sirhan had moved down the tables behind me. I did not hear Sirhan say anything. I did hear Kennedy say "Don't move me." He seemed to know his injury was serious.

Later I found that I had blood on the left side of my jacket. I saw the following photographers in the kitchen:

- | | |
|---|-------------------------|
| 1. Ron Bennett - UPI | 4. Epbridge - Life Mag. |
| 2. Harry Benson - Assoc. Press - London | 5. Howard Decker - |
| 3. Boris Yaro - L. A. Times | ✓) Photographer, |
| | Possibly out of |
| | New York |

MS.
gw 8/13/68

(cont'd)

INTERVIEWS
2.

FILE # I-440

PERSON INTERVIEWED: DREW, RICHARD DATE/TIME

SEX RACE HAIR EYES HT WT DOB

RESIDENCE ADDRESS PHONE

BUSINESS ADDRESS PHONE

INFORMATION: (WHO, WHAT, WHEN, WHERE, WHY & HOW)

Prior Interviews:

1. F. B. I. - Agent W. White
2. City News Service - Taped Interview

INVESTIGATORS MAKING INTERVIEW:
Collins/Patchott

2025 RELEASE UNDER E.O. 14

APPROVED BY:
S/Lt. Pena

Richard Drew - Pasadena Independent Star News - Photographer I-440

HE I was standing in the kitchen about 15 feet from the double doors when I saw Senator Kennedy enter. He passed in front of me and I drew followed within six feet of him. HE I heard firecrackers, looked up and saw smoke, noticed Senator Kennedy had dropped a little and then I HE saw this gun pointed at me and then I dropped to the floor. HE I only saw about half of the suspects face. Later I saw him being held by a group of people and recognized him as the same person who had held the gun.

Continued

CONTINUATION SHEET

HE AND SEEN Paul Schrade back into my right, I started taking pictures. I did not hear Sirhan say anything. HE I did hear Kennedy say "Don't move me."

HE TOOK SEVERAL PICTURES

1 STATEMENT OF RICK DRAYNE, RESIDES AT 3341 LIVINGSTON STREET
2 NORTHWEST, WASHINGTON D.C. PHONE (202) 244-3734. HE
3 WORKS IN THE OFFICE OF SENATOR EDWARD KENNEDY, NO. 431,
4 OLD SENATE BUILDING.

5 He stated he was in the Colonial Room when the shooting
6 took place. He had gone to the room as the Senator was
7 to have been interviewed by the writing press. At the
8 time he stated there were 15 to 20 people in the room.
9 The door to the room was open. This door is the one leading
10 to the kitchen. He heard what he thought were firecrackers,
11 recalled there was a feeling of excitement, and then a Hays
12 Corey of Time Magazine and a Bob Sheagy, a reporter for the
13 Boston Globe, ran into the kitchen ahead of him. He saw
14 a large group of people around a man and at first thought
15 this was a group around the Senator. He later learned
16 it was the suspect Sirhan and that the Senator was shot and
17 lying on the floor. He did not see the shooting.
18
19
20
21
22
23
24
25
26

INTERVIEWS - JUNE 5, 1968

KENNEDY SHOOTING

DR 68 521,466

INTERVIEW OF MAJOR JOSE DUARTE

12:15 A.M. OCC.

6-5-68 7:15 P.M. (J.P. Goodman #5340, Ramp. Dets)

Interviewed Jose Duarte, 6643 DeLongpre, Apt. 50. He stated that approximately three (3) weeks ago he attended a meeting at 3800 Amsbury. The meeting was about Cuban affairs. There were approximately fifty (50) people present.

Mr. Duarte got into an argument with one person present and invited that person outside to fight. This person failed to show.

Mr. Duarte believes suspect in custody for shooting the same person he almost had a fight with at the meeting.

HAS BUSINESS CARD PRINTED AS FOLLOWS

469-0823

MAJOR JOSE DUARTE
Rebel Army

UNARE
Cuban Exile Organization

C/O P.O. BOX 802
Hollywood, Cal. 90028

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (56-156)

DATE: 8/29/68

FROM : SA R.J. LA JEUNESSE, JR.

SUBJECT: KENSALT

Re: Major JOSE DUARTE

On 8/22/68, Sergeant MIKE NIELSEN, Los Angeles Police Department (LAPD), SUS, made available to SA R.J. LA JEUNESSE, JR. a copy of a taped conversation relating to an interview with Major JOSE DUARTE which took place on 7/24/68.

Attached hereto is a transcript of that taped recording.

RJL/jmb
(1) *jmb*

56-156-925

SEARCHED	INDEXED <i>re</i>
SERIALIZED <i>re</i>	FILED <i>re</i>
AUG 29 1968	
FBI - LOS ANGELES	

Cl O Richards

Press FFO

#4

STATEMENT OF MAJOR JOSE DUARTE
July 25, 1968
Tape #29298

Transcript #42

1 TAPE RECORDED INTERVIEW OF JOSE DUARTE
2 TAKEN AT 6642 DELONGPRE, HOLLYWOOD, CALIFORNIA, APT. #15
3 WEDNESDAY, JULY 24, 1968, 7:00 P.M.

4 QUESTIONED BY: LT. M. PENA, S.U.S. UNIT
5 SGT. M. J. McGANN [REDACTED] S.U.S. UNIT
6 OFFICER J. L. MOUNT [REDACTED] S.U.S. UNIT
7 TRANSCRIBED BY: STELLA C. BOTH
8 ASSISTED BY: SGT. M. J. McGANN
9 OFFICER J. L. MOUNT
10 (*) UNINTELLIGIBLE

11

12 LT. PENA: I'd like to identify myself as Lt.
13 Manuel Pena. This is Sgt. McGann, Sgt. Mount, and you are
14 Major Jose Duarte. I would like to cover four or five points
15 with you in connection with this meeting on May 21st.

16 SGT. MCGANN: First.

17 LT. PENA: Wherein you had a verbal altercation
18 with a particular individual.

19 A A verbal altercation. There was some kind of
20 shoving in there, too.

21 LT. PENA: All right. Sgt. McGann and Sgt.
22 Mount have, during the past two weeks, have been investigating
23 this particular meeting and contacting a group of people--a
24 number of people. They have located and identified--is it
25 seven?

26 SGT. MCGANN: Seven men.

LT. PENA: Seven men of Arabic or--

SGT. MCGANN: Persian.

LT. PENA: Persian background who were at that
meeting. Last evening they brought Ali--

1 SGT. MCGANN: Kahn Bouzmand.

2 LT. PENA: Ali Kahn Bouzmand to your home here,
3 and you have identified him as the man with the beard that
4 was present with this group of Persians at the meeting.

5 Q BY LT. PENA: Isn't that so, Mr. Duarte?

6 A Arabs. They may have been Bengaleze (sic), or
7 they may have been Algerians or Arabs.

8 Q You did identify the gentleman that was brought
9 here last night?

10 A Yes, he was present there. Yes.

11 Q From the first instance in this case, is it not
12 true--

13 A Would you gentlemen like something to drink?

14 Q --is it not true, Major Duarte, that you indicated
15 that it could be a case of mistaken identity with respect to
16 your~~s~~ indicating that the man you had the altercation with
17 was Sirhan Sirhan?

18 A It was more than that. I said--this is what I
19 said. In regards to this situation, these circumstances,
20 it could be left to honest to God truth that this was either
21 a case of I making up the story or a case of mistaken
22 identity or whether I'm saying the truth. This is what I
23 said. I even said myself--guarded myself--I granted the
24 public and I gave myself that I have been guilty of allowing
25 people to think that this was a story that I was making up
26 because people could think of that. Those are the three

1 things I mean that come to be now a case of mistaken
2 identity. But I say--

3 OFFICER MOUNT: Jaladipour (phonetic).

4 A --I say from the beginning, this is what I say
5 from the beginning--this is what I said from the beginning.
6 This could be construed as three cases. Three cases. Three
7 independent cases. One, that I am making up a story in
8 order to bring the Cuban question out and give to it publicity.
9 Second, that this could be the case of mistaken identity.
10 Third, that if the truth, what I'm speaking--therefore, if
11 this is the case, that I'm making this up, I'll have to
12 stand on my record for that and on the investigation.

13 Second, if this was a case of mistaken identity, let
14 the person that was there at this time come forward and
15 identify himself or bring Sirhan or his brother.

16 Third, that I am saying the truth up 'til now. I have
17 no contradictions to it. Those were my statements. Now,
18 in the beginning--I say from the beginning--I think this may
19 be a case of mistaken identity. I wasn't sure. These were
20 the three things I brought out that could be, and I was
21 letting everyone know to go forward and prove to me and prove
22 to the police and prove to the authorities which of the three
23 were. I said in the first case it could be this, that I am
24 making this up, investigate me, and whether I was there or
25 not--what took place.

26 Second, if this is the case of mistaken identity, I

1 have identified this picture without seeing the man ever on
2 different occasions of photos having been shown to me. If
3 I recognize a man that is similar to him, let him come for-
4 ward now, and the case--it happens that two months afterwards
5 his Persian friends, his roommate, and so they come forward
6 now to bring a story or an evidence or circumstantial
7 evidence or a likely story or something that eliminates one
8 or two premises of there--of my making up a story, or
9 whether I'm telling the truth, too. Leave out only the case
10 of mistaken identity, and it comes of what? Of their words?
11 Your investigation? And my--my position, I stand.

12 Q Now, we have shown you several photographs of the
13 roommate of Ali Kahn Bouzmand.

14 A And I do not recall him.

15 Q You have indicated you do not recall him. We
16 have indicated to you that--

17 A --that he was a man that your investigation has
18 shown that he was a man and that he had, and that you have
19 in your investigation, be of the evidence--I don't know
20 whether you got evidence, but you have been led to believe,
21 or that you believe--I don't know how you can paraphrase
22 that in English. I leave it to you. I could say in Spanish--
23 (speaks in Spanish).

24 Q I will translate that for purposes of the record,
25 "That the Los Angeles Police Department by virtue of its
26 investigation, has been investigationaly satisfied and con-

1 convinced that this is the case of mistaken identity and
2 that the picture of this gentleman--

3 OFFICER MOUNT: Herra,

4 LT. PEMMA: Herra,

5 OFFICER MOUNT: Jaladipour.

6 Q BY LT. PEMMA: Jaladipour is the man that had the
7 altercation with you. The interviews with this gentleman
8 have verified to great extent your version of the altercation
9 at the meeting. He is willing to face you and meet you
10 personally and go over the incident if this could be arranged
11 on an amicable basis. I have also--

12 A If he keeps his cool and he does not act the way
13 he acted there, it might be amicable.

14 Q Well, we appreciate the delicacy of that, and
15 shall we say can we hold that in abeyance and make a decision
16 at a later time?

17 A Any time you want.

18 Q You are willing if it can be handled on an
19 amicable basis?

20 A I am not willing--this puerto (sic).

21 Q You are disposed to meet him?

22 A Surely.

23 Q All right.

24 A Willing is not in Spanish what--what this puerto
25 means--I'll be ready, willing and able--willing all the time.

26 Q BY SGT. McDANN: While we are on this subject

1 of Jaladipsur, would you agree that he had similar features
2 in this picture that we have shown you today?

3 A I can't go into that today because he doesn't
4 look to me like Sirhan's nose. His hair--he has short hair.
5 There, now, he has long hair. His hair at that time was not
6 as long as you have here.

7 Q You can't say there is a resemblance, is that
8 correct?

9 A Well, according to the resemblance--and this is
10 a fact--something that we never mentioned--but this really
11 hurt us. Chief Reddin--with all respect for him--the first
12 thing he came out and say the man looks like an exile Cuban
13 or like a West Indian, and that created a very delicate
14 situation, you know. Mesquera was working in Washington at
15 the time that Oswald was killed. She was working that day--
16 Organization for American States before she become a
17 librarian in UCLA. She's been there for four years. And
18 she could tell you when they said that the Cubans had killed
19 Kennedy, the situation she had to face there. The same
20 thing happened here when Chief Reddin--I would say extemper-
21 aneously--I wouldn't say unwisely--I would say extemperandi
22 (sic), and I'll say that now--exouse me, what the hell does
23 a Cuban look like compared to a Jamaican because I'm brown-
24 skinned, so are you.

25 LT. PEKA: That's true.

26 A And I can show you so many huertos in our

1 Spanish race that might be taken for them--for Americans.
2 And yet because he was olive-skinned and he had an accent,
3 all of a sudden they say he looks like a Cuban or a West
4 Indian. Wait a minute! Maybe we wouldn't mind so much to
5 be taken for niggers.

6 Q BY LT. PENA: Did the man that you have, Major
7 Duarte, did the man that you had the altercation with that
8 you, shall we say, believed was Sirhan Sirhan have an accent?

9 A Just like I have. Surely.

10 Q He had an accent and he spoke English with you?

11 A Oh, yes, the whole conversation was in English,
12 and he had an accent just like I have, I have, like Mesquera
13 has, like--you have one.

14 Q Do you think I have an accent?

15 A Oh, yes. You don't have an accent, you have an
16 inflection.

17 Q I have an inflection, but I don't believe I have
18 an accent.

19 A No, no, you have an inflection. I stand corrected.
20 The inflection is that we say words and we have a certain
21 cadence.

22 Q Well, that comes from the Latin influence.

23 A That's right.

24 Q As opposed to an accent.

25 A An accent, it would be like if I was--I would be
26 saying for instance, instead of saying record, I would be

1 saying record, or something like that.

2 Q Yeah, it's a--

3 A --an accent. It's a case of gammatology (sic)
4 now. An accent or and inflection--I probably have an accent.

5 Q You do have an accent. Yes, sir, and you are
6 positive that the man that you believe might have been Sirhan
7 Sirhan at this meeting had an accent?

8 A He was--I mean he was--he was--he was not
9 speaking American with inflection characteristic to American.

10 Q He spoke with an accent. All right, now, we
11 have approached you. We have approached you on the possibility
12 of--of considering the tremendous burden this places on you
13 in terms of the length of time that has passed and of the
14 publicity that has been given your particular situation.
15 We have asked you how you felt about making--

16 A --as a matter of fact, Lieutenant, for the record,
17 not here in Los Angeles, but the world over--

18 Q Yes.

19 A --but not here in Los Angeles.

20 Q Yes. I--we understand that the publicity is
21 outside of Los Angeles, but we have approached you on the
22 possibility of indicating to the news media on the basis
23 that would be most comfortable and satisfactory to you and
24 to the publications that have been published.

25 A Of which I had nothing to do with. I mean, I
26 have been sighted, my picture taken, and all that. And my

1 threat--I have been threatened over the telephone, and I
2 went on Channel 9.

3 Q Have you been misquoted by the news?

4 A No--yes, from the Los Angeles Times. Yes.

5 Q Yes.

6 A Not only misquoted, it's a lie what it says
7 there. Would you care to read it?

8 A Not just at the moment.

9 A They send me a--a gentleman by the name of Hilda,
10 who visit me, he knew about the threat, not only--I tell you
11 what, Velasco was threatened the same way, and he told me--
12 now I don't say he did--he told--excuse, me, he told me that
13 he had contacted the FBI through his son-in-law, and the
14 FBI had bugged his phone with his permission to see if they
15 could trace the calls, and they didn't do it. (*) and I
16 thought I didn't tell you that. I went on television in
17 case--the date is there.

18 Q Yes.

19 A The date is there, and I went on Channel 9, and
20 I asked Dolan for 15 seconds in which I addressed myself
21 this way. I say, "Now, this is to you who have been making
22 threatening telephone calls to me, my family, and my friends.
23 We don't scare easy. Now, let the hand of destiny," and it
24 was romantically speaking, sir, taken in Spanish, "taking
25 the hand of destiny to erase my name from the scroll of the
26 living wherever and whenever he wills." Just like that.

"And listen, and listen well, damn you," just like that, "this Cuban-American yields to no violence or terrorism." Then you have (*) "This Cuban-American yields only to God." I even said that. I said, "You have been threatened." Everything, I have come out to the public and said it.

Q How do you feel about making a statement or authorizing a statement to be made to the news media with respect to the investigation thus far, and what we have shown you and indicated to you our investigators have determined? I'll preface that with your own words.

A No, I say it now. I say it now, Sgt. Mount, Lt. Pena, Sgt. Mc what?

Sgt. McGANN: McGann.

A McGann, have told me that their investigation has led them to believe, or been convinced, that this is a case of mistaken identity; that the person in question was not Sirhan Sirhan but somebody else. (*) Out of all respect for the police force and for their judgment, but in all honesty, within myself, within my consciousness, I can't recant I believe that this man was Sirhan Sirhan. I'm sorry, that's right.

Q And you are still disposed and ready, willing, and able to face this gentleman?

A Yes. Gentleman, yes.

Q And a--

A --by all means.

1 Q That our investigation--

2 A Oh, definitely. Anybody, anybody.

3 Q Wait--

4 A (*) Just like when he called me yesterday, I
5 say, "Bring him over, surely. I have no--no prejudice or
6 objection whatsoever." I would never in any case say they've
7 been taken and this is a plot. Never would I say that
8 because I'm convinced this is not the case; that you are
9 honest law officers in the performance of your duties, your
10 inescapable duties. I regret--I don't know whether Sgt.
11 Mount has given you what we say our organization is.

12 Q Yes, I've read it.

13 A And you say that I said in there that we only
14 regret that officers of the law in the performance of their
15 inescapable duties may come in conflict with us. Because
16 we admit that if I break the law, proceed against me. Bring
17 me to trial--the Neutrality Law, the Sullivan Act--whatever
18 it is, proceed against me in the performance of your duty.
19 In fact, if I have broken the law, I'm going to stand in
20 front of a jury and in front of the judge and say, "Yes,
21 I have broken the law." But I have not this on my conscience.
22 You're saying the truth. I would never say--I would never
23 go against what you bring into court. Ever. Just like for
24 the record in the case of this fellow here in court. I
25 would never do anything like I said before, if this would
26 complicate--and I will not submit or subject or be willing

1 or unwillingly used by certain factions or interests in this
2 country that might use this as means of damaging the image
3 either of the police force or their administration. I'll
4 say that, too. I'll say that, too.

5 Q You are not in any way discrediting any part of
6 our investigation?

7 A What I can't do is just to say now that I have
8 beyond a reasonable doubt committed a mistake because the
9 attitude of these other people which subjectively--I know
10 how they act--are not what they pretend to be or what you
11 have been honestly led to believe.

12 Q May I offer this thought. If their attitude
13 was either just a means of baiting, or whether their attitude
14 was sincerely expressed in this verbal altercation that
15 occurred--

16 A --that's a very good point.

17 Q Either way, I do not doubt the emotion that must
18 have arisen there at the meeting. But say that the emotion
19 was there, however motivated, this would not necessarily--
20 because even if the man you identified last night--

21 A --he said so. He did. He said so. That does
22 not necessarily make him Sirhan.

23 Q Right. (*) The man that you identified last
24 evening.

25 A I said yes, didn't I?

26 SGT. MCGANN: Yes.

1 LT. PENA: With the beard admits, and so does
2 this gentleman, that we are honestly and investigationaly
3 convinced that you have mistaken for Sirhan. He admits and
4 states that he engaged you in a verbal altercation, and he
5 has cited this altercation to Sgts. McGann and Sgt. Mount.

6 A Uh, say that psychologically, did he say what he
7 said to me? I mean, did he say there that--could you quote
8 it from memory what he said?

9 SGT. MCGANN: I cannot quote from memory what
10 he said. People--the persons with him, including Ali Kahn
11 Bouzmand and another gentleman we talked to, stated that it
12 became quite heated at one point.

13 A But did he say exactly--the expressions, what they
14 were?

15 SGT. MCGANN: No.

16 A It was not a case of being heated because I
17 might be--uh, forgive the expression, now I might may be
18 heated to a person and call him a son-of-a-bitch like in a
19 traffic jam or something or something. This happens, you
20 know, tempers flare and you know how the Latins are and
21 so forth, and (*) are.

22 LT. PENA: I know how they are.

23 A But this was not that case.

24 LT. PENA: I understand.

25 A This was not the case. That was not the case,
26 but he insulted me and called me a bastard or a son-of-a-bitch.

1 er cocksucker or any one of the most deprecating words you
2 can use, no. He called me a C.I.A. agent. He said that I
3 was a traitor to the revolution--what this country needs is
4 another Castro, and he was doing to--with you--doing with
5 you what the Jews are doing to the Arabs, and then he went
6 on to say terrible things. I could--I say he had not insulted
7 me. He had insulted my country, and he was in favor of Castro
8 and he was in favor of Guevara, and he was in favor of
9 Communism. Now, he wasn't baiting me personally calling me
10 names. He was insulting my family, or he was calling me
11 this kind of insults, and a person like you might have some-
12 one in a traffic jam, you know, or in a shoving match and
13 whatever. A Cuban or a theory, no. He express himself in
14 that group. I haven't say that this gentleman that was here
15 yesterday insulted me or anything, or something, because I
16 don't recall it. He might have been saying things to me
17 while I was talking to the other one. I remember him only
18 because he was the one that had me mad enough to say--did he
19 say that I told him when he started baiting me, this--we are
20 in a private home, and you should abide by the rules a
21 gentleman should and keep a civil tongue in your head or
22 otherwise I'll take action against you? Did he say that?
23 I warn him that way before. I even warned him that. I kept
24 on talking and he kept on there baiting me and calling me
25 names from there until finally came so much, he was right
26 there standing in front of me (*) I mean, pushing me. So I

1 turned, and that's when the shoving match really got started.
2 Then I asked him, "Who are you?" because he said something
3 about being back to Cuba, suppose. And I told him, "I'm
4 an American; who are you?" And he said, "I'm an Arab." And
5 I said, "Why don't you go back to it?" So he was all the
6 time--but this was not a personal--

7 LT. PENA: I understand.

8 A Like he tries to pretend, but this was a personal
9 incident, Lt. Pena. He was--he was expressing himself as a
10 Communist. He was expressing himself anti-American. He was
11 at a Communist meeting. He was at a meeting where they
12 weren't in favor--I mean against the Vietnam War. They had
13 Guevara and Castro and everybody's picture around there.
14 Even the slides we took, I'll be honest enough to say we
15 stole slides. Didn't I tell you that? I could have been
16 put in prison or something for that. We took the slides to
17 prove of this Shineff that he had there.

18 Q BY LT. PENA: Now--

19 A He wasn't--it was an impression of--if they had
20 led you to believe that this was just a personal matter, it
21 wasn't. This was a philosophical question, a political
22 question.

23 Q May I--

24 A They expressed themselves, and I really got angry
25 at him, not because he--he--because he didn't call me names.

26 Q May I--

1 A Personally a--a personal insult. What I got
2 really sore is because derogatory remarks about the United
3 States. He was making derogatory remarks about that and
4 praising Castro and Communism. Probably that is why they
5 didn't come forward in the beginning because if it wasn't
6 Sirhan, now see how much benefit or investigator (sic) I'm
7 giving it to you, my experience. Like I said before, I
8 haven't had the experience that you have, but I have been a
9 military man and I know that. In my opinion the case, that
10 when they knew, although you give them the benefit of the
11 doubt because you didn't know--they didn't know--I might ask
12 you this now, Sergeant, just because you didn't know, does
13 it make it evidence? Just because you didn't know more about,
14 my appearance on television, just because you didn't know,
15 and Sgt. Mount didn't know, and the Lieutenant didn't know,
16 does it make it a fact that they didn't know?

17 SGT. MCGANN: It does not make it a fact.

18 A Okay.

19 SGT. MCGANN: But by the same token, they may
20 not have known. Just as easily.

21 LT. FENA: Objectively speaking.

22 A Okay, they might have not, but like I say, I
23 can answer in this way. Maybe if it wasn't Sirhan, he didn't
24 come forward in the beginning because since he had said so
25 many things, and he's probably an alien, he made enough
26 remarks there to be kicked out of the country.