

"This is not a normal homicide. This was an assassination which had ramifications not only throughout this country but throughout the world, and in that one year after the assassination some evidence such as the ceiling panels was destroyed, raises some pertinent questions."

He proposed that the questions be brought up at an immediate hearing by the same eight council members who Tuesday had sent down his motion asking the Police Department to make public its investigative files and physical evidence in the case.

Tuesday's motion by Yaroslavsky was referred to the council's Police, Fire and Civil Defense Committee. Councilmen Emanuel Bernardi, Donald Lorenzen and Louis Dowell unsuccessfully sought Wednesday to have the missing evidence issue also referred to committee.

The delay until today in dealing with the questions came when Robert Thompson, the Journal's assistant city editor and police commander Joseph Guinn said the questions would have to be answered by experts familiar with the case.

Yaroslavsky said he had been told that the left sleeve of Kennedy's coat was missing and that X rays of the ceiling panels and spectrographic tests on the bullets were not available.

Thompson pointed out that there had been a public disclosure even before Sirhan's trial seven years ago that the sleeve was missing, apparently having been cut off while persons attempted to give medical aid to the fallen president.

Morrow said the ceiling panels were never X rayed by police and no spectrographic analysis of the bullets was conducted.

Morrow said he will return from Sacramento and intends to appear before the council to answer questions providing they do not prejudice pending civil suits connected with the review of the investigation.

Morrow is representing the city and the Police Commission in various suits filed in an attempt to make the Kennedy assassination evidence available to the public and the news media.

(Mount Clipping in Space Below)

# LA Police Panel Hit

By United Press International

Los Angeles City Councilman Zev Yaroslavsky says he has lost confidence in the city Police Commission and wants someone else to investigate the disappearance of materials related to the assassination of Robert Kennedy.

Yaroslavsky, 26, whose district includes West Los Angeles and Westwood, has spearheaded recent moves to get the police to open up their files on the 1968 shooting to authorities directing a probe that might indicate whether convicted assassin Sirhan Sirhan really was the only gunman involved.

Earlier this week it was revealed, partially as a result of a motion introduced in the council by Yaroslavsky, that police had destroyed some files and materials one year after Kennedy's death.

"I have lost some of my confidence in the Police Commission," Yaroslavsky complained Friday. "I have to assume they knew some of the evidence was missing."

"The commissioners have been requested to explain or reveal the whereabouts of some of the evidence and material in the past."

"They haven't done so, except under the pressure of the public eye here in the last couple of days."

Yaroslavsky's latest motion asks Council President John Gibson to name a five-member ad hoc committee to review the police department's investigation of the Ambassador Hotel shooting.

Earlier this week he introduced a motion urging police to cooperate fully with a county probe of the original investigation. The reexamination will be directed by former Kennedy aide Tom Kranz.

(Indicate page, name of newspaper, city and state.)

P. 2 EVENING OUTLOOK  
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Edition: Saturday Star  
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Editor: Robert D. Funk  
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A.D. Richardson (28A)	



(Mount Clipping in Space Below)

# Council Urged to Review Robert Kennedy Inquiry

**BY ERWIN BAKER**

Times City Bureau Chief

Los Angeles Councilman Zev Yaroslavsky Friday called for appointment of a special five-member City Council committee to investigate the "criminal investigation procedures" of the Police Department in the 1968 assassination of Sen. Robert F. Kennedy.

Yaroslavsky, who spearheaded a council inquiry into reports that some key evidence in the Ambassador slaying is missing, said it has been "proven" that the department and the Police Commission cannot conduct an investigation in a "satisfactory manner."

A motion by the freshman councilman requesting the inquiry was sent to the Rules Committee by President John S. Gibson Jr.

The motion asks Gibson to appoint to the committee Peggy Stevenson, chairperson of the Governmental Efficiency Committee; Gilbert W. Linday, chairman of the Police, Fire and Civil Defense Committee; Councilman Ernani Bernardi, chairman, State, County and Federal Affairs Committee, and two other council members of his choice.

Another motion by Yaroslavsky, asking the Police Department to make public its investigative files and physical evidence in the case, is scheduled for a hearing by the Police, Fire and Civil Defense Committee Sept. 2.

The police Commission has refused to make the department's investigative files, including a 10-volume summary of the assassination investigation, open to the public.

However, it established a procedure Thursday for answering questions by persons interested in the assassination investigation. Questions would be posed in writing and be answered in written form by a committee consisting of Police Commissioner Marina R. Pfaelzer, Asst. Chief Daryl Gates, two police investigators and a representative of City Atty. Burt Pines.

(Indicate page, name of newspaper, city and state.)

I-16 LOS ANGELES TIMES  
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# Bullet-Pocked Panels At RFK Site Destroyed

By THEO WILSON

Staff Correspondent of The News

Los Angeles, Aug. 20—Bullet-pocked ceiling panels from the Ambassador Hotel's pantry, where Sen. Robert F. Kennedy was assassinated in 1968, have been destroyed.

*McDonnell*  
*R*

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it was revealed today.

The disclosure was made by Dion Morrow, a special counsel in the city attorney's office, in an article in The Daily Journal, the local legal newspaper. He said later that two ceiling panels were destroyed "routinely" after they were used to conduct ballistics tests because they were not used in evidence, and were not considered important.

Immediately after the report appeared, the City Council ordered Morrow and police officials to appear tomorrow to discuss the allegations. Yesterday nine councilman joined in a motion urging the police to make public the physical evidence in the RFK assassination case and the 10-volume police summary of the investigation.

#### Police Department Sued

The Police Department has refused to make these public, and is being sued for access to the evidence and the volumes by Paul Schrade, a former United Auto Workers Union official who was wounded when Kennedy was shot down, and by CBS.

Last week Schrade won a court order to have the gun used by convicted assassin Sirhan Sirhan re-fired, because of the controversy over the ballistics evidence introduced at Sirhan's trial. Some experts contend there is a possibility that more than one gun was used during the assassination.

Morrow denied today that he said much of the physical evidence had been destroyed. He said the left sleeve of Kennedy's coat was cut away so that his wounds could be treated, and the piece of cloth disappeared, but this had been revealed during the trial.

In The Daily Journal article, Morrow was quoted as saying:

"There were no X-rays made of the ceiling panels, and the panels were destroyed in June of 1969. There was no place to keep them—you can't fit ceiling panels into a card file.

#### No Bullet Holes

"The left sleeve of the senator's coat disappeared before the trial. But there was no significance to the sleeve — Kennedy's shirt is in the possession of the court and there are no bullet holes in the left sleeve."

Councilman Zev Yaroslavsky, who introduced the motion urging the Police Department to make the evidence public, said that, "as far as I know, this is the first time that anyone has indicated that some of this information is no longer around. This is not a normal homicide . . . and that one year after the assassination some pertinent evidence such as the ceiling panels was destroyed raises some serious questions."

Yaroslavsky said he and the other members of the Council who joined in the motion believe the public has a right to know the answers to questions which have arisen about the assassination.

(Mount Clipping in Space Below)

# Caution On Files Needed

Los Angeles city police commissioners have a right to be wary of requests to make public raw information on the 1968 assassination of Robert F. Kennedy.

Police interviewed everyone they knew who was at the Ambassador Hotel on the evening of the assassination. Some were male guests having a night on the town without their wives.

Clearly, the privacy of some legally innocent persons would be invaded if these interviews in the possession of the commission are made public. Furthermore, such a move might impede future investigations. Witnesses would tend to be less candid if they couldn't trust police to keep private data, immaterial to the case, confidential.

We acknowledge that commissioners will be accused of "covering up" or standing in the way of the public's right to know if they keep everything locked up. But if it is made public, commissioners will be vulnerable to allegations that they aided and abetted snooping. That wouldn't do, either.

This being the case, the commission probably would be wise to draw the line in favor of the confidentiality of police investigations unless overruled by the courts.

*McGowan*

(Indicate page, name of newspaper, city and state.)

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# Panel OKs Kennedy Case Study

BY JOHN KENDALL

Times Staff Writer

Members of the City Council Rules Committee voted Wednesday to review the criminal investigation procedures followed by the Los Angeles Police Department in probing the assassination of Robert F. Kennedy.

Specifically, the committee approved Councilman Zev Yaroslavsky's resolution requesting Council President John S. Gibson Jr. to appoint a special five-member committee to conduct the study.

After the Rules Committee's 3-1 action, Gibson said the full council probably would approve formation of the ad hoc committee when the question is considered, possibly within a week or 10 days.

Yaroslavsky called for the special committee after Asst. Police Chief Daryl Gates disclosed last week that ceiling panels taken from the Ambassador—where Kennedy was shot June 5, 1968—were destroyed a year later.

The freshman councilman charged it has been proved that the LAPD and the Police Commission cannot conduct an investigation in a "satisfactory manner."

Yaroslavsky again made it clear Wednesday he has little or no faith in the Police Commission, which, he said, had "stonewalled" for a year and a half the fact that items booked as evidence were missing.

He said that only after the City Council produced public testimony by Gates that the ceiling panels were missing did the Police Commission confirm it.

Gates told councilmen that two ceiling panels that had bullet holes in them had "absolutely no value whatever" as evidence because the "real important testing" was done before their removal from the hotel's pantry.

It was not immediately clear Wednesday just how wide-ranging the review of LAPD investigation procedures might be—provided the ad hoc committee eventually is approved.

(Indicate page, name of newspaper, city and state.)

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*McDonough*

LAPD Comdr. Joe Gunn told the Rules Committee the department would welcome an inquiry into its procedures in homicide cases, including how items booked as physical evidence are disposed of.

However, he expressed doubt about the usefulness of an inquiry into the Sirhan B. Sirhan case, which he said had been upheld in two appeals to the California Supreme Court.

Yaroslavsky declined to elaborate on what he meant by the words "reviewing the criminal investigation procedures" in his resolution, but he indicated what he had in mind was of much wider scope than Gunn's suggested limitation.

Yaroslavsky's proposal called for appointment of Chairpersons Peggy Stevenson of the Council's Government Efficiency Committee, Gilbert Lindsay of the Police, Fire and Civil Defense Committee and Ernani Bernardi of the State, County and Federal Affairs Committee.

In addition, Gibson would be empowered to appoint two other members. Gibson said Wednesday that if the ad hoc committee finally is approved, he would appoint Yaroslavsky and probably Councilman John Ferraro, a former member of the Police Commission.



(Mount Clipping in Space Below)

# Gibson Jr. Urged To Head RFK Probe

By D.N. OPPENHEIMER

Herald-Examiner Staff Writer

City Council President

John S. Gibson Jr. would be authorized to appoint a special committee to probe the Police Dept.'s investigation of the 1968 Sen. Robert F. Kennedy assassination under a Rules Committee proposal.

The Council's Rules Committee voted 3-1 yesterday for the probe, originally proposed by Councilman Zev Yaroslavsky.

Yaroslavsky asked that Gibson be authorized to appoint an ad hoc committee to "review the criminal investigation procedures as carried out by the Police Dept. in connection with" the Kennedy assassination.

He said the special committee should include the chairpersons of the Council's Governmental Efficiency, Police, Fire and Civil Defense, and State, County and Federal Affairs committees plus two other council members.

Rules Committee Chairman Louis R. Nowell cast the only dissenting vote after suggesting that a standing council committee could review the investigation without the need for a special panel.

Speaking for the Police Dept. Cdr. Joseph Gunn said the agency would welcome a review of its criminal investigation procedures, but discouraged specific reopening of the Kennedy case.

He said property taken by the Police Dept. after Kennedy was shot was disposed of in the same way as police dispose of property in other homicide cases.

He also noted that the conviction of Sirhan B. Sirhan for Kennedy's murder has withstood to U.S. Supreme Court.

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# Questions Date RFK Evidence Destroyed

NEW YORK (AP) — A former congressman made public a memo Wednesday that he said raises questions about when some key evidence relating to the assassination of Sen. Robert F. Kennedy was destroyed.

Allard Lowenstein told a news conference he was trying to resolve apparent discrepancies, and was not proposing a conspiracy theory.

Los Angeles police disclosed last week they had destroyed three ceiling panels from the pantry of the Ambassador Hotel where Kennedy was killed on the night of the California presidential primary, June 5, 1968. The panels were said to contain three bullet holes.

Lowenstein, a former Democratic congressman and an initiator of the 1968 "dump Johnson" movement, quoted Asst. Police Chief Daryl Gates as saying the panels were destroyed in June 1969.

But Lowenstein distributed copies of what he said was a office memo from a board of inquiry to Chief of Police E. M. Davis reporting on a probe of claims that errors were made in the technical investigation.

Dated Oct. 11, 1971, it calls the probe a "re-evaluation of the evidence" and says: "An inspection of the ceiling tiles removed from the pantry and a study of the schematic diagram showing the trajectory of the bullets fired by (Sirhan) Sirhan refute the contention..."

*McBee*

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How Lowenstein asked could the board of inquiry have inspected the ceiling tiles in 1971 if they were destroyed in 1969? If they did not study the tiles, what evidence did they study? he asked.

Lowenstein maintains that the tiles, combined with other evidence, may raise a question as to whether nine shots were fired. The gun used by Sirhan, who was convicted as the killer, held eight bullets.

(Mount Clipping in Space Below)

# LAPD Facing Probe Over Kennedy Case

By United Press International

A Los Angeles City Council committee Wednesday approved an investigation of the Police Department's handling of the assassination of Sen. Robert Kennedy.

The committee action, which is expected to be approved by the full council, opens a new front in the proliferating probes into the 1968 assassination.

It was apparently brought on by revelation last week that police destroyed the bullet-punctured ceiling panels removed from the kitchen of the Ambassador Hotel, where Kennedy was shot. At issue in all the investigations is whether a "second gun" may have been fired, in addition to the pistol emptied at Kennedy by convicted assassin Sirhan B. Sirhan.

The rules committee, by a 3-1 vote, approved a motion calling for appointment of a five-member committee charged with "reviewing the criminal investigation procedures" used by the department in the case.

The sponsor of the motion, newly elected Councilman Zev Yaroslavsky, declined to describe the scope of the investigation he wants. Council President John S. Gibson said that if the motion passes the full council, he will appoint Yaroslavsky to the investigating committee.

*McDonnell*  
*n*

(Indicate page, name of newspaper, city and state.)

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*H. L. Richards*

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Proponents of the "second gun" theory argue that the number and angles of bullet holes in the ceiling panels and a door frame might show, when added to the bullets recovered from Kennedy and wounded bystanders, that more shots had been fired than the eight in Sirhan's revolver, proving that another gun was fired in the melee. The theory does not absolve Sirhan, who was seen by scores of witnesses firing at Kennedy from only a few feet away.

Police confirmed last week, under prodding by the council, that the panels had been destroyed five years ago. A police spokesman said the panels were irrelevant to the prosecution of Sirhan, unneeded for the trial and had been subjected to all necessary analyses and investigations before they were destroyed.

The county supervisors have told the district attorney and county counsel to cooperate with efforts to reopen the investigation. A court has ordered Sirhan's gun refired to settle challenges over ballistics evidence.

Yaroslavsky said an investigation by the council is needed because the Police Commission and department have proved they cannot look into the Kennedy case in a "satisfactory manner."

A police spokesman, Cmdr. Joe Gunn, told the rules committee the department would welcome an inquiry into how homicide evidence is handled and disposed of, but doubted the inquiry would be useful. He pointed out that Sirhan's conviction has been upheld twice by the U.S. Supreme Court.

Yaroslavsky has led the effort to add the City Council to county and court investigations of the assassination. He appeared to have won over most of the other members to his view. His motion requesting the Police Commission to turn over all files, records, evidence and other material from the assassination was cosponsored by eight of the 14 other council members.

That motion is still in committee but is almost certain to pass. The commission has refused to make public its files on the investigation, and has indicated it will refuse to go along with the council request when it receives formal approval.

Commissioners said that the investigative procedures and the reputations of innocent persons would be harmed by making public all files, but they agreed to provide written answers to written questions.

(Mount Clipping in Space Below)

# Council Will Review Sen. Kennedy's Death

## Panel to Study Procedures Used by Police in Probe

BY JOHN KENDALL  
and BILL FARR  
Times Staff Writers

Nearly seven years after the case was officially considered closed, the City Council decided Friday to review the Los Angeles Police Department's procedures in the investigation of the assassination of Sen. Robert F. Kennedy.

Council members—in apparent response to growing public questions and demands to reopen aspects of the case—voted 10 to 1 to form a special five-member committee to conduct the review.

Meanwhile Friday, two private petitioners who had taken court action to get access to police case information lost before Los Angeles Superior Judge Norman Dowds.

Dowds refused to order the LAPD to open its files on the Kennedy assassination to CBS Television and Paul Schrade, one of five persons wounded at the time Sen. Kennedy was shot.

After the council vote, Councilman Zev Yaroslavsky expressed pleasure with the decision. He described it as a "great step forward" for the council in asserting its responsibility for legislative inquiry.

The freshman legislator offered a resolution for formation of an ad hoc committee last week after the LAPD disclosed that ceiling panels taken from the Ambassador's pantry had been destroyed.

Asst. Police Chief Daryl Gates told the council the panels only had value as evidence when they were examined in the pantry where Kennedy was shot. Three bullet holes were in them.

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*McDonnell*  
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"We could not rely on the Police Commission because it is the governing body of the Police Department and part of the executive branch of government of the city," Yaroslavsky said.

During the debate on Yaroslavsky's motion, Councilman Marvin Braude, who voted against the resolution, argued that questions about the Kennedy case should be asked of the Police Commission.

"Why do we have to set up another ad hoc committee?" he asked. "This is nothing more than a police review board and it discredits the Police Commission."

The LAPD's position was expressed by LAPD Comdr. Joe Gunnd. He said the department had no objection to an inquiry into methods of disposing of property not introduced as evidence.

However, he said, "We think it would be a mistake to have an ad hoc committee to look specifically into the assassination of Robert F. Kennedy."

"We don't think that is the issue. We think the issue is: How did the Los Angeles Police Department dispose of property that is not introduced into court?"

The question of scope of the review seemed certain to become a central issue in early organizational meetings of the special committee.

Formation of the committee was approved by council members John S. Gibson Jr., Ernani Bernardi, David Cunningham, Robert Farrell, John Ferraro, Gilbert Lindsay, Arthur K. Snyder, Peggy Stevenson, Joel Wachs and Yaroslavsky.

Council members Louis R. Nowell, Pat Russell, Robert M. Wilkinson and Donald D. Lorenzen were not present for the final vote.

The special committee will include Yaroslavsky, Stevenson, Bernardi, Lindsay and Ferraro.

Farrell offered an amendment to empower the ad hoc committee to conduct "investigations relative to other incidents of alleged police misconduct" but it failed by a 3-8 vote.

At the same time the topic was before the City Council, Dowds was hearing lengthy legal arguments on the efforts by CBS and Schrade to have the police files on the investigation opened to the news media and general public.

Both CBS and Schrade were seeking access to the Police Department's 10-volume summary of the investigation. Schrade's petition was broader and asked for release of all physical evidence plus the full 50,000 pages of investigative documents in the possession of the police.

Ultimately, Dowds turned down both petitions on the simple legal point that records of a police investigation are specifically exempted from forced disclosure under the state Public Records Act.

Howard Privett, a Los Angeles lawyer representing CBS, unsuccessfully urged that Dowds adopt the concept in the federal Freedom of Information Act which exempts police agency records only if there is an ongoing investigation.

However, the judge stated, "If anyone is interested in my personal opinion, I think that this long after the event the Police Department and Police Commission could consider disclosure of these records."

Dowds also maintained that the release of the records is "essentially a political question," and added, "If you don't like what the city officials do, throw the rascals out."

CBS and Schrade decided to ask for the court order after the Police Commission denied their requests a month ago.

Schrade's attorney, C. Stephen Howard, said of the commission and the Police Department, "They have stonewalled it, in the parlance of watergate. They have stonewalled it all the way."

Dion Morrow, a special counsel defending the police in this action, took exception to Howard's remark and told Dowds he thought the comment was "grossly unfair" in view of procedures set up by the commission to handle inquiries on the Kennedy case.

The commissioners vetoed the CBS and Schrade requests on the grounds that release of the files would breach the inherent confidentiality of police investigations and violate the privacy of some innocent persons.

But they subsequently established a procedure to answer questions posed about the investigation. The questions are to be written and the replies will be prepared by a committee comprised of representatives from the commission, Police Department and the city attorney's office.

(Mount Clipping in Space Below)

# RFK Probers Lose Suit To Get Files

Proponents of reopening the Robert F. Kennedy assassination case have taken one step forward and one step back.

A Superior Court judge here rejected a suit to open police files on the slaying, but the City Council set up a committee to study the Police Dept.'s procedures in investigating the 1963 shooting.

The court ruling yesterday involved Columbia Broadcasting System and one-time Robert Kennedy campaign aide Paul Schrade's bid to open police files.

Judge Norman R. Dowds ruled a summary of the investigation of Kennedy's murder is exempt from public disclosure as an internal record of an official investigative agency.

The judge rejected arguments by CBS attorney Howard Privett and Schrade's lawyer, C. Stephen Howard, that confidentiality of the summary has been destroyed through selective disclosure of it to writers involved in Deputy Police Chief Robert Houghton's book, "Special Init Senator."

Deputy City Atty. Dion Morrow successfully argued that the attorneys had failed to prove the summary had been shown to Houghton's co-author or other writers. Privett and Howard had claimed it was the Police Dept.'s responsibility to prove that they had not disclosed it.

Privett said Judge Dowds' ruling probably will be appealed. CBS and other persons interested in reopening the issue of whether convicted slayer Sirhan B. Sirhan acted alone in the murder have launched a series of court bids to re-examine both trial evidence and the Police Dept. handling of the investigation.

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*R.O. Richards*

ORIGINAL TO THE BUREAU



Meanwhile, at City Hall yesterday, five City Council members were named to a special ad hoc committee to study the Police Dept.'s criminal investigation procedures related to the Kennedy assassination.

Council President John S. Gibson Jr. named Zev Yaroslavsky and John Ferraro, along with three designated committee chairmen to the panel proposed last week by Yaroslavsky and approved yesterday by the full council.

Serving with the two Gibson choices will be Ermani Bernardi of the council's State, County and Federal Affairs Committee, Peggy Stevenson of the Governmental Efficiency Committee, and Gilbert W. Lindsay of the Police, Fire and Civil Defense Committee.

The council voted 10-1 to establish the committee despite objections of police spokesman. Cmdr. Joseph Gunn and Councilman Marvin Braude.

Gunn said the department would welcome a review of police procedures and property disposal by a standing council committee but that the department did not think creation of a special committee would serve any purpose.

Braude said appointment of the ad hoc committee is similar to setting up a "police review board."

"The Police Commission is the appropriate agency to supervise the department," Braude said, adding that councilmen could address any questions it has to the commission.

He said he felt such a committee would damage public confidence in the Police Dept., but Yaroslavsky countered that it was his intention to restore confidence because "public trust is at an all-time low."

(Mount Clipping in Space Below)

# Panel To Probe Police Actions

By United Press International

The Los Angeles City Council will investigate police handling of the assassination of Sen. Robert Kennedy. The senator's son, however, says the family opposes reopening the investigation.

The Council voted 10-1 Friday to set up a special committee to probe the police department's actions, particularly the destruction of ceiling panels that "second gun" theorists called valuable evidence and the department called unneeded.

The council thus joined the county government and a court action in taking new looks at the shooting of Kennedy in 1968.

But Robert Kennedy Jr., 23, said in a television interview here Friday he opposes reopening the investigation.

"I think I can speak for my family. I just don't see any need to pursue it," he said.

"All it takes is one crazy guy" for such an assassination, he said.

In a related action, a Superior Court judge Friday ruled against a request by CBS television news and Paul Schrade for a court order requiring the Police Department to make public its secret files on the assassination.

Schrade, a former union leader, was with Kennedy and was wounded in the shooting.

They asked for an order requiring the Police Commission to make public a 10-volume summary of the investigation and 50,000 pages of investigators' reports and other material. The commission has turned down their request, but agreed to provide written replies to written questions.

(Indicate page, name of newspaper, city and state.)

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*D. O. Richards*

Judge Norman Dowds  
rured police files are  
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But he added that "in my  
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that this long after the event  
the Police Department and  
the Police commission  
could consider disclosure of  
these records."

As part of another court  
action brought by Schrade,  
Sirhan's pistol was ordered  
refired to provide fresh evi-  
dence for ballistics experts.  
The County Board of Super-  
visors told the district at-  
torney's office, which had  
resisted such efforts, and  
the county counsel's office  
to help the renewed in-  
vestigations.

Sirhan B. Sirhan, seen by  
scores of witnesses empty-  
ing a revolver into Kennedy  
at close range in the kitchen  
of the Ambassador Hotel in  
1968 just after Kennedy won  
the California Democratic  
presidential primary, is  
serving life in prison.

(Mount Clipping in Space Below)

# Final OK Due In Sirhan Probe

By EDD CLARK

Herald-Examiner Staff Writer

Final approval to probe ballistics evidence in the assassination of Sen. Robert F. Kennedy is expected today from Presiding Judge Robert A. Wenke of Los Angeles Superior Court.

The hearing was set to finalize ground rules and procedures for the limited probe of controversial evidence which Judge Wenke approved in principle last month.

The judge acted on petitions filed by the Columbia Broadcasting System and former Kennedy campaign aide Paul Schrade, one of five persons wounded when convicted killer Sirhan B. Sirhan launched a wild shooting spree in the Ambassador Hotel pantry June 5, 1968.

The senator was at the hotel to celebrate his victory in the California Presidential Primary election.

CBS and Schrade were joined in the petition by County Counsel John Larsen and Dist. Atty. special counsel Tom Kranz. Both Acting Dist. Atty. John Howard and the County Board of Supervisors have agreed Sirhan trial ballistics evidence should be reexamined to clear up a lingering public controversy about a so-called "second gun," or conspiracy theory in the slaying.

General agreement already has been reached on appointment of a panel of experts to conduct the limited probe.

Except for certain reservations concerning physical control and scope of the probe, agreement also has been reached on items of evidence which should be subject to reexamination.

Los Angeles police criminalist DeWayne Wolfer, however, has filed a "friend of the court" position objecting to the procedure on grounds that the panel of experts is biased in favor of a conspiracy theory.

Wolfer's lawyer, George Franscell, also questions whether legal authority or good cause exists to have the evidence reexamined. Judge Wenke has indicated he will rule on this issue prior to final approval of the panel and ground rules for the probe.

(Indicate page, name of newspaper, city and state.)

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*And Richards*



The principal petitioners have reached agreement holding the proposed items of trial evidence subject to examination as:

- The bullets and bullet fragments recovered from Kennedy's body and the bodies of five persons wounded in the shooting. Sirhan's gun and eight spent cartridges plus two live .22 caliber rounds taken from it after the shooting.

- Also, photographic evidence used in the trial, the senator's clothing, four test bullets fired prior to the trial but not placed in evidence, and Coroner Thomas J. Noguchi's autopsy report.

This evidence will be examined by forensic science experts Courtland Cunningham, of the Federal Bureau of Investigation; Stanton O. Berg of Minneapolis; Lowell W. Bradford of San Jose; Donald Champagne of Florida; Alfred Biasotti of the California Department of Justice; and Michigan State University professor Ralph Turner.

The panel will determine whether:

- The exhibits are still in a condition that will make accurate testing possible.
- The new tests confirm Wolfer's original findings.

- And if there is evidence which could support a "second gun" theory.

Each of the forensic experts, including a seventh panel member still to be named by Sirhan, is to make an independent report of his conclusions.

The District Attorney's Office has filed a formal statement questioning whether the scope of the proposed examination exceeds the original limits of the proposed probe — and an objection to the procedure being carried out under the county clerk's supervision rather than direct court control.

Schrade's attorneys also have proposed that American Academy of Forensic Sciences President Robert J. Joling be named overall supervisor of the investigative panel.

(Mount Clipping in Space Below)

# SLANDER SUIT TIED TO RFK DEATH

Rev. Oliver B. Owen's \$1-million slander suit against a television station has become the latest forum for challenging the lone-gun theory of the assassination of Sen. Robert F. Kennedy seven years ago.

Attorney Vincent T. Bugliosi, representing the television station, opened the issue yesterday with a string of witnesses intended to establish a pre-assassination link between convicted slayer Sirhan B. Sirhan and Owen.

Owen's suit is based upon a contention that KCOP executive John Hopkins slandered him in July, 1968, by allegedly saying that the evangelist's religious program had been cancelled because he was a "thief who burned down a number of churches in Arizona and was involved in the assassination of Sen. Kennedy."

Bugliosi's prime witness in the trial, before Superior Court Judge Jack A. Crickard, was San Bernardino County horse rancher William Lee Powers, who alleged that Rev. Owen turned up at a Santa Ana stable shortly before the assassination with a roll of \$1,000 bills, a luxury car and two companions — one whom Powers tentatively identified as being Sirhan.

Powers also testified Rev. Owen had mentioned Sirhan's name several months before the assassination in connection with some horse-grooming matters.

Bugliosi hinted at a possible Los Angeles police evidence cover-up because a department investigation concluded Rev. Owen's report of picking Sirhan up as a hitchhiker in downtown Los Angeles the day before the murder was false and an attempt to get publicity.

(Indicate page, name of newspaper, city and state.)

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Rev. Owen testified he had never seen Sirhan before June 3, and that he had obtained the large-denomination bills from evangelical fund-raising activities in Northern California. He identified the two men who were with him in the automobile as a long-time friend, Johnny Gray, and one of his sons.

(Mount Clipping in Space Below)

# Sirhan's Gun Slated For Ballistic Tests

By United Press International

Seven ballistics experts across the nation will carry out independent tests on Sirhan Sirhan's pistol under a judge's order to determine whether another gun was fired in the assassination of Robert Kennedy.

First they have to determine whether the pistol and bullets recovered in the Kennedy slaying were preserved well enough to be valid evidence after seven years.

The new tests are the result of continued pressure by "second gun" theorists who say there is evidence to show that more bullets were fired in the Kennedy slaying than Sirhan's revolver held, and that some of the recovered bullets could not have come from his pistol.

The presiding judge of the Superior Court of Los Angeles County, Robert Wenke, Thursday accepted the ground rules for reexamination of the pistol, worked out by 13 attorneys in a civil suit.

The panel of ballisticians and criminalists includes experts from the FBI, police departments, universities and private institutes from California, Minnesota, Michigan and Washington, D.C.

The suit was brought by CBS-TV and Paul Schrader, one of the five persons wounded in the Kennedy shooting, and joined by attorneys for Sirhan, the state, county and city.

*McBride*

(Indicate page, name of newspaper, city and state.)

P. 2 EVENING OUTLOOK  
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*D. O. Richardson*



Wenke rejected an appeal by Dewayne Wolfer, the Los Angeles Police Department criminalist who conducted the original tests, to block the new examination as an affront to his reputation. He ordered Wolfer to appear at a hearing Tuesday to certify that the pistol and other exhibits to be turned over to the panel are the ones he tested.

Wolfer argued that the condition of the pistol, bullets, and bullet fragments has changed so greatly during the years since the 1968 assassination that the new tests will be meaningless.

The judge said the first question the seven panelists have been asked to answer is: "Is the condition of the exhibits at the present time such that a reliable firearms identifications can now be made?"

Deputy District Attorney Dinko Bozanich also called for a full hearing into charges the exhibits are no longer reliable, perhaps because of alleged negligence in the county clerk's office.

He said the material had been repeatedly handled by unauthorized persons in violation of court orders.

The judge delayed a decision until he studies a 700-page transcript of 1971 grand jury proceedings into the negligence charges.

(Mount Clipping in Space Below)

# Court Here Orders New Sirhan Probe

Los Angeles Police criminalist DeWayne Wolfer and the Sirhan B. Sirhan murder trial evidence have been ordered into court Tuesday to begin a miniprobe of the 1968 assassination of Sen. Robert F. Kennedy.

Superior Court Presiding Judge Robert A. Wenke issued subpoenas for Wolfer, the evidence and a representative of County Clerk Clarence E. Cabell yesterday as he formally launched a limited ballistics probe approved in principle last month.

Tuesday's hearing to establish authenticity of the evidence and Wolfer's opinion about its current condition, was set after Judge Wenke rejected a petition by the criminalist's lawyer, George Franscell, challenging authority for the probe and the "objectivity" of a six-member panel of ballistics experts named to review the disputed evidence.

The panel of forensic experts, originally seven, was chosen by agreement among principals involved in a move to re-examine the ballistics evidence. The panel number was reduced by the unavailability of Florida Dept. of Law Enforcement criminalist Donald Chamdagne.

*McNahan* *ms*

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<i>A.O. Richards</i>	

The petition to re-examine Kennedy assassination ballistics evidence including a new test-firing of Sirhan B. Sirhan's gun was filed by attorneys for Columbia Broadcasting System and Kennedy campaign aide Paul Schrader, one of five persons wounded in the shooting at the Ambassador Hotel.

Reacting to Supervisor Baxter Ward's criticism of his "objectivity" who prosecuted Sirhan, appointed attorney Tom Kranz as special counsel for the miniprobe.

However, Dep. Dist. Atty. Dinko Bozanich accompanied Kranz to the hearing yesterday and launched an unsuccessful plea to subpoena ballistics expert William Harper and 34 other persons in an effort to direct the probe toward the question of whether unauthorized handling of exhibits during the past seven years destroyed their usefulness for retesting.

Bozanich and Kranz countered that the public's right to know "implicitly includes the right not to be further confused."

(Mount Clipping in Space Below)

# Sirhan Gun-Probe Plans Assailed

Los Angeles Police criminologist DeWayne Wolfer has launched a multi-pronged attack against plans for re-testing ballistics evidence used in the conviction of Sirhan B. Sirhan for the 1968 murder of Sen. Robert F. Kennedy.

The attacks came in a petition filed on Wolfer's behalf yesterday by Attorney George Francell.

The petition protested Superior Court Presiding Judge Robert A. Wenke's tentative decision to have Sirhan's gun re-tested under court-imposed restrictions intended to protect integrity of evidence.

Wolfer claimed the panel of firearms experts chosen by agreement between the state's Attorney General Columbia Broadcasting System and onetime Kennedy aide Paul Schrader, is biased in favor of a conspiracy or second-gun theory for the slaying.

Wolfer also charged that tentative procedures are similarly biased and that there is neither authority nor good cause to re-examine the evidence or test the gun.

Judge Wenke, who made a tentative order to re-test the weapon, is scheduled to rule on the specific test procedures Thursday. Actual tests are supposed to begin Sept. 22, if written permission by Sirhan and his lawyers is obtained in writing by that time.

CBS. Schrader, Deputy Atty. Gen Russell Iungerich and Asst. Chief Deputy County Counsel Robert C. Lynch have agreed in principle on procedures and six of the seven firearms experts named to test the weapons and examine trial evidence under County Clerk supervision.

Deputy Dist. Atty. Dinko J. Bozanich has called for direct court control of the testimony and has requested that the ballistics testing follow traditional microscope examination methods.

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Bozanic expressed fear that if the experts, rather than the court, control procedures, the "public's right to know could be transformed into a right to be confused." Ferraro indicated he had supported creation of the review committee in order to look at police procedures in general as well as the Kennedy investigation.

The seventh panel position is reserved for a Sirhan-chosen expert who is yet to be named. The others are FBI expert Courtland Cunningham, ballistics man Stanton O. Berg, of Minneapolis; Lowell W. Bradford, of San Jose; Donald Champagne, of the Florida Dept. of Law Enforcement; Alfred Biasotti, of the California Dept. of Justice; and Michigan State University Professor Ralph Turner.

Meanwhile, at City Hall, controversy has flared over the name, task and scope of a City Council special ad hoc committee appointed to probe police procedures employed during the investigation of the assassination.

The only decision made yesterday during the committee's first session involved the selection of Councilmen Ernani Bernardi as chairman and John Ferraro as vice-chairman. Indications of a committee split were apparent during that procedure when three members were nominated for each job.

Freshman Councilman Zev Yaroslavsky, who initiated the creation of the committee, called for a wide-ranging investigation of the 1968 shooting, and said flatly, "I don't trust the Police Commission."

His remark followed a proposal by Bernardi and Ferraro that the committee should check with the Board of Police Commissioners for information as to the availability of police files in the case.

The meeting ended with a vote to postpone selection of a committee name until transcripts of the council discussion, which proceeded appointment of the five-member panel, could be reviewed to determine legislative intent.

(Mount Clipping in Space Below)

# Panel To Pursue Investigation Of RFK Killing

By City News Service

A newly formed Los Angeles council committee intends to go ahead with a probe of the police department's handling of evidence in the Robert F. Kennedy assassination despite a plea by Kennedy's son to drop the effort, City Councilman Zev Yaroslavsky said Thursday.

Yaroslavsky, who represents the West Los Angeles area, was responding to comments made in New York this morning by 21-year-old Robert F. Kennedy Jr. He said the council review is "the city's business."

Kennedy, asked by newsmen about efforts in Los Angeles to reopen the case, commented, they should let it go, just leave it."

Yaroslavsky said he understood the Kennedy family's concern; "I'm sensitive to it, and I appreciate their situation."

"But it's really the city's business," he added. "We're conducting a review of the investigation of the Los Angeles Police Department and commission."

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*H. O. Richards*

(Mount Clipping in Space Below)

**Kennedy's Son Objects To Reopening Case**

NEW YORK (UPI) —

Robert F. Kennedy Jr., says he opposes reopening the investigation into the assassination of his father.

The 21-year-old son of the late New York senator, appearing Thursday at a news conference to promote a television special, was asked his opinion of the theory that a second gun was used in the slaying.

"I don't think there's anything to it," he said. "I think all it takes is one crazy guy."

As to whether the probe into the Robert Kennedy assassination should be reopened, his son said, "They should let it go; just leave it."

Kennedy is a narrator-interviewer in a special "The Last Frontier," filmed in Kenya.

Kennedy said he is taking a semester's leave this year from Harvard, where he is majoring in American history, to travel through the South to gather material on a senior thesis on Southern populism. Then he will finish up his undergraduate studies and enter law school.

(Indicate page, name of newspaper, city and state.)

Page 4 EVENING OUTLOOK  
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*A.D. Richards*



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# Identification of Sirhan Data Ends

## Way Cleared for Experts to Try to Discover if 2nd Gun Was Fired

BY JOHN KENDALL  
Times Staff Writer

The way was cleared Thursday for experts to attempt to conclusively determine whether a second gun was fired at the time Sen. Robert F. Kennedy was assassinated seven years ago.

Superior Judge Robert A. Wenke and a battery of 10 attorneys completed identification of evidence introduced in the 1969 trial of convicted assassin Sirhan B. Sirhan.

Seven experts from around the nation will be assembled—perhaps next week—to organize their examination of the evidence, including Sirhan's gun and bullets supposedly fired from it.

Their charge will be to determine whether it might be necessary to fire the weapon again and to answer the question: "Do the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination?"

Another hearing is scheduled before Wenke next Thursday to examine any other reports which may have been found in Los Angeles Police Department files of the Kennedy case.

Possible existence of additional reports was indicated Thursday in the testimony of LAPD crime laboratory chief DeWayne Wolfer.

Under questioning, the criminalist repeatedly identified items of evidence which he had examined before the Sirhan trial, and said he assumed he had prepared reports on his study of them.

Wolfer said in several instances, however, he did not remember what were the results of his examinations because he had no reports before him.

He repeatedly qualified his answers to specific questions about what tests he performed with references to the fact they had been completed seven years ago.

Wolfer ended two full days on the witness stand Thursday afternoon.

Outside the courtroom, Godfrey Isaac, representing Sirhan, criticized the LAPD for not producing the records to which Wolfer referred.

"The Police Department is determined that we shall not get the facts," he said.

"I don't believe he (Wolfer) has the total lack of recall on perhaps the most important case he has ever had."

Attorney Mel Levine, representing Paul Schrader, one of five persons wounded at the time Kennedy was shot, said it did not appear that Wolfer had refreshed his memory from police files before testifying.

"We are going to ask for the records in every case where Wolfer indicated he may have made a test," the attorney said.

(Indicate page, name of newspaper, city and state.)

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# Sirhan Probe Recessed

Superior Court proceedings in the limited probe of ballistics evidence in the Sirhan B. Sirhan murder trial have been recessed until Sept. 25, though a panel of forensic experts may still hold their initial meeting here next week.

Presiding Judge Robert A. Wenke ordered the recess yesterday after Los Angeles police criminologist Dewayne Wolfer completed an examination and identification of some 20 exhibits used in Sirhan's 1968 trial for assassinating Sen. Robert F. Kennedy.

Wolfer's identification and cross-examination this week completed the first phase of the probe, ordered last month on a petition filed by Columbia Broadcasting System and one time Kennedy aide Paul Schrade.

Next week's Superior Court hearing is set to consider requests for Los Angeles Police Dept. records related to Wolfer's crime lab investigation of Sirhan ballistic evidence.

The initial meeting of the seven-member firearms identification panel is intended to coordinate and finalize procedural activities for an independent re-examination of the ballistics evidence and a probable new test firing of Sirhan's weapon.

Preliminary testing of the evidence itself, which originally was scheduled to begin Monday, has been postponed pending completion of arrangements for conducting the new tests.

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*W.C. Nichols*

(Mount Clipping in Space Below)

# Doubt Cast on State of Evidence in Kennedy Probe

**Gun Expert Says Bullets Have Darkened, Marks on Them Are Not Exactly as They Were Originally**

**BY JOHN KENDALL and WILLIAM FARR**

*Times Staff Writers*

LAPD crime laboratory chief DeWayne A. Wolfer Wednesday cast doubt on the current condition of evidence bullets to be examined by experts in reopening aspects of the inquiry on the assassination of Robert F. Kennedy.

Near the end of a day-long appearance on the witness stand, the 50-year-old criminalist was asked by Dep. Dist. Atty. Dinko Bozanich whether striations on two bullets were in the same condition as when he examined them.

(Striations are marks made on bullets as they pass through a gun barrel.)

"I'm sure they are not," Wolfer replied.

Earlier, Wolfer had commented that bullets and shell casings he was examining with a magnifying glass to find his initials were "tremendously darkened."

Wolfer prefaced many of his answers in his testimony with reminders that he was trying to recall what he had done seven years ago.

Led off in questioning by attorney Howard Privett, representing the Columbia Broadcasting System, a battery of lawyers worked slowly through identification of evidence to be presented later to experts for study.

The evidence examined Wednesday included Sirhan Sirhan's gun, three test bullets marked with the wrong gun number and bullets taken from Kennedy's neck and from victims Irwin Stroll and Ira Goldstein.

*McBee*

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<i>A.D. Richards</i>	

Under questioning, Wolfer said the handwriting on exhibit 55 at the Sirhan trial appeared to be his, but he did not recall who gave him the wrong number appearing on it.

The serial number on exhibit 55—H-18602—belonged to a gun used by Wolfer to muzzle distance and sound tests and was not the Sirhan gun number as it was supposed to have been.

Wolfer examined the Kennedy, Weisel and Goldstein bullets and tes

tified he found the initials "DW" but he said he could not recall making any tests on them other than identifying the bullets as coming from Sirhan's gun.

The criminalist said he did not recall whether he made any other tests on the Sirhan gun other than test firing it. He said he did not remember examining the gun's cylinder.

Wolfer indicated he used one of seven test bullets fired from Sirhan's .22-caliber revolver to compare with the evidence bullets, but he did not know if he had marked the one used for comparison.

To the best of his recollection, Wolfer said, he only used two guns for testing in the Kennedy case, Sirhan's weapon and one similar to it used for sound and muzzle distance tests.

The hearing resumes today before Superior Judge Robert L. Wenke with Wolfer back on the stand.

The next step in the proceeding will be reexamination of evidence by a panel of experts. They will be asked to resolve, if possible, continuing speculation whether a second gun might have been fired in the Ambassador pantry on June 5, 1968.

(Mount Clipping in Space Below)

# Sirhan Ballistic Evidence Missing

Preliminary hearings in a probe of ballistic evidence in the 1968 slaying of Sen. Robert F. Kennedy are expected to end today, despite discovery that one of the exhibits is incomplete.

Discovery that evidence was missing came late yesterday when a sealed envelope containing two live .22 cartridges and one expended bullet taken from Sirhan B. Sirhan's pocket after the murder were opened in the Superior Court of Presiding Judge Robert A. Wenke, and one of the cartridges was missing.

The envelope was one of 20 sealed exhibits from Sirhan's trial which Los Angeles police criminalist DeWayne Wolfer has been explaining and identifying from the witness stand for three days.

Wolfer discovered a bullet was missing when he opened the envelope tagged "People's 14."

County Clerk's office criminal records chief Dave Coleman had no immediate explanation about the exhibit, which was last taken from its sealed envelope in May, 1974.

Dep. Dist. Atty. Dinko Bozanich later charged that the missing bullet gives new support to his position that improper handling of Sirhan evidence by the County Clerk during the last seven years has destroyed its "integrity" and makes the court-ordered ballistics probe useless.

Sirhan's attorney, Godfrey Isaac, however, argued that the missing bullet plus other "irregularities" in marking and handling the exhibits strengthens his charge that police and District Attorney handling of the Sirhan investigation and prosecution denied his client a fair trial.

*McBaker*

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D.O. Richards	

None of the attorneys representing the Columbia Broadcasting System and Paul Schrade indicated the missing bullet itself has any effect on planned re-testing of Sirhan ballistics evidence by a panel of firearms experts.

The experts tentatively are scheduled to begin scientific re-examination of the evidence Monday, providing exhibits now before the court are qualified as authentic, and Sirhan's consent to the probe is obtained in writing.

The seven forensic experts are specifically charged with deciding:

- Whether the exhibits are currently in condition to make reliable firearms identification;

- If such identifications are possible, do they confirm Wolfer's original findings?

- And do the questioned exhibits in any way support a conclusion that a second weapon was fired during the assassination?





Herald-Examiner photo by Myron Dubee

County Clerk's office principal records chief Dave Coleman displays  
gun Sirhan B. Sirhan used to assassinate Sen. Robert Kennedy here.



(Mount Clipping in Space Below)

# 7 Experts Due to Begin Reexamining Bullet Evidence in Sen. Kennedy Case

BY WILLIAM FARR  
Times Staff Writer

Seven of the nation's foremost firearms identification experts are scheduled to begin reexamination today of the bullet evidence in the Robert F. Kennedy assassination case.

They were welcomed to their task in Los Angeles Tuesday by county Board of Supervisors Chairman James Hayes, who told them, "I hope you will be able to come up with some sound evidence that will dispel the doubts that have arisen in the minds of many people."

The experts are expected to require at least the remainder of this week to make their microscopic comparisons of the bullets and report their findings to Robert Wenke, presiding judge of the Los Angeles County Superior Court.

Wenke ordered reexamination of the bullets and possible refiring of convicted assassin Sirhan Sirhan's gun as the result of petitions filed by CBS, Inc., and Paul Schrade, one of the five bystanders wounded the night Kennedy was slain seven years ago.

Reports that some of the bullets do not match up ballistically have led to speculation that a second gun was fired in the Ambassador pantry that night.

The county supervisors entered the court proceeding in support of CBS and Schrade at the request of Supervisor Baxter Ward, whose interest in the controversy dates back to his days as a television newscaster.

Costs of the reexamination proceedings will be paid by the Board of Supervisors. The experts are donating their services but will be reimbursed for their travel and living expenses.

The experts spent most of Tuesday in closed-door sessions working out procedural matters preparatory to launching the actual reexamination today.

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II-1 LOS ANGELES TIMES  
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A.D. Richards



Microscopic comparisons of the bullets will be made with equipment set up in a jury room adjacent to Superior Court Department 3 in the downtown county courthouse.

A comparison microscope with an attachment that will take magnified photos of the bullets has been provided by the American Optical Co.

The panel of experts elected Patrick Garland, a firearms examiner with the Virginia Bureau of Forensic Sciences, as their administrator and liaison representative with court officials.

Other experts participating in the retesting are Stanton Berg, an independent firearms examiner from Minneapolis; Lowell Bradford, a forensic consultant from San Jose who formerly served as head of the Santa Clara County crime laboratory; Alfred Biasotti, assistant chief of the California Department of Justice's investigative services branch; Cortland Cunningham, chief of the firearms and tool marks unit of the FBI Laboratory in Washington, D.C.; Charles Morton, a criminalist with the Institute of Forensic Sciences in Oakland; and Ralph Turner, a professor at Michigan State University's school of criminal justice.





**EXPERTS**—Authorities on firearms identification take up most of front row at a Board of Supervisors hearing at which they were welcomed to the task of re-examining Kennedy case bullets

(Mount Clipping in Space Below)

C

# Sirhan Evidence Probed

Preliminary examination of the Sirhan B. Sirhan murder-trial ballistics evidence by a panel of forensic experts was to begin today in Superior Court here.

Initial tests by seven national experts are intended to determine if Sirhan's gun and the bullets recovered from the body of Sen. Robert F. Kennedy and five other persons wounded in the 1968 Ambassador shooting are in condition for significant retesting.

The seven experts were brought here at county expense yesterday, to conduct a court-ordered probe of the ballistics exhibits in an effort to determine if any evidence exists to support the second-gun theory of the senator's death.

Tidewater Regional Laboratory forensic expert Patrick Garland from Norfolk, Va., was chosen the panel's court administrator yesterday. He was the last expert chosen by agreement of attorneys involved in the petition to review the Sirhan evidence which was filed last month by Columbia Broadcasting System and former Kennedy campaign aide Paul Schrade.

The other panel members are FBI forensic expert Courtland Cunningham of Washington, Stanton O. Berg of Minneapolis, Alfred A. Basotti of Sacramento, Lowell W. Bradford of San Jose, Charles V. Morton of Oakland, and Ralph Turner of East Lansing, Mich.

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(Mount Clipping in Space Below)

# RFK 2nd Gun Theory Tested

Seven firearms experts have begun scientific tests to determine if a second gun could have been used in the assassination of Sen. Robert F. Kennedy.

The first order of business in the court-ordered probe of ballistics evidence from Sirhan B. Sirhan's 1968 trial is to determine if about 20 exhibits are in good enough condition to make a reliable firearms identification.

The tests, which assistant chief county counsel Robert C. Lynch yesterday said may take all week, are preliminary to a decision on whether Sirhan's .22 revolver should be test-fired to aid in the ballistics testing.

Superior Court Judge Robert A. Wenke last month ordered the murder gun retested to determine if the evidence indicated a second gun had been used during the Ambassador Hotel shooting seven years ago.

The judge acted in response to a petition filed by the Columbia Broadcasting System and former Kennedy campaign aide Paul Schrade.

The county Board of Supervisors, state attorney general and Los Angeles district attorney's office later joined in the request for reexamination of the ballistics evidence.

The panel, headed by Norfolk, Va., forensic expert Patrick Garland, was chosen by attorneys involved in the petition action.

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# Police Expert Criticized in Kennedy Probe

BY JOHN KENDALL

Times Staff Writer

While seven experts examined evidence in the Robert F. Kennedy assassination, the district attorney's special counsel Thursday criticized the practices of a Los Angeles Police Department criminalist who originally conducted tests in the case.

Thomas F. Kranz, appointed by Acting Dist. Atty. John Howard last month in the "second gun" inquiry, said he did not doubt the validity of the conviction of Sirhan B. Sirhan for Kennedy's murder seven years ago.

But he said the apparent lack of reports by DeWayne Wolfer, the LAPD's ballistics expert in the case and now head of the department's crime lab, "raised doubts as to the substance of the evidence in the case."

He suggested that the current investigation by a panel of experts might be crucial because it could be the first thorough examination of the bullet evidence.

As far as he knew, Kranz said, the LAPD had done a "tremendous" job in probing the question of conspiracy in the Kennedy assassination. He said other aspects of the probe were detailed in triplicate.

"The only area where the reports are not complete is in the ballistic examination," he said.

Sirhan's attorney, Godfrey Issac, and attorney Mel Lavine, representing Paul Schrade, one of five others wounded when Kennedy was shot, joined Kranz in raising questions about the case.

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"I'm concerned about documentation," Issac said. "I don't think Wolfer has done an adequate job."

Levine insisted that the apparent nonexistence of reports must be explained. He pointed out that a search of LAPD files had failed to turn up analyzed evidence reports on evidence bullets.

He said there were no records or reports on the results of the x-ray of ceiling panels with bullet holes in them or records or reports on spectrographic analysis of evidence bullets.

"The people have a right to know

why there is a wholly inadequate record of the tests that were conducted in the most important investigation in LAPD history," Levine said.

Wolfer testified last week at a hearing before Superior Judge Robert A. Wenke that in several instances he could not remember specifically what he had done seven years ago, but he repeatedly said he assumed he had made reports on various aspects of the investigation about which he was asked.

Two police officers, Philip L. Sartuche and Gordon P. McDevitt, were assigned to search department files for reports made by Wolfer. They came to court Thursday to report what they found.

Under questioning by attorneys, Sartuche said he did not find analyzed evidence reports prepared by Wolfer on bullets taken from Schrade and the four other victims, Irwin Stroll, Ira Goldstein, William Weisel and Elizabeth Evans.

The investigator said he had searched police files where he thought all ballistic evidence reports might be found.

"Can you think of any other location?" Levine asked.

"No," Sartuche replied.

The experts selected to look into the possibility that a second gun was fired in the Ambassador pantry were making their investigations Thursday in a jury room equipped with an array of scientific equipment.

"They are hard at work," Wenke said. "They seem to be satisfied and I'm pleased about that."

After filing individual confidential reports, the experts will discuss whether further tests of the evidence should be made.

One of those tests could be the firing of Sirhan's gun.

(Mount Clipping in Space Below)

# Search for Sirhan Reports Fruitless

Scientific examination of Sirhan B. Sirhan murder trial ballistic evidence resumed today with no apparent hope of turning up original investigation reports made by city Police Dept. Criminologist, DeWayne Wolfer.

Police Sgts. Philip Sartuche and Gordon McDevitt told Superior Court Presiding Judge Robert A. Wenke yesterday that a week-long search of departmental files failed to unearth the reports Wolfer said he prepared in the 1968 investigation of the assassination of Sen. Robert F. Kennedy.

Wolfer's memoranda and reports were sought as aids for a seven-member panel, led by Norfolk, Va., forensic expert Patrick Garland, in reaching a decision on whether the exhibits from Sirhan's trial are still in condition for reliable testing.

At Garland's request, Wenke agreed the panel may confer with one another on the first tests to determine if a refiring of Sirhan's gun would be helpful in proving or disproving the "second-gun" theory.

Subsequent tests, however, must be conducted independently and without consultation, he ruled.

Each of the seven experts is charged with preparing reports concerning the validity of Wolfer's original findings and an opinion on whether or not a second gun could have been fired in the Ambassador Hotel pantry where Kennedy was slain.

These individual reports are to be sealed and submitted to the court.

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# Sirhan Murder Gun Test-Fired

BY JOHN KENDALL  
Times Staff Writer

Sirhan B. Sirhan's gun was test-fired Friday in the "second gun" inquiry into the assassination of Robert F. Kennedy more than seven years ago at the Ambassador.

Four shots were fired Friday from the .22-caliber Iver-Johnson eight-shot revolver into a gray watertank set up in a basement room of the Los Angeles County Hall of Administration.

Patrick Garland, a firearms examiner with the Virginia Bureau of Forensic Sciences, fired the weapon. He was assisted by Cortland Cunningham, chief of the firearms and tool mark unit of the FBI Laboratory in Washington, D.C.

The test bullets, fired in sequences of two, were recovered for comparison by a panel of experts selected to

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