

examine evidence introduced at Sirhan's trial in 1969. Some skeptics, particularly Ted Charach, a Canadian-born journalist

Superior Judge Robert A. Wenke who produced a documentary film ordered the inquiry in response to a called "The Second Gun," have questions filed by Columbia Broadcasting System and Paul Schrade, one of the five other victims wounded when Kennedy was shot. But pressure to reopen aspects of the case has steadily increased since

Seven firearms identification experts started work Wednesday in an equipped and guarded jury room of the county courthouse under careful procedures drawn up by Wenke and a battery of attorneys, including Sirhan's lawyer. late last year when Schrade and former New York Congressman Allard Lowenstein "went public" with their questions about the assassination. By the time the Schrade-CBS action went before Wenke last month, the Board of Supervisors and district attorney's office had joined in support of a reexamination of some of the evidence.

One of the questions the experts were directed to address themselves to is, "Do the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination?"

Conspiracy speculation aside, questions about the possibility of a second gunman have grown principally out of apparent anomalies discovered in the bullet evidence.

At heart of the controversy were photomicrographs taken by Pasadena criminalist William W. Harper late in 1970 at the county clerk's office.

Harper's photographs appeared to challenge identification of bullets by Los Angeles Police Department Criminalist DeWayne A. Wolfer, now head of the department's crime laboratory.

Wolfer testified that a bullet taken from the base of Kennedy's neck and bullets taken from victims William Weisel and Ira Goldstein were fired from Sirhan's gun and "no other gun in the world."

In an affidavit dated Dec. 28, 1970, however, Harper declared his examination of the Kennedy and Weisel bullets led him to conclude they had not been fired from the same gun.

Another criminalist, Herbert L. MacDonell of Corning, N. Y., reached a similar conclusion in an affidavit signed in November, 1973. He based his judgment on conditions that the photos represent what they purport to.

The seven experts sought permission to refire Sirhan's gun Thursday, and Wenke signed an order Friday authorizing the step "to enable them to complete the classical microscopic comparison test."

Since the experts were working under court-directed secrecy there was no one to officially explain why they had chosen to fire the gun at this stage of their examination.

There was speculation that the criminalists wanted to make certain they had test bullets from the Sirhan gun, since those at Sirhan's trial had been mismarked with another gun number.

Others suggested that if the efforts had been successful in matching test bullets prepared by Wolfer and evidence bullets it would not be necessary to fire Sirhan's weapon again.

In a related action Friday, Superior Judge Campbell M. Lucas upheld the right of the Los Angeles Police Commission and Police Department to withhold from the public its records concerning the investigation of the Kennedy death.

The ruling was made at the preliminary injunction stage of a civil suit filed by Charach, who operated Telecommunications News Service; Donald Freed, coauthor of a novel based on the John F. Kennedy assassination; columnist James Horwitz and officials of the Los Angeles Free Press and the San Francisco-based Zodiac News Service.

The suit, which still can go to full trial, also seeks to remove all RFK assassination records and materials from the control of the county clerk, the LAPD, the sheriff's and district attorney's offices. But Lucas was asked to consider only the public disclosure issue Friday.

The judge delayed indefinitely any hearing on the complaint against the county officials after Dep. County Counsel Frederick R. Bennett said the Sheriff's Department had no records on the case to be disclosed, and the district attorney's office had always made its records available to the public.

Lucas said any complaint against the clerk's office must be handled by Wenke under a special court order placing handling of Kennedy case court records under sole jurisdiction of the presiding judge.

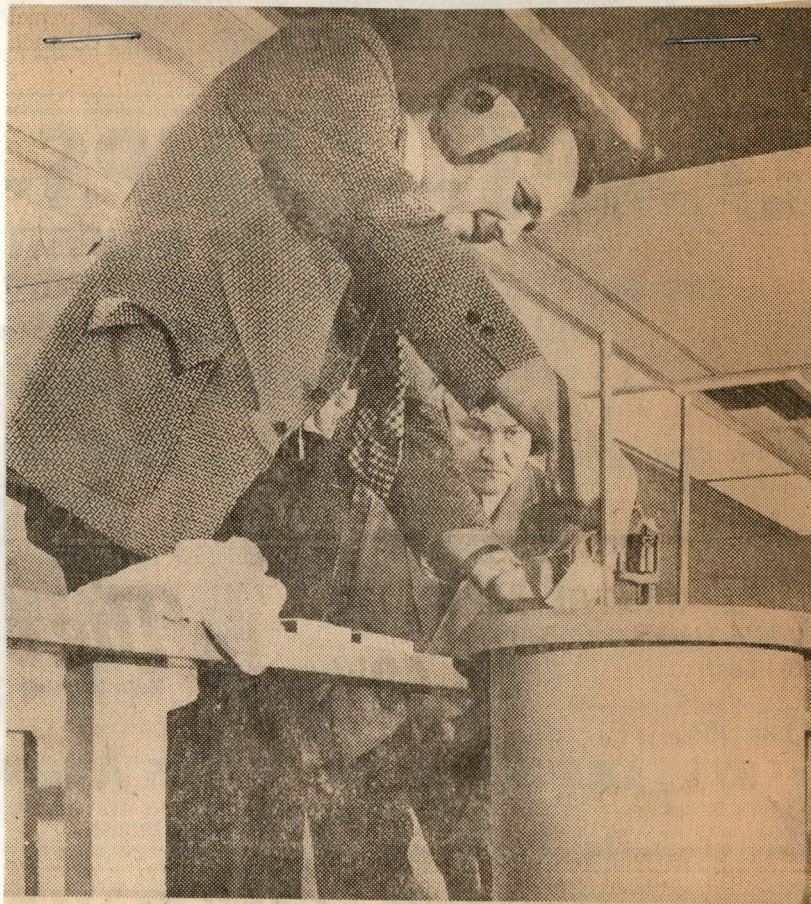
Lucas adopted the argument of Dep. City Atty. Dion Morrow that the LAPD can refuse to reveal its records under a section of the state's Public Records Act exempting from disclosure any "police investigatory files."

But the judge hinted strongly the state Legislature may wish to review that and other exemptions, giving the public access to records unless the police or other agencies can prove why the records must remain sealed.

Horace A. Ruderman, attorney for the plaintiffs, had asked Lucas to order the LAPD to inventory and catalogue its Kennedy case files.

Lucas said there are "fundamental questions of policy" concerning the difference in the district attorney's willingness to make its records public and the LAPD's refusal to do so, but that those issues were not before his court.

Morrow explained that district attorney records include only duplicates of items which were entered as evidence in the trial of Sirhan, while LAPD files additionally contain records on investigations of possible conspiracy. He said that material is "largely not significant" and would invade the privacy of innocent people if made public.



TEST—With his ears protected against the blasts, Patrick Garland fires Sirhan B. Sirhan's gun into a tank of water. In rear, FBI's Cortland Cunningham. Bullets were taken from tank for study.

(Mount Clipping in Space Below)

RFK Gun Fired Again for Tests

By STEVE COMUS

Herald-Examiner Staff Writer

Firearms experts today are one step closer to determining whether or not more than one gun was used in the 1968 assassination here of Sen. Robert F. Kennedy after completing a special re-firing of the .22 revolver used by Sirhan B. Sirhan.

The special firing was conducted yesterday in the Hall of Administration basement where ballistics expert Patrick Garland fired four rounds of at least two different types of ammunition — both copper coated and solid lead bullets were used. The bullets were fired into a six-foot tall tank filled with water.

Superior Court Presiding Judge Robert A. Wenke authorized the firing Sept. 18, enabling a special panel of seven experts from throughout the country to complete a classical microscope comparison test of the bullets fired yesterday with previous evidence in the case.

Wenke's order was the result of a petition filed in August by the Columbia Broadcasting System, Inc., and Paul Schrade, one of the victims in the 1968 Ambassador Hotel shooting.

The three-part petition charges the experts to determine if the evidence from the assassination and subsequent police ballistics testing still is in good enough condition to make a comparison test, if the firearms identification made by the experts confirms original findings by police criminologist DeWayne Wolfer, and if the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination.

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One of the experts on the panel, Lowell Bradford, declined to discuss details of the investigation, but told reporters following the firing yesterday that the results probably will be made public sometime next week.

The current reinvestigation has been hampered somewhat by the apparent loss of a report Wolfer said he prepared in the 1968 investigation of the assassination.

(Mount Clipping in Space Below)

Writers Fail To Get Sirhan Trial Data

Efforts by a group of freelance writers to strip physical control of Sirhan murder trial evidence from the possession of the police, District Attorney and County Clerk have failed in Superior Court.

Judge Campbell M. Lucas yesterday denied a petition filed last month by writer Theodore Charach, Woodrow Thompson, James Horwitz and Donald Freed to have the court take possession of all items from the trial and investigation which followed Senator Robert F. Kennedy's assassination here in 1968.

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Final Tests Of Sirhan Pistol Set

By United Press International

A panel of seven ballistics experts will finish testing evidence from the Robert Kennedy assassination later this week, Deputy Los Angeles County Counsel Robert Lunch said Monday.

The panel is looking into "the second-gun theory." Proponents of the theory argue there is evidence to show that another gun, in addition to the pistol used by convicted assassin Sirhan B. Sirhan, was fired in the Ambassador Hotel kitchen the night Kennedy was shot in 1968.

The panel, gathered from around the nation at the request of the presiding judge of the Superior Court, began its work last Wednesday. Sirhan's pistol was refired Friday into a tank of water. Four slugs were recovered for comparison.

The panelists are under orders not to discuss the tests among themselves, and to submit seven individual reports to the court.

Lynch said the reports are expected to go to the judge by the end of the week, and will be made public at a hearing later. No date has been set for the hearing.

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Experts To Submit Gun Data On RFK

Initial reports of seven firearms identification experts who have been re-examining the ballistics evidence in Robert F. Kennedy's assassination are to be submitted to the Superior Court here Monday.

Results of the court-ordered miniprobe into ballistics identifications made by Los Angeles Police criminologist Dewayne Wolfer for the 1968 murder trial of Sirhan B. Sirhan are expected to provide scientific answers for the "second gun" argument voiced in some circles concerning the senator's slaying in the Ambassador Hotel on the eve of his California Presidential Primary election victory.

The seven experts have spent almost two weeks studying bullets and bullet fragments recovered from Kennedy's body and the bodies of others wounded in the shooting.

Included in the current testing was the refiring of a .22 revolver, which Wolfer had identified as the murder weapon.

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The new ballistic tests were ordered by Presiding Judge Robert A. Wenke to determine if Wolfer's ballistic work was valid; and to answer the often repeated question of whether a second gun could have been used in the assassination.

The judge acted on a petition filed by Columbia Broadcasting System and Paul Schrade, one-time Kennedy campaign aide wounded in the shooting.

The Board of Supervisors, District Attorney and State Attorney General's Office later joined the petition in hope of ending the long-smoldering controversy on whether Sirhan acted in a conspiracy with unknown others or as a lone gunman.

(Mount Clipping in Space Below)

No 2nd Gun, Kennedy Case Panel Reports

No second gun.

That was the crucial conclusion Monday in a joint report of seven experts appointed to examine evidence in the assassination of Sen. Robert F. Kennedy.

The panel made no recommendations for additional types of testing in the physical evidence in the case.

For the moment, it appeared that the experts had put "the second-gun" theory to rest, but there will be further hearings to clean up details.

The panel's decision was read to a packed courtroom by Superior Judge Robert A. Wenke, 13 days after the experts began their meticulous study.

"There is no substantive or demonstrable evidence that more than one gun was used to fire any of the bullets examined," the experts found.

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They also concluded:

—A bullet taken from the base of Kennedy's neck had two cannelures (concentric rings running around the bullet), not one ring as supposedly demonstrated in photographs taken in 1970.

—Bullets recovered from Kennedy's sixth cervical vertebra area and from victims Irwin Stroll, Ira Goldstein and William Weisel had similar characteristics of .22-caliber long-rifle bullets manufactured by Cascade Cartridges, Inc., of Lewiston, Ida.

—Preliminary measurements did not disclose any significant difference in rifling angles between the Kennedy neck bullet and a bullet taken from Weisel's stomach.

The panel also said they could not conclude that the bullet that struck Kennedy's neck and the bullets taken from Goldstein and Weisel were fired from convicted assassin Sirhan B. Sirhan's revolver.

The reason, they said, was that there are insufficient individual characteristics on each of the bullets to make an identification.

They attributed the poor reproducibility of striations to barrel folding, copper alloy coating, impact damage

and distortion, cylinder alignment and possible loss of fine detail over intervening years.

The experts' conclusions effectively attacked the main points raised by skeptics who had in recent months voiced a growing chorus of doubt about how many guns were fired in the Ambassador's pantry seven years ago.

Sirhan's attorney, Godfrey Isaac, said after the hearing that the panel had "effectively put the second-gun theory to rest."

Isaac's evaluation was echoed by Thomas Kranz, a special counsel appointed by acting Dist. Atty. John Howard to review the assassination controversy.

"What is most significant about the findings is the conclusion that no second gun was fired on the night of the tragedy," Kranz said.

Both Kranz and Isaac praised the way Wenke conducted the unique fact-finding hearing.

"I think the whole process that brought this result is a tribute to the American system of jurisprudence," Isaac said. "It was impressive to me the way the presiding judge of Los Angeles County really tried to determine the truth. We can all be proud."

Paul Schrade, one of the five other persons wounded the night Kennedy was shot, had no immediate comment on the outcome. His petition, along with a companion action by CBS, Inc., led to the reexamination of the ballistics evidence.

Schrade's attorney, Mel Levine, said his client is reserving his statement for a press conference he has scheduled today at the Greater Los Angeles Press Club.

"It seems to be a little bit hasty and a little bit improper to make a definitive statement based on partial information," Levine said.

"We believe it is imperative for us to review the seven individual reports."

"If, in fact, only one gun was fired, my client will be enormously relieved. Our goal always has been to obtain the truth . . . and there is no doubt in my mind the experts did a thorough, complete job."

The panel's findings were interpreted by Dion Morrow, another special counsel appointed by City Atty. Burt Pines, as a "complete vindication" of the Los Angeles Police Department's ballistics examination.

"It will be gratifying to LAPD criminalist De Wayne Wolfer that his professional judgment and the quality of his work has been upheld," Morrow said.

Wolfer, head of LAPD's crime laboratory and the main target of critics who raised questions about a second gun, presently is teaching at the FBI Academy in Quantico, Va. He was not immediately available for comment.

Special Counsel Tom Kranz also will continue to explore various other points of contention and will issue a report on this matter, he said.

"Judge Wenke conducted this hearing in a most expeditious and judicious manner and I believe all parties to this action appreciate the concern for seeking the truth which he revealed."

Wenke ordered a reexamination of the evidence Aug. 14. Three days of hearings were held to identify evidence introduced in the Sirhan trial, and the experts began their examination on Sept. 24. Two days later Sirhan's gun was test-fired.

The seven experts appointed to the panel were:

Cortland Cunningham, a firearms expert from the FBI laboratory in Washington, D.C.; Stanton O. Berg, an independent forensic consultant from Minneapolis; Charles V. Morton, a staff member at the Institute of Forensic Science in Oakland; Lowell Bradford, former chief of the Santa Clara County crime laboratory; Alfred Biasotti, firearms expert with the state Department of Justice in Sacramento; Dr. Ralph Turner, a professor at Michigan State University's school of criminal justice, and Patrick Garland, director of the Virginia Bureau of Forensics.

However, Police Chief Edward M. Davis promptly issued the following statement after being informed of the findings:

"After years of unwarranted attack on criminalist De Wayne Wolfer, his integrity and professional excellence have been vindicated.

"However, this will not stop the conspiracy theory profiteers or the conspiracy theory nuts from drumming up additional allegations which will tend to undermine the workings of the police, the prosecution and the courts."

Howard joined Davis in that theme.

"I would hope this would lay to rest the divisive and destructive rumors surrounding the investigation and prosecution of this case," the acting district attorney said.

"I fear that the mentalities of the various assassination theorists will not allow them to abide by this decision."

Howard, one of the three prosecutors who convicted Sirhan as Kennedy's assassin, said his office would participate in cross-examination of the experts at hearings tentatively scheduled for Oct. 16 and 17 and he reserved further comment pending completion of those sessions.

The "second-gun" theory, rested primarily on microscopic photos of evidence bullets taken by Pasadena criminalist William Harper in 1970.

The photographs appeared to show there were gross individual differences between the bullet taken from Kennedy's neck and the one that struck Weisel in the stomach.

These photos also appeared to show that the Kennedy neck bullet had a single concentric ring around it while the Weisel bullet had two.

Yet, the doubters pointed out that all eight shots in Sirhan's Iver Johnson revolver had been produced by Cascade, which manufactured only mini-mag, long-rifle bullets with two cannelures.

If the Kennedy and Weisel bullets were made by different manufacturers, the critics said, it must follow that a second gun was fired in the pantry that night more than seven years ago.

In noting there was no difference in cannelures and no significance in rifling angles among the evidence bullets, the experts effectively attacked the heart of the case for the "second gun."

(Mount Clipping in Space Below)

Seven Experts Lay To Rest 2-Gun Theory in RFK Death

Persistent theories that a second gun was used in the 1968 slaying of Sen. Robert F. Kennedy apparently have been discredited by a report of seven independent ballistics experts.

The report, submitted to Superior Court Presiding Judge Robert A. Wenke yesterday, stated, "there is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

The report was a result of two weeks extensive study by firearms experts brought to Los Angeles and maintained at county taxpayer expense from as far away as Washington, Minneapolis, and Norfolk.

Re-examination of ballistics evidence from the trial of Sirhan B. Sirhan for slaying the senator was ordered by Wenke more than a month ago.

He acted on a petition filed by Columbia Broadcasting System and one-time Kennedy campaign aide Paul Schrader. The Board of Supervisors, District Attorney, state Attorney General and Sirhan's lawyer, Godfrey Isaac, later joined in the petition for a probe of ballistics evidence.

After the joint report was read in court, Isaac said, "I am forced to believe there was only one gun."

He said the court-ordered re-examination, which included new test firing of the Sirhan gun, was a "triumph for the law and our legal system," and he praised Wenke for taking the court's time to clear up the second-gun question.

Acting Dist. Atty. John Howard, who prosecuted Sirhan said:

"I would hope that this would lay to rest the divisive and destructive rumors surrounding the investigation and prosecution of this case."

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'2nd-Gun' Question Not Settled, Probe Critics Say

Critics of the investigation of the Robert F. Kennedy assassination contended Wednesday that the "second-gun" question was not answered by experts appointed to examine bullet evidence in the case.

They told a Greater Los Angeles Press Club news conference that elements of the news media have improperly interpreted the conclusions of the expert panel released Monday.

In sum, their position was that misinterpretations have created the impression that there no longer is a possibility of a second gunman and no remaining questions of merit.

"They have not been answered," said former New York Congressman Allard Lowenstein.

Lowenstein was joined at the press conference by Robert J. Joling and Paul Schrader, one of five other victims shot when Kennedy was fatally wounded at the Ambassador seven years ago.

Joling, president of the American Academy of Forensic Sciences, read a statement by Lowell W. Bradford, one of the seven experts who studied the bullet evidence.

Bradford maintained that if there are other questions, such as how many bullets were fired in the pantry the night Kennedy was shot or their pathways, they deserve systematic analysis.

The criminalist said the firearms examination simply closes one episode of evidence evaluation and should not constrain future efforts to resolve questions about the possibility of a second gun.

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Schrade declared he was satisfied with the scientific work of the expert panel, formed in response to a Superior Court petition that he filed in August and was joined in by CBS.

"It's my opinion that in great part the second-gun theory has been refuted," Schrade said. These bullets that have been under investigation most likely came from the Sirhan gun. Doubt has been reduced by these tests but not eliminated."

Joling, who said he was speaking as an individual, considered that a "giant step forward" had been taken in scientific investigation and should not be dropped.

He, along with Bradford and Lowenstein, favored more tests.

Joling suggested further scientific tests could include a photographic reconstruction of the assassination scene, a reexamination of bullet pathways and a determination of how many shots were fired.

Lowenstein noted that the Los Angeles Police Department had destroyed bullet-punctured ceiling panels taken from the Ambassador.

He suggested a test using a similar panel to duplicate the action of a bullet that was said to have pierced a ceiling panel, ricocheted off a ceiling, penetrated another panel and struck a victim.

"I want to know whether a bullet can do it," he said. "I'm open minded on it but I think that test is crucial."

Lowenstein admitted that it was possible that scientific investigation might not produce a definitive answer to all questions in the end.

"But," he said, "it's possible that by continuing to eliminate more and more questions effectively, we will arrive at a consensus as to what occurred, based on expert study."

When hearings were held before Superior Judge Robert A. Wenke last month, the jurist narrowed the scope of the hearing mostly to consideration of the bullet evidence.

Wenke resisted attempts to expand the experts' job into consideration of the number of bullets fired or their trajectories.

When the experts went to work one of the questions they were told to consider was: "do the exhibits in any way support a conclusion that a second weapon was fired at the time of the assassination?"

Their answer, offered in a joint report, was:

"There is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

Critics claimed that response did not rule out the possibility of a second gun because the experts could not positively identify any of the evidence bullets as coming from Sirhan Sirhan's revolver.

Thus, according to their reasoning, it follows that bullets taken from Kennedy, William Weisel and Ira Goldstein could have been fired from a weapon other than the convicted assassin's.

Each of the experts filed individual reports and none found enough individual characteristics on the Kennedy, Weisel and Goldstein bullets to say they came from Sirhan's gun.

However, Cortlandt Cunningham of the FBI in Washington noted that "gross imperfections" produced by Sirhan's revolver were found on the three bullets and on test bullets.

"While these imperfections are not sufficiently unique to be able to effect an identification, they do suggest that no other weapon was used," Cunningham found.

Patrick V. Garland, chairman of the panel and a Norfolk, Va., criminalist, also commented on class characteristics and those same "gross defects."

Based on these factors, and others, Garland wrote, "... There is no evidence to support a conclusion that more than one gun was used to fire any of the exhibits examined."

(Mount Clipping in Space Below)

7 RFK GUN EXPERTS FACE QUESTIONING NEXT WEEK

Superior Court hearings have been scheduled here next week to cross-examine the seven experts who found no evidence of a second gun in the 1968 assassination of Sen. Robert F. Kennedy.

Dist. Atty. John Van de Kamp yesterday directed special counsel Tom Kranz to have those experts whose reports have been filed called for examination in open court Oct. 28 and 29.

Earlier this month, the ballistics experts told Judge Robert Wenke there was no evidence that a second gun had been used in the Ambassador Hotel assassination for which murder, Sirhan B. Sirhan subsequently was convicted.

The panel of experts was formed as the result of a petition filed in Superior Court last August, and each member worked independently.

"The original court order called for the cross-examination of experts. When these experts agreed that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue," van de Kamp said.

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LA To Quiz 7 Experts On Kennedy Gun Issue

By United Press International

Seven firearms experts who concluded two weeks ago that there is no evidence of a "second gun" in the Robert Kennedy assassination will return to Los Angeles next week to defend their findings in court.

Citing a need for the public to know the truth, District Attorney John Van de Kamp summoned the experts to a public cross-examination Oct. 28-29 before U.S. District Judge Robert A. Wenke, who ordered their examination of evidence in the case.

"When the experts agreed in essence that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue," Van de Kamp noted.

"I understand that attitude, but I think it's important that these witnesses be tested in a traditional adversarial setting.

"The pursuit of the truth is the goal of the court. It's our goal, too."

The experts announced Oct. 6, after a meticulous two-week study of ballistic evidence including the .22-caliber revolver fired by Sirhan-Sirhan the night of the 1968 California primary, that there was "no substantive or demonstrable evidence that more than one gun was used."

They discounted assertions that there were "gross differences" on the bullet taken from Kennedy's neck and bullets that struck bystanders at the Ambassador Hotel, but said there was insufficient evidence to say positively that all the bullets were fired from one gun.

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Some critics, including former New York congressman Allard Lowenstein, have suggested since then that the "second-gun question" was not answered by the findings.

Van de Kamp said he personally has no reason to doubt the experts' conclusions.

"I simply want to ensure," he said, "that we explore every avenue in assuring that the findings are accurate."

(Mount Clipping in Space Below)

Sirhan Gun Test Experts Will Explain Ruling

BY WILLIAM FARR
Times Staff Writer

The experts who concluded there was no evidence that a second gun was used in the assassination of Robert F. Kennedy will be brought back to Los Angeles Oct. 28 to tell how they arrived at their findings.

Dist. Atty. John Van de Kamp Monday announced his decision to have the panel of seven experts appear at a hearing on that date before Superior Judge Robert A. Wenke.

"I simply want to ensure that we explore every avenue in assuring that the findings are accurate," Van de Kamp said, adding that he had no reason to doubt the conclusion that no second gun was involved.

It was Wenke, the presiding judge of Superior Court, who ordered the reexamination of the bullet evidence in the case and the refiring of convicted assassin Sirhan B. Sirhan's gun.

Wenke took that step in response to petitions filed by CBS, Inc., and Paul Schrade, one of the five other persons wounded the night Kennedy was shot in the pantry of the Ambassador more than seven years ago.

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Thirteen days after the experts had begun a meticulous review of the firearms evidence, Wenke read their findings to a packed courtroom.

"There is no substantive or demonstrable evidence that more than one gun was used to fire any of the bullets examined," the experts said in their key conclusion.

Even Godfrey Isaac, who took part in the proceedings as Sirhan's attorney, said he thought the findings "have effectively laid the second-gun theory to rest."

Isaac's evaluation was echoed by Tom Kranz, the special counsel appointed by the then-acting Dist. Atty. John Howard to review the assassination controversy.

Van de Kamp noted, in making the announcement Monday, that "When the experts agreed in essence that only one gun fired bullets, many of the parties to the case and other concerned people lost interest in pursuing the issue."

"I understand that attitude," Van de Kamp said, "but before this matter is closed, I think it is important that those witnesses are tested in traditional adversarial setting in open court."

Van de Kamp also pointed out that Wenke's court order does call for cross-examination of the experts.

Prior to the evidentiary review by the experts, critics of the Kennedy assassination investigation had maintained there were "gross differences" on the bullet taken from the senator's neck and one that struck bystander William Weisel in the stomach.

This assertion was not supported by the experts. Despite those findings, some of the critics still contended that the "second gun question" was not answered by the experts.

These critics, including former New York Congressman Allard Lowenstein and American Academy of Forensic Sciences president Robert Joling, stressed the fact that the experts could not definitely say the bullets that struck Kennedy, Weisel, and another bystander, Ira Goldstein, were fired from Sirhan's gun.

The reason, the experts said, was that there are insufficient individual characteristics on each of the bullets to make a positive identification.

Informed Tuesday about the upcoming hearing, Schrader said he "welcomed" Van de Kamp's action and said he thought it was a good idea to have the questioning at a hearing open to the public.

Isaac said that he, too, would participate in the Oct. 28 hearing. "Although I do not anticipate any great revelation that would alter the previously announced findings, I think I owe it to Sirhan to have the matter covered fully," Isaac said.

Howard Privett, a Los Angeles lawyer representing CBS in the matter, could not be reached immediately for comment.

(Mount Clipping in Space Below)

7 RFK GUN EXPERTS FACE QUESTIONING NEXT WEEK

Superior Court hearings have been scheduled here next week to cross-examine the seven experts who found no evidence of a second gun in the 1968 assassination of Sen. Robert F. Kennedy.

Dist. Atty. John Van de Kamp yesterday directed special counsel Tom Kranz to have those experts whose reports have been filed called for examination in open court Oct. 28 and 29.

Earlier this month, the ballistics experts told Judge Robert Wenke there was no evidence that a second gun had been used in the Ambassador Hotel assassination for which murder, Sirhan B. Sirhan subsequently was convicted.

The panel of experts was not filed in Superior Court last August, and each member worked independently.

"The original court order called for the cross-examination of experts. When these experts agreed that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue," Van de Kamp said.

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Richard

(Mount Clipping in Space Below)

Sirhan Confederates Breathe Easier After "Second Gun Theory" Is Strangled At L.A. County Courthouse

by Greg Roberts

Unless convicted assassin Sirhan B. Sirhan starts doing some meaningful and revealing talking, and mighty quick, official history of our time is going to report that Sirhan acted alone when he fired a handgun at Senator Robert F. Kennedy at the Ambassador Hotel on June 5, 1968.

That's right!

Just like the Los Angeles police, the District Attorney and the FBI have been telling us all along, the late Bobby Kennedy is no longer amongst the living because a "nut", armed with a cheap .22 caliber pistol, just happened to walk into a busy hotel kitchen pantry one hot summer election night and murder him.

It's as simple as that.

Or is it?

True, Bobby Kennedy's political enemies included Richard ("Tricky Dick") Nixon and organized crime elements of the Teamsters Union, but neither Nixon and his Watergate Plumbers Squad nor the national crime syndicate would try to kill him.

And, if the U.S. Central Intelligence Agency planned President John F. Kennedy's assassination, as Warren Commission critic Mark Lane charged at the time, it certainly wouldn't plan his brother Bobby Kennedy's assassination either.

Only the noisy, nutty, paranoid conspiracy buff followers of District Attorney Jim Garrison and his JFK assassination probe down in New Orleans, or its sympathizers, would come to believe that Bobby Kennedy was the victim of anyone other than that "crazy Arab".

But in 1970, retired Pasadena police criminalist William W. Harper took a look at the physical evidence in the RFK assassination. Harper acted partly out of his own curiosity and at the urging of others, including RFK assassination investigator Ted Charach.

Scientific photographs taken by Harper of the RFK assassination bullets indicated strongly that an RFK neck bullet (Exhibit No. 47 at Sirhan's trial) did not ballistically match another RFK assassination bullet, one recovered from victim Bill Weissel (Exhibit 54).

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Long

Tranquility soon prevailed, however. While it proved that Harper had not tampered with any evidence, what was a scam was that the Grand Jury, a rubber stamp for the Los Angeles District Attorney's office, refused to test-fire the Sirhan gun and bullets.

Only in the wake of the infamous Nixon Watergate scandal was enough pressure put on Los County authorities, subsequently forcing the Sirhan evidence reexamination, and that came about in late September of 1975.

By Oct. 4th, Los Angeles Superior Court Judge Robert A. Wenke received the so-called "Comprehensive Joint Report of the Firearms Examiners" in Sirhan Case No. A-233421.

As released to the news media on Monday, Oct. 6th by Judge Wenke, the news media quickly flashed this quote around the world:

"There is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

And, at that, the Teddy Charach pushed "second gun theory" was finally strangled at the L.A. Courthouse, with the establishment press pulling the rope as hard as it could.

But as honest as KNXT-TV Channel 2 newsman Bill Stout noted the next evening, Tuesday, Oct. 7th, the national news media neglected to inform the public that the experts also had said:

"It cannot be concluded that Exhibits 47-51 (Stroll bullet) and 54 were fired from the Sirhan revolver."

They attributed this factor to the poor reproducibility of striae left on consecutively fired test bullets.

In other words, the experts felt that those bullets were too badly deformed to say for sure, but from what they had seen or actually examined, they did not feel that any of the bullets examined had come from another revolver other than Sirhan's.

All of this is assuming, of course, that more than 7 bullets were not fired during the assassination, or that perhaps four or five other bullets (making 11 shots) were not also found by authorities and then destroyed or else never discovered by investigators to begin with.

At the time of the assassination of Robert Kennedy, this reporter was sitting at home and watching the wrap-up of the ABC-TV network coverage of the California Democratic Party primary race on KABC-TV.

Network correspondent Howard K. Smith, just before ABC-TV had completely signed off, reported what he said was an assassination attempt on Senator Kennedy.

During the next 45 minutes on KABC-TV, Howard K. Smith played back an ABC-TV sound tape of the RFK assassination, and Smith counted 10 or 11 bullets each time he had the network replay the sound tape.

As time during the night went by, Smith began to realize that what he was reporting was not going to jive with a one gunman theory.

"President Kennedy was assassinated by a lone nut, Lee Harvey Oswald," Smith then started reporting over and over again, and to this day we have not heard the ABC-TV sound tape again.

Even Teddy Charach doesn't have it, or has not, to our knowledge, ever used it or cited it.

As former New York Congressman Alard K. Lowenstein has pointed out, if the Los Angeles police or District Attorney was willing to destroy ceiling panels, is to say that neither couldn't likewise destroy bullets or else neglect to at least find or report them.

On the other hand, we have never said that there was a "second gun" used in the RFK assassination.

It could be demonstrated that Sirhan was involved in a conspiracy and served it as a patsy and possibly as a killer as well, would it make any difference if one or 50 guns were used in the Robert Kennedy ambush?

Unfortunately, the way the second gun conspiracy potential was handled by most of its supporters and the news media as well, everything in the RFK assassination truth movement began to concentrate on the two gun potential.

Thus, after the experts rendered their one gun conclusion, the RFK truth movement evidently decided to die at the Greater Los Angeles Press Club on Wednesday, Oct. 8th.

Since the two gun theory had been strangled by the authorities not just at the L.A. Courthouse on Oct. 6th, but much earlier, one was puzzled why the two gun theorists had taken the system so seriously in the first place.

So, at the Press Club on Oct. 8th, those apparently suspending their crusade, if not giving it up altogether, were Beverly Hills attorney Meldon E. Levine; former Congressman Lowenstein; victim Paul Schrade; and Dr. Robert Joling of the American Academy of Forensic Sciences.

Standing heartbroken in the background were a number of RFK researchers who had been motivated perhaps only by the knowledge that the ghost of Robert Kennedy was still crying out for justice to be brought to his grave.

They were John G. Christian, Lillian E. Castellano, Floyd Nelson, Teddy Charach and others.

"I still believe, in my heart, that there was a second gun fired that night," Teddy Charach advised later that day.

Charach, we feel, will still continue to hunt for the .22 caliber, 9-shot pistol which a security guard apparently owned that night (but denied having with him).

As for the "experts", including one from the FBI who assisted in the "framing" of Lee Oswald by the Warren Commission and the "liberal" establishment of 1964, former District Attorney Garrison's words came back to me:

"In the authoritarian state, it is regarded as a self-evident truth that the control of history is an inalienable right of government. All words are created free and equal.

"If it is proclaimed in Washington tomorrow that the moon is made of Limburger Cheese, a horde of honorable men can be produced to attest to that fact."

It is proclaimed that an elephant can hang from a cliff with its tail tied to a daisy, a phalanx of experts will appear to confirm it...

"The name of the game is not truth — it is power." (As quoted from "Oswald in New Orleans: Case for Conspiracy with the CIA", 1967.)

Unfortunately, as it appears right now regardless of whether he just doesn't remember or wants to cover up for his confederates out of a false sense of loyalty, Sirhan Sirhan evidently is going to go down in history as the lone assassin of Robert F. Kennedy.

That may not be right, but if Sirhan doesn't want that reputation for himself he had best better get with it and start naming names or let the truth fade into nothingness.

But at least Paul Schrade, Allard Lowenstein, Robert Vaughn, as well as the conspiracy buffs and Judge Wenke alike all tried their best.

For that we are grateful.

(Mount Clipping in Space Below)

Police Expert's Testimony in Kennedy Death Sought

BY WILLIAM FARR
Times Staff Writer

A special City Council committee decided Friday it wants a homicide expert from the Los Angeles Police Department to testify whether proper procedures "were or were not" followed in the investigation of Robert F. Kennedy's assassination.

This decision came after an hour of debate on what the scope of the committee's work would be.

No specific date for hearing the homicide expert's testimony was set but committee chairman Ernani Bernardi said he hoped the Police Department official would "be available in the very near future."

The vote was 4 to 1 in favor of asking the Police Department to send before the committee "the best expert, whatever his rank, familiar with homicide investigation procedures in 1968 . . . and someone who can tell us whether they were or were not followed."

Bernardi was joined by Peggy Stevenson, John Ferraro and Zev Yaroslavsky in supporting the request. In casting a no vote, Gilbert Lindsay made it clear he thought it was a "waste of time."

"All of the investigations of the John Kennedy and the Robert Kennedy assassinations have not changed a thing," Lindsay said, "and I don't think my constituents are too concerned about these investigative procedures."

The committee was created in mid September on a resolution authored by Yaroslavsky before a panel of court-appointed experts returned a finding that there was no "substantive or demonstrable" evidence that any gun other than convicted assassin Sirhan Sirhan's was fired the night Kennedy was slain at the Ambassador.

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A.O. Richards

Critics of the LAPD investigation had maintained that there were gross differences between a bullet taken from the senator's neck and another which struck bystander William Weisel in the stomach.

"I was not one of those saying there was a second gun," Yaroslavsky told his fellow committee members Friday, "but I feel that maybe if the investigation had been conducted differently, there would not have been a need to fire the Sirhan gun again or have the district attorney's office go into the matter all over again."

(Mount Clipping in Space Below)

Shot Said Probably Sirhan's

By United Press International

The bullet that killed Robert Kennedy most likely came from Sirhan Sirhan's gun and further ballistics tests would not help resolve the so-called "second gun" debate, a forensic expert says.

Stanton O. Berg, member of a panel of seven independent experts who re-fired Sirhan's gun and examined bullet fragments taken from Kennedy's body, said in Los Angeles Superior Court Monday the odds were "up around 99 per cent" that the fatal bullet came from Sirhan's gun.

However, attorney Vincent Bugliosi said the question about the second-gun assassination theory was "still open" after Berg conceded there was a "very slim possibility" a second gun was used.

Bugliosi, the former deputy district attorney who prosecuted Charles Manson in the Sharon Tate murders and is now in private practice, was representing Paul Schrader.

Schrader, a former union official, was one of those wounded in the gunfire surrounding the assassination at the Ambassador Hotel in 1968.

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H.O. Richards

In its unanimous joint report last month, the panel reached two principal findings:

— There was no substantive evidence to support the theory that a "second gun" was fired.

— At the same time, there was not sufficient evidence to say positively the bullets taken from Kennedy's body and wounded bystanders came from Sirhan's gun.

Because of the questions raised by the second conclusion, County Judge Robert Wenke asked the seven experts to return to explain their findings. Berg said that because of the conditions of the bullets it could not be said unquestionably that they came from Sirhan's gun.

"But I do not feel that additional tests will disclose anything we don't know or will change our findings," he added.

(Mount Clipping in Space Below)

Question of 2nd Kennedy Case Gun Raised Again

BY JOHN KENDALL

Times Staff Writer

Attorney Vincent T. Bugliosi raised the "second-gun" question anew in the Robert F. Kennedy inquiry Tuesday with statements attributed to two Los Angeles police officers and a former Ambassador employee.

The former Charles Manson prosecutor suggested that, by inference, his information added up to the "simple arithmetic" that there was more than one gunman firing in the hotel's pantry when Kennedy was fatally shot.

Bugliosi declared in a statement filed with Superior Judge Robert A. Wenke that:

—After the shooting, police Sgts. Robert Rozzi and Charles Wright examined in a hotel door a hole that appeared to contain a small caliber bullet.

—On June 6, 1968, the day after Kennedy was shot, Robert Alfeld, an assistant sound man at the hotel, and Paul Dozier, an electrician, found three .22-caliber casings in the pantry.

Bugliosi subpoenaed Rozzi, Wright and Alfeld to appear at Tuesday's hearing. However, Wenke rejected the attorney's move and said the current phase of the hearing is to hear experts who examined evidence last month.

The judge also told Bugliosi at the close of Tuesday's session that two remaining experts would be questioned today. Wenke said Bugliosi would have to file a motion for another hearing.

To Bugliosi, the significance of his offered information was that it suggested to him more than the eight shots in Sirhan Sirhan's gun were fired when Kennedy was shot, thus there must have been a second gunman.

His inference was based on the Police Department's findings that seven of the Sirhan bullets struck Kennedy or five others and one was lost in the ceiling innerspaces. None was in a doorjamb and no extra casings were found.

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A.D. Richards

"Nobody should jump to any conclusions about what Mr. Bugliosi has brought to the court's attention today," said Tom Kranz, the district attorney's special counsel. "It's simply impossible to know at this point if there is any real significance to it."

Bugliosi's declaration included signed statements by Rozzi and Alfeld.

"What I observed was a hole in the doorjamb and the base of what appeared to be a small-caliber bullet was lodged in the hole," Rozzi said.

He also was quoted as saying that he and Wright were shown in a Police Department photograph pointing to the hole in the doorjamb and holding a ruler next to it.

In his statement, Alfeld related how he picked up three casings in the pantry and thought at first it was a "morbid joke." He said the casings were put in a desk that he shared with Dozier.

He had not thought about the casings again until he recently read a story on the Kennedy case in a Pasadena newspaper, Alfeld said.

Comdr. Peter Hagan, spokesman for the Police Department, declined comment on behalf of the department on Bugliosi's declaration.

However, in the past, criminalist DeWayne A. Wolfer, now head of the police crime lab, has said that holes had been found in a doorjamb at the Ambassador but no bullets were found in them.

(Mount Clipping in Space Below)

Sirhan Prober Named

Reappointment of attorney Thomas Kranz as a special consultant for the District Attorney on the review of the Sirhan B. Sirhan trial evidence has been approved by the Board of Supervisors for another 60 days.

Supervisor Kenneth Hahr made the motion yesterday but said he felt "every avenue has been explored" surrounding Sirhan's conviction for the assassination of Sen. Robert F. Kennedy in 1968.

Supervisor Baxter Ward said he felt the government had an obligation to find out everything it could in the Kennedy matter and he was willing to let the District Attorney retain the special consultant as long as it was necessary.

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P.O. Richards

(Mount Clipping in Space Below)

Expert All but Rejects 'Second Gun' Theory

Examiner in Robert Kennedy Inquiry Takes Stand for Cross-Examination

BY JOHN KENDALL
Times Staff Writer

Another round in the Robert F. Kennedy "second gun" inquiry opened Monday with an expert's insistence that he was 99% sure Sirhan Sirhan's pistol fired bullets into three victims including the assassinated senator.

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A.O. Richards

Stanton O. Berg, a private firearms examiner from Minneapolis, admitted that all possibility of a second gun had not been eliminated by the findings of a seven-member, court-appointed panel of experts last month.

But Berg insisted under cross-examination by former Charles Manson prosecutor Vincent T. Bugliosi that the purpose of the experts was to find evidence of a second gun, and they found none.

"I think it (a second gun) is a possibility," he said. "I think it's a very slim possibility. That's all it is."

His fellow experts were "surprisingly uniform" in their agreement, Berg said.

Pressed as to whether he thought more tests should be conducted, the Minnesota expert said he questioned "whether it was worth the effort."

Berg was cross-examined by a panel of attorneys, including Tom Kranz, the district attorney's special counsel in the Kennedy matter, and Godfrey Isaac, representing Sirhan.

Sirhan's mother, Mary, attended the hearing in the courtroom of Los Angeles Presiding Superior Judge Robert A. Wenke.

Five of Berg's colleagues on the panel of experts will be questioned today and Wednesday.

Bugliosi joined in the inquiry about a week ago representing Paul Schrade, who along with CBS successfully petitioned the court for a reexamination of bullet evidence in the Kennedy case.

Bugliosi notified the court Monday he was laying groundwork for a request for more study by experts. His questions suggested he would propose an inquiry into the number of shots fired in the Ambassador pantry eight years ago and the trajectory of the bullets.

(Mount Clipping in Space Below)

Judge Rejects Expansion of Robert Kennedy Probe

BY JOHN KENDALL

Times Staff Writer

Superior Judge Robert A. Wenke rejected a move Wednesday to expand the Robert Kennedy "second-gun" hearing to include new allegations about the number of shots fired when the senator was assassinated.

After three exhaustive days of examination of six members of a seven-member expert panel, Wenke concluded it would be "imprudent" for the court to approve such a motion offered orally.

Wenke did agree to continue the current hearing until Dec. 16 in order to examine Patrick Garland, chairman of the panel that examined evidence in the case last month.

Presumably, next month's hearing will close the inquiry, which Tom Kranz, representing the district attorney, estimates has cost taxpayers at least \$100,000.

However, there may be a new legal battle centered around reports that two Los Angeles police officers purportedly found in an Ambassador door jamb a hole they thought contained a bullet.

By inference, attorney Vincent T. Bugliosi has concluded that thus nine shots may have been fired when Kennedy was shot, one more than convicted assassin Sirhan B. Sirhan's gun held.

The door jamb report was used Wednesday by former New York Rep. Allard Lowenstein to support arguments for expansion of the hearing before Wenke.

The judge insisted, however, that any motion sought by Lowenstein and Bugliosi on behalf of victim Paul Schrade must be written, supported by points and authorities and presented in the usual legal way.

Schrade, a former United Auto Workers Union official wounded in the attack on Kennedy, said after the hearing he would pursue the matter

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in the manner Wenke directed. Bugliosi said he would continue to represent Schrade.

In arguing for expansion of the current hearing Lowenstein said the critics had disareed under a "veneer of agreement" on what they found and what they recommend should happen next.

He insisted that if the police officers are not questioned about what they saw, "suspicious might grow again" and the situation should "not be allowed to fester for a month."

Kranz argued that the object of the "second gun" hearing had been accomplished through exhaustive test procedures and the inquiry should not be expanded.

In a joint report last month, the experts concluded there was "no substantive or demonstrable evidence" to indicate a second gun was used to fire any of the bullets examined.

Critics have insisted, however, that since the panel did not positively identify Sirhan's gun as the weapon that fired the evidence bullets, the possibility of a second gunman exists.

In the hearings that began Monday, six of the experts are being brought back to be crossexamined. Courtland Cunningham of the FBI and Ralph Turner of Michigan State University were questioned Wednesday.

Cunningham, chief of the FBI's firearms and tool mark unit in Washington, D.C., testified that the evidence bullets could have been fired from Sirhan's gun.

He said there were not enough individual characteristics on the victim bullets to permit a positive identification of the weapon.

Cunningham noted, however, that the Sirhan gun had two muzzle imperfections that were transmitted to test bullets and found on bullets recovered from Kennedy and two other victims.

(Mount Clipping in Space Below)

NEW ROUND IN RFK CASE?

Critics of the lone killer theory of Sen. Robert F. Kennedy's assassination will seek today to expand a court-ordered ballistics probe which rejected the so-called "second gun theory."

One-time District Attorney's prosecutor Vincent T. Bugliosi, in an eleven-hour appearance yesterday made it plain he will use the cross-examination of ballistics experts who conducted the probe as a launch pad for an expanded investigation.

Bugliosi appeared as new counsel for ex-Kennedy campaign aide Paul Schrade. Schrade and the Columbia Broadcasting System filed the petitions which led Superior Court presiding judge Robert A. Wenke to order the recent re-examination of ballistics evidence from Sirhan B. Sirhan's murder trial.

Seven firearms experts spent weeks working on the evidence and refired Sirhan's revolver.

The panel of experts issued a joint report last month that indicated no evidence exists of a second gun being fired in the Ambassador Hotel pantry June 5, 1968, when the senator was gunned down at a presidential primary victory party.

Schrade immediately questioned the validity of the experts' findings and called for further investigation.

Bugliosi said yesterday that further tests are indicated because there is evidence of more bullet holes than there were cartridges in Sirhan's gun.

Schrade and six others were wounded in the fusillade of shots that killed Sen. Kennedy.

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VAN DE KAMP PURSUES RFK KILLERS

John Van de Kamp, the newly appointed District Attorney of Los Angeles County, has let it be known that if there is any evidence or possibility that there are any remaining RFK killers at large, he intends to go after them.

As a result, using all of the resources and power available to the Los Angeles District Attorney's Office, D.A. Van de Kamp has told Special Attorney Thomas F. Kranz not to close the case out on the matter until all of the nagging questions, doubts and suspicions have been satisfactorily answered.

Putting action where his rhetoric was last week Van de Kamp directed Kranz to call the various ballistics experts back into court so that their findings could be further scrutinized.

According to an October 21st news release issued by press secretary Jay Berman, cross examination of the seven experts, who reportedly found no direct evidence of the use of a so-called "second gun" in the June 5, 1968 assassination of Senator Robert Kennedy at the Ambassador Hotel, was slated to resume as of Tuesday, October 28th at 9:00 a.m. in the court of Superior Court Judge Robert Wenke.

"At my direction, special counsel Tom Kranz has requested that the experts whose reports have been filed called for examination in open court.

"We want to insure that we explore every avenue in assuring that the findings are accurate," Van de Kamp declared.

"The original court order called for the cross examination of the experts.

"When these experts agreed in essence that only one gun fired the bullets, many of the parties to the case lost interest in pursuing the issue.

"I understand that attitude, but I think it's important that these witnesses be tested in a traditional adversarial setting," Van de Kamp explained.

"The pursuit of the truth is the goal of the court, and it's our goal too," Van de Kamp added.

It is true, as the District Attorney's Office press release reminds us, that in their October 4th report the experts said that, "There is no substantive or demonstrable evidence to indicate that more than one gun was used to fire any of the bullets examined."

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But they also wrote, "It cannot be concluded that Exhibits 47, 52 and 54 were fired from the Sirhan revolver. These are the bullets which hit Kennedy in the back near his neck (No. 47), another shot which hit fellow victim Ira Goldstein (No. 52), and, of course, victim Bill Weissel (No. 54)."

The discrepancies between these two statements are what the experts will be trying to explain to the judge, amongst others.

On the whole, Van de Kamp seems to have indicated that he is much more willing to listen to an RFK assassination conspiracy theory than was either former D.A. Joe Busch or retiring old pro John Howard.

Although we still do not expect much in the way of positive results from the District Attorney's Office in the background/conspiracy aspects of the Sirhan investigation, we do welcome the open mindedness that Van de Kamp is at least showing.

Still, a John Van de Kamp is 7 years too late.

Otherwise, we would like to urge the court of Judge Robert Wenke and the D.A.'s Office to consider obtaining from the American Broadcasting Company a copy, for the benefit of the public to hear, of the ABC-TV network sound tape of June 5, 1968.

One still recalls network pro lone assassin commentator Howard K. Smith counting off 10 or 11 gunshots, over and over, as ABC replayed the tape as we heard it on KABC-TV.

Of course, once the "lone assassin" theory emerged, Smith abandoned the sound tape and that was the last we ever heard of it.

Certainly the Los Angeles County authorities have the power to secure it, if they haven't already (or already destroyed it), and Van de Kamp should once again make it public if he can.

But at least he is willing to pursue RFK's killers, at least if discovered by himself. Van de Kamp, the new District Attorney.

(Mount Clipping in Space Below)

Kennedy Death Probe Panel Dissolves Itself

By United Press International

The Los Angeles City Council committee formed to investigate the police handling of the assassination of Sen. Robert Kennedy dissolved itself Tuesday. It reached no conclusions and made no report.

The committee was formed at the height of the "second-gun" controversy when there was speculation that someone in addition to convicted assassin Sirhan Sirhan fired a gun in a hotel kitchen when Kennedy was killed in 1968.

In a court action, a panel of firearms experts from around the nation later concluded that there was no evidence to support the "second-gun" theory.

The council's probe was aimed at determining whether the assassination investigators had lost, overlooked or otherwise mishandled evidence. It ran into resistance from the police department and its governing body, the Police Commission.

The council demanded the complete confidential police file on the investigation. The commission said making the files public would violate the privacy of some persons mentioned and reveal investigative procedures.

The commission finally agreed to provide written answers to written questions.

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[Signature]

ORIGINAL TO THE BUREAU

Councilman Zev
Yaroslavsky, who initiated
and pushed the council
probe, said he would con-
tinue investigating on his
own. "There has been no in-
vestigation" by the council
committee, he complained.
"I'll handle this thing my
own way ... with other peo-
ple who are concerned."

Assistant Police Chief
Daryl Gates told the com-
mittee, before it voted to
disband itself, "I see a lot of
reasons not to reopen the
case. It's very time consum-
ing to go over this time and
time again."

(Mount Clipping in Space Below)

New Panel in Kennedy Death Probe Urged

Schrade, Bugliosi Seek Extension of 'Second-Gun' Inquiry

BY JOHN KENDALL

Times Staff Writer

Appointment of a new panel of experts in the "second-gun" inquiry into the assassination of Robert F. Kennedy was suggested Tuesday in Los Angeles Superior Court.

Paul Schrader, who was also shot when Kennedy was fatally wounded, and lawyer Vincent T. Bugliosi held a press conference, then filed a 28-page petition with Superior Judge Robert A. Wenke containing the proposal.

Wenke, presiding Superior Court judge, presided over an inquiry by seven experts who examined bullet evidence in the Kennedy case and found "no substantive evidence" of a second gun.

Critics contend, however, that since experts did not positively identify bullets that hit the victims as coming from Sirhan Sirhan's gun, the question of a second gunman in the Ambassador's pantry seven years ago remains open.

Another hearing is scheduled for Dec. 16 to cross-examine a seventh expert about his findings. Bugliosi proposes to ask Wenke then to approve appointment of a ballistics panel to study the number of shots fired and their pathways.

Schrader's petition maintained that a new ballistics examination would not be an expansion of the current inquiry but would be an extension of the "second-gun" investigation that led to test firing Sirhan's gun.

Bugliosi told a Greater Los Angeles Press Club press conference that the court also would be asked to permit the questioning of several witnesses and to order the release of official police records.

The former Charles Manson prosecutor said statements he had obtained from a Los Angeles Police Department sergeant and a former Ambassador maitre d' were at the "heart" of Schrader's position.

Bugliosi read from a statement signed by Sgt. Robert Rozzi in which the officer said that after Kennedy was shot he saw what appeared to be a bullet lodged in a door jamb at the Ambassador.

If Rozzi saw a bullet, the attorney said, it would be a ninth slug not accounted for in the July, 1968, LAPD report of what happened to the eight shots fired from Sirhan's gun.

He said a possible 10th bullet is suggested by a statement he secured from Angelo DiPierro, a former Ambassador maitre d' and now director of operations at the Palladium in Hollywood.

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A.O. Richards

According to DiPierro's statement, DiPierro saw a small-caliber bullet lodged in a wooden divider between two swinging doors leading into the pantry where the senator and five others were shot.

Bugliosi insisted that while statements by Rozzi and DiPierro were not "100% conclusive evidence," the inquiry had developed "solid, substantial evidence of a second gun."

The Schrade petition described the LAPD's version of the bullet pathways as "shamefully superficial" and contended that "no case would possibly call for a ballistic examination more than this one."

The petition asked the court to order the Police Department to produce all records and analyses of all ceiling panels, center dividers, door jambs or anything else examined in the pantry area.

Bugliosi castigated the LAPD for destroying ceiling panels and a door jamb taken from the Ambassador. He said all possible evidence should be kept in a case, even if it is a truck.

Schrade pointed out that the 2nd District Court of Appeal had sharply criticized LAPD criminalist DeWayne Wolfer's handling of evidence in another case.

"I think new light comes into this case that we're dealing with an incompetent crime lab and Police Department," he said.

Asked whether he thought there had been an official conspiracy to conceal the possible existence of more than eight bullets, Bugliosi declined to answer directly.

"All I can tell you is this," he said. "The more I get into this case the more I see things I don't like. I think you can draw certain inferences from that."

(Mount Clipping in Space Below)

Mystery Shots at RFK Cited

Los Angeles attorney Vincent T. Bugliosi has disclosed what he claims is evidence of one, and possibly two, mystery bullets at the scene of the Robert F. Kennedy assassination here in 1968.

Bugliosi and his client Kennedy aide Paul Schrade, who was wounded in the shooting at the Ambassador Hotel, revealed the evidence yesterday in a motion for a new Superior Court hearing.

At a news conference, the two men showed photographs and documents purporting that at least one and maybe two more shots were fired in the hotel pantry the night of the shooting.

Bugliosi said they were petitioning for the right to question police Sgts. Robert Rozzi and Charles Wright, who were pictured examining one supposed bullet hole in a doorjam near the pantry floor.

Bugliosi also offered a statement by Angelo Di Piero, then maître d' at the Ambassador, on his discovery of another supposed bullet hole in a wooden divider between two swinging doors.

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Sirhan's Gun Probably Fired Shots, Expert Says

BY JOHN KENDALL

Times Staff Writer

The seventh expert in the "second gun" inquiry testified Tuesday that it is "very probable" that Sirhan Sirhan's revolver fired bullets taken from the bodies of Robert F. Kennedy and two others.

Patrick V. Garland, firearms identification expert for Virginia's Bureau of Forensic Science, offered his opinion under questioning by Dep. Dist. Atty. Dinko Bozanich in a hearing before Superior Judge Robert Wenke.

Like six other colleagues who testified earlier, Garland did not positively identify the Sirhan .22-caliber Iver-Johnson Cadet as the death weapon.

He attributed his inability to make a positive identification to a lack of individual striations common to three victim bullets and test-fired bullets.

Garland concluded, however, that everything he found on three bullets taken from Kennedy and two others, Ira Goldstein and William Weisel, was consistent with the barrel of the Sirhan revolver.

What he found, he said, included gross imperfections—described as two furrows at the bottom of a land impression—apparently gouged by a damaged spot in the muzzle of Sirhan's gun.

Garland said he located that double gouge on the three evidence bullets and on both groups of test bullets fired by the Los Angeles Police Department in 1968 and by the experts in its recent study.

Moreover, Garland stated positively that the bullets taken from Kennedy, Goldstein and Weisel came from the same gun. Four other experts on the panel reached the same conclusion, directly or by inference.

In a joint report, the panel, headed by Garland, concluded there was "no substantive or demonstrable evidence" of a second gun.

Critics have continued to insist, however, that since the Sirhan gun

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was not positively identified as the death weapon, and possibility of a second gunman remains.

Paul Schrade, one of the five victims wounded when Kennedy was shot at the Ambassador, is seeking to extend the inquiry to questions of how many shots were fired and their pathways in the hotel's pantry.

In support of Schrade's petition, attorney Vincent T. Bugliosi has offered reports of two LAPD officers and two others who worked for the Ambassador to suggest that 11 bullets were fired, three more than held by Sirhan's gun.

Essentially, the four said they either saw what appeared to be bullets embedded in wood in the pantry or were told that bullets had been dug out of wood at the scene.

Wenke scheduled a hearing on Schrade's motion for Dec. 31.

Bugliosi insisted Tuesday that the burden of showing how many shots were fired in the pantry now rests with the LAPD, Los Angeles County district attorney and the state attorney general.

The LAPD concluded that Sirhan fired eight shots, seven of which either wounded Kennedy, struck his coat or wounded five others.

DeWayne A. Wolfer, now civilian head of the LAPD's crime lab, said an eighth shot was lost in the ceiling interspaces of the pantry.

Wolfer's findings were again questioned Tuesday.

Garland described the barrel of Sirhan's gun as heavily leaded and blamed that condition for wiping out individual striations necessary to identify it as the death weapon.

Under questioning by Bugliosi, Garland said he did not know on what basis Wolfer positively identified evidence bullets as coming from Sirhan's gun.

Both Bugliosi and Bozanich pursued the question of how the barrel of Sirhan's revolver became heavily leaded when, so far as is known, 16 copper-jacketed slugs were fired through it until experts recently refired the weapon.

Eight of those shots were fired by Sirhan, according to authorities, and eight others were fired by Wolfer in test firing conducted in 1968.

Since the firing of copper-jacketed slugs tends to clean lead from a barrel, Bugliosi asked Garland how he accounted for the heavy leading in it when the experts received the gun for testing.

"Yes, sir," Garland replied, "I said before it was strange and I can't explain that."

Bugliosi asked the expert whether he believed someone fired uncoated lead bullets through the gun some time between Wolfer's test firing and when the experts examined it.

"Yes, sir," Garland said.