

BOX NO. 1

FOLDER NO. 2

RFK Assassination 2017-0108

The Killing of Robert Kennedy by Jack Kimbrough
and Garth M. Young

1388

THE KILLING OF

ROBERT KENNEDY

BY

JACK KIMBROUGH

AND

GARTH M. YOUNG

FIRST DRAFT

DOCUMENTATION

BY

JACK KIMBROUGH

AND

GARTH M. YOUNG

TABLE OF CONTENTS

Page

| | | |
|------|---|--|
| | INTRODUCTION | |
| I. | TESTIMONY BY THE CHIEF MEDICAL EXAMINER- CORONER OF LOS ANGELES COUNTY, DR. THOMAS T. NOGUCHI | |
| II. | DECLARATIONS OF FIREARMS IDENTIFICATION EXPERTS | |
| III. | WILLIAM HARPER AND THE "COURT OF LAST RESORTS" | |
| IV. | INTERVIEWS WITH WITNESSES. | |
| V. | DIAGRAMS AND PHOTOGRAPHS | |

INTRODUCTION

There are stunning and reckless examples of conspiracy and violence in America during the decade of the sixties: the brutality and murder at Kent and Jackson State colleges and the combat zone atmosphere that prevailed on most university campuses; the savage physical and propaganda attacks as the "New Left," and particularly the Black Panther Party, reaching its zenith with the assassinations of President John F. Kennedy, Malcolm X, Dr. Martin Luther King, Jr., and finally, Senator Robert F. Kennedy, and the attempt to murder Alabama Governor, George C. Wallace.

A pattern of conspiracy and cover-up has begun to bleed through the prestigious official reports and unremitting news management. As constant as time itself, new evidence has been uncovered to support a popular theory that conspiracies existed to assassinate political leaders in this country.

The Warren Commission Report, and its critics, created something approaching an unofficial national debate concerning the events surrounding the murder of President John F. Kennedy. But in the case of his brother, Senator Robert F. Kennedy, an ominous silence is only now being broken. If there was an assassination conspiracy in Los Angeles on June 5, 1968, then the red footprints of the conspirators can only be traced through the cover-up to the basic underlying conspiracy. But before embarking on that evidentiary journey, it is relevant to consider what is known about the primary conspiracy. The trial begins in Dallas, or, rather, San Juan, Puerto Rico:

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

1

Date 12/2/63

LEOPOLDO RAMOS DUCOS, Supra, advised that ANA MARIA DEL VALLE voluntarily appeared at his office on November 26, 1963. She related information that MIGUEL CRUZ told her, "We killed KENNEDY and the next will be RAMOS DUCOS". RAMOS DUCOS had no additional information concerning this statement.

RAMOS DUCOS also related the following:

RAMOS DUCOS formerly was an Organizer of Local 901, Teamsters Union, from 1960 until March, 1962. During this period he heard FRANK CHAVEZ, Secretary-Treasurer of that Local, mention the name of one JACK RUBY as someone connected with Teamsters Union.

Sometime in about September, 1961, FRANK CHAVEZ told RAMOS DUCOS that CHAVEZ had an appointment to meet RICHARD KAVNER, International Vice President of Teamsters Union, and JACK RUBY as well as a third Teamsters official whose name RAMOS DUCOS could not recall. The meeting was to be in San Juan, but RAMOS DUCOS could not furnish any further details. He had neither seen nor talked to JACK RUBY who allegedly killed LEE HARVEY OSWALD in Dallas, Texas, on November 24, 1963.

on 11/26/63 at SAN JUAN, PUERTO RICA File # DL 44-1639

by Special Agent ROYAL L. BLASSINGAME - gj Date dictated 11/27/63.

FD-302 (Rev. 3-3-59) FEDERAL BUREAU OF INVESTIGATION

1

Date 12/2/63

ANA MARIA DEL VALLE, Secretary-Treasurer, Local 610, Hotel and Restaurant Workers Union, advised on November 26, 1963, that she is acquainted with MIGUEL CRUZ as an Organizer for Local 901, Teamster's Union, San Juan, Puerto Rico. On Friday, November 22, 1963, at about 5:00 PM, MIGUEL CRUZ made this statement to her: "They killed KENNEDY and the second will be RAMOS DUCOS".

LEOPOLDO RAMOS DUCOS is President of Local 610, Hotel and Restaurant Workers Union.

MIGUEL CRUZ made no additional statement nor did he clarify the statement he made to DEL VALLE. She paid no attention to this statement because MIGUEL CRUZ always makes absurd statements to employees of the hotels at San Juan to either frighten them or to gain their support for Local 901, Teamsters Union. No other person was present when the statement was made by CRUZ.

on 11/26/63 at SAN JUAN, PUERTO RICA

File # DL 44-1639

by Special Agent ROYAL L. BLASSINGAME - gj

Date dictated 11/27/63

The story is picked up by the syndicated columnist, Jack Anderson, in January of 1973, under the heading of "Assassination Plot."

* In 1967, Puerto Rican Teamsters chief Frank Chavez allegedly flew to Washington intent on assassinating then Sen. Robert Kennedy, Walter Sheridan and their prime witness against Hoffa, Ed Partin. Kennedy's men learned of the assassination plot and asked the FBI for help. They were told, however, that the FBI had no jurisdiction. In the end, Hoffa himself dissuaded Chavez, and the would-be assassin docilely surrendered his pistol to Hoffa. A few months later, Chavez was slain by one of his own bodyguards.

The amplification of these, and other leads, is the task of this book, and screenplay of Sirhan Sirhan.

Before moving into the cover-up itself, the question of "Behavior Modification" deserves a comment. This technique — treated in depth by Dr. Terry Kupers in the introduction, and dramatized by the authors in the story of Sirhan Sirhan — is just now becoming understood as a public threat in the 1970's, comparable to the threat of the electronic surveillance technology of the 1960's.

To this day, Sirhan Bishara Sirhan does not remember anything of the shooting. When Sirhan was taken into custody immediately after the shots were fired, his eyes were dilated, and he seemed to be trembling, as if cold. Later, when he was put under hypnosis by defense psychiatrists, he exhibited the same symptoms. At the scene of the crime, witnesses say that shortly before the assassination, a young woman was seen whispering into Sirhan's ear, and, afterwards, Sirhan had a glazed, and disoriented look on his face and it appeared that the woman (wearing a polka-dot dress!) had to actually hold him up. Psychiatrists agree that he was extremely susceptible to suggestion, and probably had had experience experimenting with hypnotic states of mind.

The topic of hypnosis surfaces in many of the interviews with Sirhan while he was in jail. The accused assassin actually stated that,

This was an assassination in the classic sense of assassinations — where the assassin was — dulled — mentally at the time he commits the crime. The word assassin itself means hashish — hashshashin, persons who are drugged, under the influence of some narcotic, liquor. I wasn't under the influence of marijuana, hashish, or heroin, or whatever. Just a few mirrors and a couple of shots of Tom Collins was enough to put me in that same state, mental state, as the ancient assassins were.

*

"You were planning to kill Senator Kennedy?" asked Jonathan Perkins.

"Only in my mind." (Sirhan)

"Well that's not the only place you can plan it."

"Not to do it physically. I never thought of doing it. I never, I never, I don't see myself, sir, as doing it. I don't have the guts to do anything like that."

"You don't have the guts?"

"It's against my nature, sir, to do that."

"Well, you did it!"

"I did it, but I was not aware of it, sir."

*

"To me, my whole life stopped on June 5. On June 5, reality to me stopped right then, I guess this whole — all the time from then, for the past year, from June 5, '68, on, is unreal to me, sir. I still don't believe what has happened."

* *

The following diary excerpts, with their repetitive references to murder and money, are excerpts from Sirhan's diary, illegally taken from his bedroom by the Los Angeles Police Department investigators after the shooting. This diary is a classic example of what is known as "automatic writing," or writing under hypnosis, and lends great force to the "Behavior Modification" argument that Sirhan was programmed to kill. The diary is responsible for Sirhan's being given a death sentence, as it proves malice and aforethought (premeditation).

APPENDIX D:
Sirhan's Automatic Writing

[illegible]

Friday 31 January 1969 Friday 31 January 69
 RFK RFK RFK RFK RFK
 Robert F Kennedy Robert F Kennedy
 RFK RFK RFK RFK RFK must
 die RFK must die RFK must die RFK
 must die RFK must die RFK must die
 RFK must die RFK must die RFK
 must die Robert Kennedy is going to die
 Robert is going to die Robert is
 going to die P D Durham Durham
 Robert is going to die
 Who killed Kennedy? I don't know
 I don't know I don't know

No No No No No Friday 31 January
 Friday yes yes yes
 No No No
 No No No
 No No No
 No No No
 girl the girl the girl No No No No No
 is this the way you wrote at home
 is this so
 yes yes yes yes yes yes yes yes
 yes yes yes yes yes yes yes yes
 No No No
 practice practice practice practice
 practice mind control mind
 control mind control will be

Hello Tom Sol Sol
perhaps you could use the
enclosed \$ Sol

perhaps you could use the
enclosed \$ \$

\$ \$ Sol Sol \$
perhaps you could use the

Hello Tom — \$ \$
perhaps
perhaps you could use the
enclosed \$ \$ \$
you \$ \$ \$ \$

\$ \$ \$ \$ \$

I have secured a position
as assistant to the manager of Corona
Breedling Farm - (Dozi ARNAZ's)
Res Sirhan Sirhan Sirhan
\$600 per month - 1 Sirhan

in Hello Tom A Sirhan
you How will I contact you after I
will arrive at the airport - I am -
coming up sometime Tuesday
afternoon. Sirhan

Sirhan Did you really 150.
please pay to the order of Sirhan
afternoon - afternoon - afternoon
the amount of 5000 dollars
Sometime in the afternoon
Miss Miss Peggy Osterkamp

on Osterkamp - did you really -
ally it also 750 750 750
do 150 Sirhan the 750 750 Sirhan
750 Master approached W

Sirhan Let us do it Let us do it

Let us do it do it it it Sirhan
88 417 477

Let us do it Sirhan 8-413-477

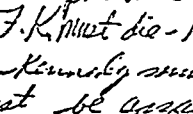
ghatters ghatters 8413477 8413 477
about how much? it will cost.

25
100
00

Peggy Corona Breeding Farm Osterkamp Osterkamp
Peggy Corona Breeding Farm Osterkamp
A Corona B B Breeding Farm Constitution
Peggy Please pay to the order of the Constitution
Peggy United States the
Re Sirhan Sirhan will ever
PP Sirhan Sirhan must begin to work on uphold
PP solving the problems and difficulties
of assassinating the 36th president
of the glorious United States
PP United States United States Kenmore
Kenmore
Sirhan Unfortunately Go Go Go Kelvinator
Nobody No No No Kelvinator
Sirhan Sirhan Sirhan
Sirhan Sirhan Sirhan
Norah My Sirhan Sirhan Sirhan
696 E Howard St
Sirhan Sirhan Sirhan
California California
Roseburg, California
California 696 E green St Burns me

May 18 9.45 AM - 68

my determination to eliminate
eliminate R.F.K. is becoming
 please pay to the Order more the more of, and
unshakable absent


 part time : part time part time
 R.F.K. must die - R.F.K. must be killed Robert
 J. Kennedy must be assassinated R.F.K.
 must be assassinated R.F.K. must be
 assassinated R.F.K. must be assassinated
 R.F.K. must be assassinated R.F.K. must
 be assassinated R.F.K. must be
 assassinated assassinated Robert J.
 Kennedy Robert J. Kennedy Robert
 J. Kennedy must be assassinated
 assassinated Robert J. Kennedy
 must be assassinated assassinated
 assassinated assassinated
 Robert J. Kennedy must be assassinated
 Robert J. Kennedy must be
 assassinated before 5 June 68
 Robert J. Kennedy must be
 assassinated I have never heard
 please pay to the order of of of of

P of of of of this or that
 8 00 00 0 - 0 ME
 Please pay to the order of

(allfillisch)
 life to whom it may concern - please
 pay to the order of Dinhan
 life Dinhan the the the amount
 (life) of 15 death 15 15 15 (Allfillisch)
 must die life 15 \$15,000
 die die die \$ life + death (life)
 die die die perhaps
 die (life) (life) (life)
 die life Perhaps you could use
 die the enclosed \$ die line
 life life die die die die die
 Pol (life) Pol life Pol
 Pol Pol Pol
 Pol Pol Pol

ghattars Dirhan ghattars
 4 Dirhan Dirhan
 ghattars please pay to the order
 please pay to the Venelle very
 Dirhan Dirhan 50 50 7 50 Very good
 50 50 50 5 6 50,000 42
 5 50,000 Very good Very good
 One Hundred thousand Dollars—
 Dollars— One Hundreds ~ 10
 Dir D One One thousand ~ 10
 Dir One Hundred thousand Dollars—
 Dir Dirhan Dirhan Dirhan
 Dirhan Dirhan Dirhan Dirhan
 Dirhan Dirhan Dirhan Dirhan
 Dirhan Dirhan Dirhan Dirhan
 Dirhan Dirhan Dirhan Dirhan

TRANSLATION FROM ARABIC

Between the two lines, "One Hundred thousand Dollars" and "Dollars—One Hundreds" the words in Arabic read "he should be killed." To the right of the second line appears the word "three." Immediately below this word appear the words "papers, papers."

Sirhan Sirhan 8-413-477

Sirhan Sirhan 696 E Howard ST

Gwendolyn Gamm-

Sirhan Sirhan Please pay to the
order of Sirhan

Pay-

Order the Re Resurrection Order
Please pay to the order of Sirhan

Long Live

Tom, My warmest solutions.

*I do not know what has prompted you to
write to me*

*to
Random*

△ △ L Z □ + 56
Kennedy must fall Kennedy must fall
 please pay to the order of Sirhan Sirhan

△ the amount of Sirhan Sirhan and do not
 forget to become any more of a

△ second group of American sailors -
 must be disposed of
 we believe that Robert F. Kennedy must
 be sacrificed for the cause of the
 poor exploited people

we believe that we can effect
 such action and produce such results -
 the hand that is writing doing this
 writing is going to do the slaying of
 the above mentioned victim
 One wonders what it feels like to do any
 assassination that might do some
 illegal work - ~~please pay to~~

I believe that I can effect the
 death of Bert G. Allfellsen

Kennedy must die | Kennedy must fall
 Kennedy must fall Kennedy must fall
 Kennedy must fall Kennedy must
 fall Kennedy must fall

XV.

* * * *

In 1973, students protesting a new "Center for the Study and Prevention of Urban Violence" at the University of California at Los Angeles, leaked the following letter from the center's director, Dr. Jolyn West, an expert in "psychological warfare," "Behavior modification" and "brainwashing," written to the Director of Health, of the Office of Health Planning, in Sacramento, California.

NEUROPSYCHIATRIC INSTITUTE
OFFICE FOR THE HEALTH SCIENCES
ELIZ, CALIFORNIA 95824

January 22, 1973

CONFIDENTIAL

J. M. Stubblebine, M.D.
Director of Health
Office of Health Planning
State of California
714 "P" Street
Sacramento, California 95814

Dear Stub:

I am in possession of confidential information to the effect that the Army is prepared to turn over Nike missile bases to state and local agencies for non-military purposes. They may look with special favor on health-related applications.

Such a Nike missile base is located in the Santa Monica Mountains, within a half-hour's drive of the Neuropsychiatric Institute. It is accessible but relatively remote. The site is securely fenced, and includes various buildings and improvements making it suitable for prompt occupancy.

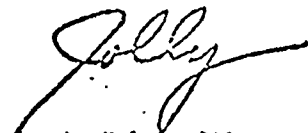
If this site were made available to the Neuropsychiatric Institute as a research facility, perhaps initially as an adjunct to the new Center for Prevention of Violence, we could put it to very good use. Comparative studies could be carried out there, in an isolated but convenient location, of experimental or model programs for the alteration of undesirable behavior.

Such programs might include control of drug or alcohol abuse, modification of chronic antisocial or impulsive aggressiveness, etc. The site could also accommodate conferences or retreats for instruction of selected groups of mental health-related professionals and of others (e.g., law enforcement personnel, parole officers, special educators) for whom both demonstration and participation would be effective modes of instruction.

My understanding is that a direct request by the Governor, or another appropriate officer of the State, to the Secretary of Defense (or, of course, the President) would be most likely to produce prompt results. Needless to say, I stand available to participate in any way that might be helpful.

cc: Earl Brian, M.D.
Secretary, Health and Welfare Agency
Charles E. Young, Ph.D.
Chancellor, UCLA
Sherman M. Mellinkoff, M.D.
Dean, School of Medicine, UCLA

Sincerely yours,


Louis Jolyon West, M.D.
Medical Director

* * * *

The focus of this documentation is on the secondary conspiracy to cover-up what really transpired on June 5, 1968, in the tiny pantry at the Ambassador Hotel, Los Angeles, California.

The polls in the spring of 1968 clearly showed that Senator Robert F. Kennedy was pulling away from Richard M. Nixon (a margin of four percentage points and rising) in the National Presidential race. He was considered, by many, to be the next President of the United States. Kennedy had launched a stinging anti-war, anti-racism campaign, and was promising destruction of organized crime and corruption within the Teamsters Union, making the RFK platform the most radical since 1936. The fact that Kennedy had been successful during the primaries, and that the country appeared to be rallying behind him in his bid for the Presidency, led to the message, sent to New Orleans District Attorney Jim Garrison, supposedly by a Kennedy aide, that, "there were guns between Bobby and the White House."

* * * *

There are certain myths that have clouded the public's eye from the actual events that transpired that evening at the Ambassador. First, although there was live, national coverage of Senator Kennedy's victory speech after the California primary, there was no actual filmed coverage of the shooting itself. (2) The pantry at the Ambassador is an extremely small room and the actual assassination was viewed by only a few people. Minutes transpired before mass hysteria broke out. (3) Network newsmen concluded their coverage of Kennedy as he walked off the stage and into the corridor. As the shooting took place, the best source of information were independent journalists, not hampered by bulky equipment, or tied to a crew. But still, long periods of time passed before there would be any ancillary information, other than the singular point: that Robert F. Kennedy had been shot by another lone madman.

The myth of the one lone madman is the first to be demystified.

On November 22, 1963, John F. Kennedy's motorcade took a sudden and unexpected turn into Dealey Plaza, and the President's rendezvous with death. In the case of Robert Kennedy, a similar last minute change of route occurred. These maneuvers were critical to both killings. Karl Uecker, the maitre'd at the

Ambassador, and in charge of the events of the evening, recalls the last minute switch.

"I had to bring him down to the Ambassador ballroom which was the next floor down, and that was behind the stage and to the left. When we came from the stage and were making the left, somebody stopped us and said they had talked to Kennedy, and said that we were going to the Press Room which was to the right instead of the left, and this is the way to the pantry."

* * *

So Sirhan had been arrested and was in jail, and the long, drawn out process of proving his guilt began. But shortly after the investigation got off the ground, some incredible things started to happen. Evidence began to disappear, or was tampered with, eyewitnesses with revealing accounts were overlooked and never contacted, and, in general, the immediate situation became extremely hard to explain.

The evidence that follows should be considered forensic, in nature, rather than conspiratorial.

In chapter one, you will follow Dr. Thomas Noguchi, the Chief Coroner-Medical Examiner of Los Angeles County, as he gives testimony that will refute the "official" version of the assassination, and lend credibility to the theory of two guns. You will also follow Sirhan himself, as he challenges the authorized account.

In chapter two, you learn the true facts concerning the competence of the Los Angeles Police Department's Chief Criminal Scientific Investigator, De Wayne Wolfer, as he builds a faulty, and false case against Sirhan Sirhan. Wolfer's testimony leads to the inescapable conclusion that the L.A.P.D., and the District Attorney's office were covering-up the truth concerning Sirhan's involvement in the shooting.

In chapter three, you will be presented with the criminalistic truth about Sirhan's gun, and the fatal second gun, as told by William Harper, the famous professional criminalist of 35 years, who was a member of the Pasadena Police Department, and an original founder of Earl Stanley Gardner's "Court of Last Resorts."

In chapter four, you will read excerpts from the many interviews of people close to Sirhan and Kennedy, also challenging the authenticity of the "official" report.

And, finally, in chapter 5, you will see diagrams and photographs of the pantry at the Ambassador Hotel, that contradict the L.A.P.D.

* * *

California legislator Jesse Unruh, who was in the pantry during the time of the shooting, and who helped wrestle the gun from Sirhan's death-like grip, said, as Sirhan was being pummeled by onlookers, "Don't kill him! We don't want another Dalls."

In reality, Los Angeles went far beyond Dallas. The behavior of the prosecution criminalist, the propaganda and public relations techniques of the L.A.P.D., and the D.A., and, ultimately, the cover-up itself, surpassed the Warren Commission Report, and established a new precedent for suppressing the truth.

Perhaps the major difference between Dallas and Los Angeles, is the fact that there is a living defendant. If Sirhan Bishara Sirhan is not a knowing member of a conspiracy, then he can only be guilty of attempted murder, assault with a deadly weapon, and discharging a firearm within the city limits; and we must look elsewhere to level the charge of homicide.

*

TESTIMONY BY THE CHIEF MEDICAL EXAMINER-CORONER
OF LOS ANGELES COUNTY, DR. THOMAS T. NOGUCHI

The testimony of Dr. Thomas Noguchi before a Los Angeles Grand Jury indirectly verifies the contention that there were two guns in the pantry of the Ambassador Hotel, and also, the probability that the fatal bullet was not fired from Sirhan's gun.

From all the interviews of eyewitnesses to the assassination, Sirhan was never placed closer than two and a half to three feet from Senator Kennedy, and at no time was Sirhan behind Kennedy, or did Kennedy ever have his back to Sirhan. These facts become critical when Dr. Noguchi testifies that not only was the fatal bullet fired from behind Senator Kennedy, (Gunshot Wound #1) but that the muzzle distance was only two to three inches from the Senator's head. Later, after a more careful examination, Dr. Noguchi estimates the muzzle range at one inch.

Q So that you would regard Wound Number 1 then as being the wound that did cause death, is that right?

(Dr. T. Noguchi) A That's correct, sir.

Q And would you tell us what you found physiologically and anatomically with respect to Wound Number 1?

A. The Wound Number 1 was found behind the right ear.

Q. BY MR. MINER: Doctor, from the tattooing that you described on the edge of the ear as to bullet Wound Number 1, do you have any opinion as to what might have been the distance from which that bullet was fired?

A. Yes, I do have an opinion, sir.

Q And what is your opinion, Doctor?

A May I -- before I would express my opinion, I would like to qualify myself that this area may be area called criminalistic or firearm identification, and without having an opportunity to test the suspected firearm, using similar cartridge and a bullet, and it will be very difficult for forensic expert to express in a distance by how many inches.

However, the position of the tattooing and the powder on the edge of the right ear indicate that gunshot wound was inflicted, and I would say that the muzzle distance was a -- very, very close.

Q Do you believe this was a contact wound, that is, the muzzle was actually up against the body of Senator Kennedy?

A I would like to study further, since there are -- continuous examination must be conducted because the surgeon had removed the fragments of the skull, which may contain the powder. However --

Q Let me put it this way, can you give -- do you have an opinion as to the maximum distance the gun could have been from the Senator and still have left powder burns? How is that. Can you give us an opinion on that?

A Well, yes, I think so. I can express an opinion. Allowing a variation, I don't think it will be more than two or three inches from the edge of the right ear.

Following Dr. Noguchi's Grand Jury testimony a bitter campaign was launched against the internationally recognized scientist and physician to discredit him and by doing so, discredit his potentially blockbusting testimony in the case of RFK. L. S. Hollinger, Chief Administrative Officer of the Board of Supervisors spearheaded the drive, and eventually emerged with 56 charges against Dr. Noguchi ranging from "the use of profane language," to the "taking of stimulants and depressants in combination and in excessive quantities, and by exhibiting symptoms which indicate a need for psychiatric care."



CHIEF ADMINISTRATIVE OFFICER
COUNTY OF LOS ANGELES

713 HALL OF ADMINISTRATION / LOS ANGELES 12, CALIFORNIA

L. S. HOLLINGER
CHIEF ADMINISTRATIVE OFFICER

March 14, 1969

MEMBERS OF THE BOARD
ERNEST E. DESS
CHAIRMAN
FRANK G. BONELLI
KENNETH HANN
BURTON W. CHACE
WARREN H. DORN

Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration

Gentlemen:

SUBJECT: REPORT ON INVESTIGATION AND RECOMMENDATION
TO DISCHARGE DR. THOMAS T. NOGUCHI,
CHIEF MEDICAL EXAMINER-CORONER

On March 4, 1969, your Board on my recommendation suspended Dr. Thomas T. Noguchi from his position as Chief Medical Examiner-Coroner for an indefinite period not to exceed thirty (30) days. At that time, you directed me to investigate, report and recommend appropriate action within thirty days. This investigation is now completed.

In conducting the investigation we have confined ourselves to current events and to occurrences during Dr. Noguchi's tenure as Chief Medical Examiner-Coroner which began on December 19, 1967. Further, we have confined our investigation to those matters relating to Dr. Noguchi's ability to administer his department. We have not investigated his professional ability as a Forensic Pathologist. In fact, statements have been made to us by a number of people which would indicate that Dr. Noguchi is well qualified as a forensic pathologist.

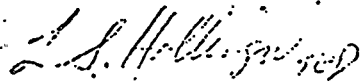
However, based upon my investigation of his fitness to conduct the duties of his office as Chief Medical Examiner-Coroner and administer the responsibilities of the department, I have prepared the attached letter of discharge and statement of reasons therefor and I now recommend that:

1. the up to thirty (30) days suspension of Dr. Noguchi from his position as Chief Medical Examiner-Coroner as approved by your Board on March 4 be sustained;

March 14, 1969

2. and that on March 18, 1969, Dr. Thomas Noguchi be permanently discharged from his position as Chief ~~Medical Examiner-Coroner~~, and from County service;
3. the Board of Supervisors approve the attached Letter of Discharge and Statement of Reasons therefor; and
4. instruct the Executive Officer of the Board to sign the attached letter and to cause it to be served on Dr. Noguchi, and to be filed with the Civil Service Commission as required under Section 19.02 of the Rules of the Civil Service Commission.

Very truly yours,



L. S. HOLLINGER
Chief Administrative Officer

LSH:o

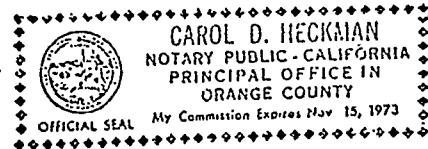
cc: Each Supervisor
County Counsel
Civil Service Commission
Chief Medical Examiner-Coroner

Attach.

Aside from Dr. Noguchi's Grand Jury testimony, which essentially refuted the L.A.P.D. version of the shooting, there was another reason why Dr. Noguchi had to be dealt with effectively, fired, or forced to resign. The County Coroner had contacted Dr. Vincent Guinn, concerning the application of a scientific technique called "Neutron Activation Analysis" to the bullets retrieved from the assassination, which Dr. Guinn had studied for eight years and was an authority.

This scientific analysis would determine, conclusively, if all the bullets involved in the shooting were fired from the same gun. This technique was utilized in the investigation of the convicted mass murderer Juan Corona in California. A sample from a bullet found in the body of one of the dead men was matched, by Neutron Activation Analysis, to the bullets in Juan Corona's 9-mm. automatic pistol. This, by far, was the most damaging evidence against Corona at his trial in which he was convicted. Dr. Noguchi, seeking the same Neutron Activation Analysis, contacted Dr. Guinn following the assassination, but, as Dr. Guinn states in the following deposition, he was never contacted again by Dr. Noguchi.

1 STATE OF CALIFORNIA
2 COUNTY OF LOS ANGELES
3



4 DECLARATION OF DR. VINCENT P. GUINN

5
6 I

7 My name is DR. VINCENT P. GUINN, and I am a Professor of
8 Chemistry at the University of California, Irvine, California.

9 II

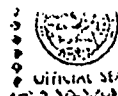
10 I hold the degrees A.B. and M.S. in Chemistry from the
11 University of Southern California, and the Ph.D. in Chemistry from
12 Harvard University.

13 III

14 I have had many years of professional experience in chem-
15 istry, research, and teaching, and I have published numerous scien-
16 tific papers, as can be ascertained by perusal of my attached
17 resume.

18 IV

19 One of my fields of research specialty is a scientific
20 technique known as Neutron Activation Analysis; I have particularly
21 undertaken application of this technique over an eight-year period
22 from 1962 to 1970, when I was on the research staff of the Gulf
23 General Atomic Corporation, in San Diego, and since 1970, at the
24 University. In this field, I have authored and co-authored reports
25 and scientific papers. One of my main areas of application of this
26 technique has been in the area of Scientific Crime Investigation.
27 My forensic activation analysis studies at Gulf General Atomic
28 were conducted with the financial support of the United States



NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
ORANGE COUNTY
My Commission Expires Nov. 15, 1973

Atomic Energy Commission (Contract AT (04-3) GGA Project 295), and
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Assuming that the eight copper bullet casings removed
from the gun of Sirhan B. Sirhan on June 5, 1968, were all of one
manufacturer (indeed, I understand, all eight have been reported
to have been made by Cascade Cartridge Company, all bearing the
letter "C" at the firing pin end of the copper jacket), the scien-
tific presumption and scientific likelihood is that all eight
bullets placed in the gun by Sirhan were selected from the same
box of 50-shot capacity 0.22 caliber ammunition. Also, the scien-
tific likelihood is that all 50 cartridges in any given box of
ammunition were produced in the same "batch" of ammunition, (in
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is made, literally thousands of 0.22 caliber cartridges are made
from one "batch" of bullet lead. This "batch" would then have the
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from one "batch" of bullet lead. This "batch" would then have the
same chemical characteristics throughout the batch - that is, the

1 same percentages of lead and antimony, and the same levels of var-
2 ious other trace elements.

3 Under the assumption that bullets made by two different
4 manufacturers at two different geographical locations and two differ-
5 ent chronological times would potentially have different chemical
6 makeups, (and this assumption is supported by a considerable amount
7 of experimental data), and assuming that the bullets removed from
8 Senator Kennedy's body were manufactured by a different firearms
9 producer than those removed from the spectators at the scene of the
10 crime, there is an excellent probability that this technique would
11 reveal appreciable differences in their respective elemental compo-
12 sitions, if, indeed, these bullets had different origins. It was
13 in this vein that the original contact was made to me by the Office
14 of the Los Angeles County Coroner on June 7, 1968.

15 Following this initial contact and two subsequent ones
16 on September 23 and 24, 1968, I received no further contact from
17 that office, nor any request to proceed with such analysis.

18 It is my opinion that the potentially highly significant
19 findings that could have resulted from the application of this
20 powerful analytical tool were removed from the case of People v.
21 Sirhan by the failure to have such an analysis undertaken, either
22 by the prosecution or the defense.

23 VI

24 The technique of Neutron Activation Analysis is still
25 quite applicable to the analysis of bullet-lead specimens even
26 after a long passage of time. This means that today the tests may
27 still be made on all of the slugs involved in this case, and that
28 the results will be exactly as meaningful today as they were on

1 June 7, 1968.

2 VII

3 I have been contacted by Roger S. Hanson, Attorney at
4 Law, of Beverly Hills, California, pursuant to the possibility of
5 my undertaking these analyses at my laboratory, and I related to
6 Mr. Hanson that I could undertake these measurements. To do so,
7 it is only necessary that I be allowed to remove a minute portion
8 of each bullet. The tiny portion analyzed is also not destroyed in
9 the analytical procedure, and such tiny portions can be removed
10 from the bullets such as to not interfere in any way with any
11 further ballistics analysis that might be undertaken.

12 VIII

13 I can analyze these bullet specimens and prepare a
14 report covering the analyses and findings, within a period of four
15 weeks after my receipt of the specimens.

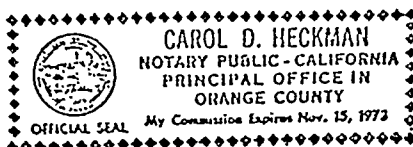
16 VIX

17 It is my professional opinion that the foregoing analyses
18 should have been undertaken in June, 1968, and still should be
19 undertaken at the earliest opportunity.

20 I declare the foregoing to be true under the penalty of
21 perjury this 28th day of November, 1972.

22
23
24 Carol D. Heckman

25
26 Vincent P. Guinn
27 VINCENT P. GUINN, Ph.D.



Professor of Chemistry
University of California
Irvine Campus
Irvine, California

At this point, pressure from the Board of Supervisors was mounting on Dr. Noguchi. Reluctantly, he agreed to resign. His last official act would be his testimony at the Sirhan trial. As the final witness for the prosecution, Dr. Noguchi took the stand and began his post-mortem testimony. While under examination by Chief Deputy District Attorney, Lynn Compton, Dr. Noguchi explained that the bullet that pierced Senator Kennedy's skull and brain was the cause of death, and that it was fired from approximately a one inch muzzle range. The coroner went on to say that a second bullet, retrieved from the fleshy part of the Senator's neck, would not have caused death.

During his Grand Jury testimony, Dr. Noguchi stated that the fatal bullet entering Robert Kennedy's body was fired in a back to front trajectory, and at a slightly upward angle. If Sirhan Sirhan was the assassin, then Kennedy must have had his back to Sirhan at the time of the shooting. This was the prosecution's strategy as they drew up their "official" report. What happened next, was that they could not get any collaboration from eyewitnesses on Kennedy having his back turned. Even the defendant, Sirhan Sirhan, was in disagreement with that theory. When it was pointed out to Sirhan that Kennedy did not see him, nor did he see Kennedy's face until the second shot, Sirhan responded, "I don't know about that. I don't know. I must have faced him. How the hell else would I see him from profile?" At this point, the prosecution had two choices open to them. They could either present their theory of Kennedy with his back turned despite what witnesses would say, and discredit objectionable witnesses with the argument that there was so much confusion in that tiny pantry that no one really knew what they saw, or, they could simply not introduce this evidence, of the bullets coming from behind, in court. The man who would be giving this testimony was Dr. Thomas Noguchi.

Suddenly, Dr. Noguchi's testimony was cut short by Judge Walker who acceded to the defense's request that some of the "gory details" be omitted.

It was later discovered that this episode in court was deleted from the court transcript, as was other important testimony relating to a second gun, either by omission or misquoting. The prosecution and defense met every morning in the judge's chambers to "correct" the previous day's transcript.

Following his experience in the courtroom, Dr. Noguchi suddenly realized the impact his comprehensive testimony would have on the Sirhan trial. His testimony alone would be enough to blow the case wide open. Although he had already resigned as Chief Coroner, he withdrew his resignation and, with the help of his attorney, Godfrey Isacc, fought the charges in court. The Japanese community rallied in support of Dr. Noguchi's cause, taking out full page ads in the Los Angeles Times.

Out of 56 charges leveled against him, the Board of Supervisors could not convict Dr. Noguchi on a single count. The pressure being off, since his court appearance had been successfully neutralized, Dr. Noguchi was exonerated and returned to his post of County Coroner.

In the words of Dr. Noguchi, "There may be more to this story than we know."

These revelations, concerning Dr. Noguchi's testimony at the trial and the deletions from the court transcript lead to serious doubts as to the sincerity and motivations of both the prosecution and the defense in the Sirhan case. The District Attorney's Office of Los Angeles County had founded a murder prosecution on the basis of Dr. Noguchi's autopsy and introduced him as a witness for the purpose of endorsing his findings and yet Dr. Noguchi was not allowed to express his conclusions in court. There were no objections.

* * * *

The trial of Sirhan B. Sirhan was the most political murder case in the history of Los Angeles, and, needless to say, there were many legal and professional careers riding on the swift and successful conviction of the defendant. It is interesting to look at the positions that members of the prosecution and the Los Angeles Police Department were elevated to following the trial.

- Tom Reddin, Los Angeles Chief of Police during the investigation of the Sirhan case became a news commentator for Channel 5 T.V. at a salary of \$150,000 a year, \$122,000 more than his job as head of the Los Angeles Police Department.
- David Fitts, prosecutor in the Sirhan trial, was appointed to the post of Judge of the California Appeals Court.
- Joseph Busch, Chief Deputy District Attorney, was an interim appointment to the post of District Attorney.
- Lynn Compton, prosecutor in the Sirhan trial, was appointed a Judge of the California Appeals Court.

- Evelle J. Younger was sworn in as Attorney General of the State of California by Appellate Judge Lynn Compton.
- Robert Houghton, in charge of the investigation of the Robert Kennedy murder, was appointed by Attorney General Evelle Younger to the post of Deputy Director of the Attorney General's Office, Division of Law Enforcement.

Should the real truth concerning Sirhan's role in the Robert F. Kennedy assassination be publicly exposed, the legal and professional reputations of these men would, by necessity, be re-evaluated and a situation not unlike Watergate would develop where the cover-up of the crime (the crime of not exposing the truth in this matter) approaches the crime itself.

II

DECLARATIONS OF FIREARMS
IDENTIFICATION EXPERTS

"At the time of the assassination, De Wayne A. Wolfer was acting head of the Los Angeles Police Department Scientific Investigation Crime Laboratory. Wolfer's function, within the crime lab, was to determine and prove that the fatal bullet, as well as the bullets retrieved from the other victims, were, in fact, from the same gun. On the witness stand, aided by a series of enlargements of ballistic comparison photomicrographs, Wolfer proceeded to testify that his research led to the singular conclusion that the bullet retrieved from Senator Kennedy's right armpit (the bullet that actually killed Kennedy was too badly damaged for a convincing comparison to be made), the bullet from victim Mrs. Ira Goldstein, and the bullet from victim Mr. William Weisel, were fired from the same weapon.

This testimony, from a top ranking L.A.P.D. criminalist, was fatally damaging to Sirhan's case; testimony that Sirhan would never come out from under.

A closer look, however, at the actual testing and research performed in the police lab reveals some startling evidence concerning Wolfer's qualifications and competence as a scientific investigation, as well as a new perspective on the sense of responsibility and motivation of the Los Angeles Police Department and the office of the District Attorney.

In the course of his investigation, Wolfer violated six of the most essential precepts involved in firearms identification; steps absolutely critical to any successful (honest) identification of weapon(s) used in a crime. These six precepts are:

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number. (When the evidence gun is not available, a similar gun may be used but the validity of the test is always more questionable.)

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

One such major violation occurred when the test-fire bullets that Wolfer used in his comparison with those bullets taken from the victims were not fired from the defendant's gun, but from another gun "similar" to the one used by Sirhan. This is in complete violation of precept (1) listed above. During the trial, when asked to explain this discrepancy, Wolfer replied, "... we did not make that exacting a determination."

This understatement becomes even more ridiculous in light of the fact that all Wolfer needed to do was request a court order for Sirhan's gun, which was in the possession of the Grand Jury, to perform the necessary and critical tests. By not using the defendant's gun (an Iver-Johnson/22caliber/cadet model/revolver, Serial #H53725), but a similar Iver-Johnson (Serial #H18602), the only gun that can be scientifically placed at the scene of the crime is the substitute gun and not the actual gun used in the shooting.

How the L.A.P.D.'s chief criminalist, and the prosecution could then conclude that the bullets involved in the assassination were, in fact, fired from the same gun is simply beyond explanation. Approximately one month after the assassination, the gun used for the comparison test-shots (#H18602) was reported destroyed by the Los Angeles Police Department. This fact will become substantial later on.

In sum, Mr. Wolfer violated all six of the firearms identification precepts held sacred by professional criminalists; an overwhelming figure; and one can only speculate how many other court appearances this man has made in his career where his testimony has been so infested with inconsistencies.

One such case was the Jack Kirschke trial, where, again, Mr. Wolfer played a star role for the prosecution. When Sirhan was arrested after the shooting his personal effects included a newspaper article about the Kirschke case. On the same night, and throughout his incarceration in Los Angeles he questioned investigators, lawyers, and officers about the case. It seemed that Sirhan was extremely interested in the Kirschke story. Later, the same lawyer that represented Kirschke came forward to defend Sirhan.

At the Kirschke trial, Wolfer had essentially the same task as in the Robert Kennedy killing; to prove that bullets from the same gun (Jack Kirschke's) killed both the victims, Mrs. Kirschke and Mr. Drankham as they lay in bed

together. He accomplished this by employing a single land impression on the Sheriff's test-bullet to identify two different land impressions on the "Drankham" bullet, thus violating precept (6). Similarly, another tactic engaged by Wolfer was to utilize "class characteristics" of fired bullets in a positive identification of a weapon. Clearly, a violation of precept (5).

Wolfer's career of tampering with evidence, possible perjury, and general incompetence certainly did not begin with the Sirhan case.

* * * *

In May, 1971, De Wayne Wolfer was still acting head of the Los Angeles Police Department's Scientific Investigation Crime Laboratory, but looming in the near future was his permanent appointment as head of the department. Of those concerned over Wolfer's imminent new title and authority, Barbara W. Blehr, a Los Angeles attorney, rose to the occasion and initiated a campaign to block Wolfer's appointment by the Civil Service Commission.

Ms. Blehr's first action was to contact the General Manager of the Personnel Department. She drafted a letter outlining in detail the specific complaints against Wolfer, and requested a hearing before the Civil Service Commission. Wolfer countered with a slander suit against Ms. Blehr. The case is still in litigation. Wolfer, and the L.A.P.D., it would seem, have chosen not to quarrel over the issue of Wolfer's appointment and have transferred him to another city. One would think that the L.A.P.D. would wholly support one of their most respected scientific investigators and strive to clear his name and reputation in light of this attack, as he was about to be appointed to the post of the city's highest ranking criminalist.

The following is a letter from Marshall Houts, Editor-In-Chief of Trauma Magazine to Attorney General Younger regarding Wolfer:

TRAUMA MAGAZINE

MEDICINE, ANATOMY AND SURGERY.

MARSHALL HOUTS
Editor-In-Chief

313 Emerald Bay
Laguna Beach, California 92651
(714) 494-4896

Saturday - June 26, 1971

PERSONAL AND CONFIDENTIAL

Hon. Evelle J. Younger, Attorney General
State of California
California State Office Building
217 W. 1st Street
Los Angeles, California 90012

Re: DEWAYNE WOLFER
L. A. P. D. Crime Laboratory

Dear Ev:

This is an elaboration of our discussion last night at Bob Fullerton's.

As I indicated then, I have no personal interest in this matter, but do have a deep academic and professional concern over Wolfer's horrendous blunders in the past and those he will commit in the future if he continues on in his present assignment. I am also concerned that you and the present District Attorney stand a strong chance of getting burned by Wolfer's misdirected hyper-enthusiastic procedures and testimony.

I know all of the men who have stepped forward to speak in this present civil service proceeding. They are all men of great integrity and professional competence whose sole concern is in elevating the field of criminalistics to a professional status (CRIMINALISTICS: The collection, preservation and evaluation of trace evidence (macroscopic and microscopic) which can be used to link an individual suspect to a specific crime. Traditionally, it includes fingerprints, tool marks and firearms identification, the analyses of blood, hair, soils, paints, fibers and fabrics, glass, tire and other prints, photography, the matching of physical pieces, and natural and man-made products of any type that can possibly link the perpetrator to the scene of his crime. The techniques employed have been wet chemistry, optics, thin plate and gas chromatography, microscopy, spectrography, spectrophotography and, more recently, neutron activation analyses, X-radiation procedures and other spin-offs from NASA and the Department of Defense technology).

The idea that these men who are national leaders in criminalistics are out to "get" Wolfer because of motives of "professional jealousy" is totally absurd. They are deeply grieved over his unconscionable antics since these bring discredit to their profession, just as you and I resent shyster tactics by a member of the bar that reflect adversely on us as lawyers.

If ever the cliché "more to be pitied than censured" has viability, it does in this case. Wolfer suffers from a great inferiority complex for which he compensates by giving the police exactly what they need to obtain a conviction. He casts objectivity to the winds and violates every basic tenet of forensic science and proof by becoming a crusading advocate. This is rationalized as being entirely legitimate since the accused is guilty anyway which makes the social objective worthy of the means required to obtain it. The problems of this philosophy, as you well know, are many and grave, not the least of which is that the prosecutor is led down the primrose path to chagrin and embarrassment when the follies of the charlatan are subsequently uncovered.

Unfortunately, there are many Wolfers in this broad area of forensic science. There are no minimum standards for employment (except in a comparatively few of the larger crime laboratories in the country) which means that a poorly trained man without experience or integrity can set himself up as an "expert"; and he is off and running. There is also no denying one of the basic facts of life in the law enforcement field: the pressures on the criminalist by the police arm to give them what they need to make their cases, are substantial.

I will not elaborate on the details of the three cases under consideration by the civil service board (Sirhan, Kirschko and Torrey) other than to say that real experts of integrity who have examined portions or all of the evidence are appalled at what Wolfer did. (I will be glad to discuss these cases with you if you wish). I understand that there are at least four other criminal cases and two civil ones which have already come to light since the Wolfer matter received publicity. There are undoubtedly many others which have been subjected to his hyperenthusiastic, unscientific approach.

The acute problem, of course, is what to do now with the current crisis, both from the standpoint of abstract and practical justice, and from the perspective of how you and the present D. A. can come away undamaged politically. I have two suggestions.

Wolfer should be encouraged to go into retirement for which he is eligible. This is the only way I know to help the present turmoil to fade away. No one wants his scalp yet, although I know some lawyers who say they will accuse him of perjury and institute every law suit

possible against every possible party defendant if he does receive permanent civil service status. His potential damage and embarrassment in future cases will be greatly magnified if he receives the vote of confidence the appointment will give him.

Secondly, I would suggest that you consult with George Roche who heads your own crime laboratory in Sacramento. Roche is a sound criminalist. David Q. Burd works under Roche and is recognized as a top firearms identification specialist throughout the country. Let Burd and whoever else he suggests look at all this evidence carefully, and then advise you exactly what Wolfer has perpetrated in these three and any other cases that come to light. By all means, don't let a group of police "experts" in firearms identification, who might be suggested to the civil service board by Wolfer, give Wolfer a coat of whitewash. This can't possibly do you or anyone else any good at all.

Thirdly, and perhaps most importantly, you can salvage something substantial and affirmative from the situation by appointing the first Criminalistics Review Board in the country. This would be composed of some of the national leaders in the field who are here in California, men like Jack Cadman, Head of the Sheriff's Crime Laboratory, Orange County, Anthony Longhetti, Head of the Sheriff's Crime Laboratory, San Bernardino County, Wayne A. Burgess, Head of the District Attorney's Division of Investigation, San Diego County, John Davis, Head of the Crime Laboratory, Oakland Police Department, and Lowell Bradford, Head of the District Attorney's Crime Laboratory, Santa Clara County. There are others, but this is an excellent nucleus from which to begin.

If any question arises in the field of criminalistics, it can be referred to this Board for analysis and opinion. The Attorney General or District Attorney (from any county in the state) can act with confidence on the recommendations of this Board. By way of specific example, if the evidence in the three questioned cases, (Sirhan, Kirschke and Terry) had been submitted to the Board before trial, I am sure that it could have been straightened out before trial so that the D. A.'s hand would have been strengthened, or the police would have been told to redirect their investigations into other channels.

I do not wish to impose on your time unduly so I won't expand upon this concept of the Criminalistics Review Board unless you wish it. I do think that it can be a strong affirmative first for you that can have an excellent substantive as well as political results.

I'll be glad to run in and talk to you about these matters if you wish. If I can do anything else for you, please let me know.

Sincerely yours,

(signed) MARSH

The following is a copy of the initial letter written by Barbara Blehr, including the statements of national and internationally renowned criminalists all endorsing the mandatory utilization of the six precepts as they relate to firearms identification. In addition, the legal brief submitted by Ms. Blehr to the Superior Court of the State of California for the County of Los Angeles in her own defense of Wolfer's slander suit.

BARBARA WARNER BLEHR
ATTORNEY AT LAW
406 SOUTH SPRING STREET
LOS ANGELES, CALIFORNIA 90013
TELEPHONE (213) 624-3481

May 28, 1971

Mrs. Murriel M. Morse
General Manager Personnel Dept.
Civil Service Commission
Room 400, City Hall South
Los Angeles, California

Re: Appointment of De Wayne A. Wolfer

Dear Mrs. Morse:

A request is hereby made by the undersigned for a hearing before the Civil Service Commission as to the qualifications of the above named person to act as head of the Los Angeles Police Department Scientific Investigation Division Crime Laboratory.

It is my understanding that Mr. Wolfer is now acting head on a temporary basis for said laboratory, and that his appointment is due to become final July 1st. My belief that Mr. Wolfer is completely unqualified for the position is supported by the following considerations:

(1) There are numerous fundamental precepts upon which the science of firearms identification is based. All criminalists and firearms examiners must abide by the precepts and disciplines of their profession. Six of these precepts, which Mr. Wolfer has violated, are listed below:

Precept (1) The positive identification of an evidence bullet as having been fired from a particular gun and no other must be based on a comparison of the evidence bullet with a test bullet recovered from the same evidence gun and no other.

Precept (2) The most accurate and reliable determination of the approximate distance between muzzle and victim (excluding contact) based on powder pattern distribution must be made with the actual evidence gun and no other. It is also important to use the same make and type of ammunition, preferably from the same batch or lot number. (When the evidence gun is not available, a similar gun may be used but the validity of the test is always more questionable.)

EXHIBIT "A"

-1-

Mrs. Murriel M. Morse
Page Two
May 28, 1971

Precept (3) The land and groove dimensions (part of the rifling specifications) may be identical or nearly identical between different firearms manufacturers.

Precept (4) Very similar copper coatings are used on many different makes of lead revolver bullets.

Precept (5) CLASS CHARACTERISTICS as shown by the rifling impressions on a fired bullet play absolutely no role in the identification of such a bullet as having been fired from one particular gun out of the entire world population of guns having the same class characteristics.

Precept (6) A single land of the rifling of a firearm can produce only one land impression on a fired bullet.

These precepts are expressions of basic common sense and are universally accepted. They are truisms in the same sense, for example, that the assertion "a single blade of a plow can cut only one furrow as it moves over the ground" is a truism. The violations of the above precepts by Mr. Wolfer will be pointed out briefly in two of the three cases abstracted herewith.

(2) CASE NO. 1. (SC# A222633) In this case Mr. Wolfer testified he had made a positive identification of the defendant's gun as the murder weapon. In making this identification Mr. Wolfer produced in evidence enlargements of ballistic comparison photomicrographs to support his testimony. A very thorough study of these photographs and the evidence bullets disclosed, however, that Mr. Wolfer had matched a single land impression on the test bullet with TWO different land impressions 120 degrees apart on the fatal bullet. This amounts to saying that a single blade of a plow cuts TWO furrows in the ground over which it moves - an obvious impossibility. His procedure and testimony are thus a clear-cut violation of Precept (6) and completely invalidates the identification of the defendant's gun as the murder weapon.

Mr. Wolfer also violated Precept (5) by indicating certain CLASS CHARACTERISTICS as part of the proof of "matching" between test and fatal bullets.

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

Exhibits substantiating these statements are in my possession.

EXHIBIT "A"

-2-