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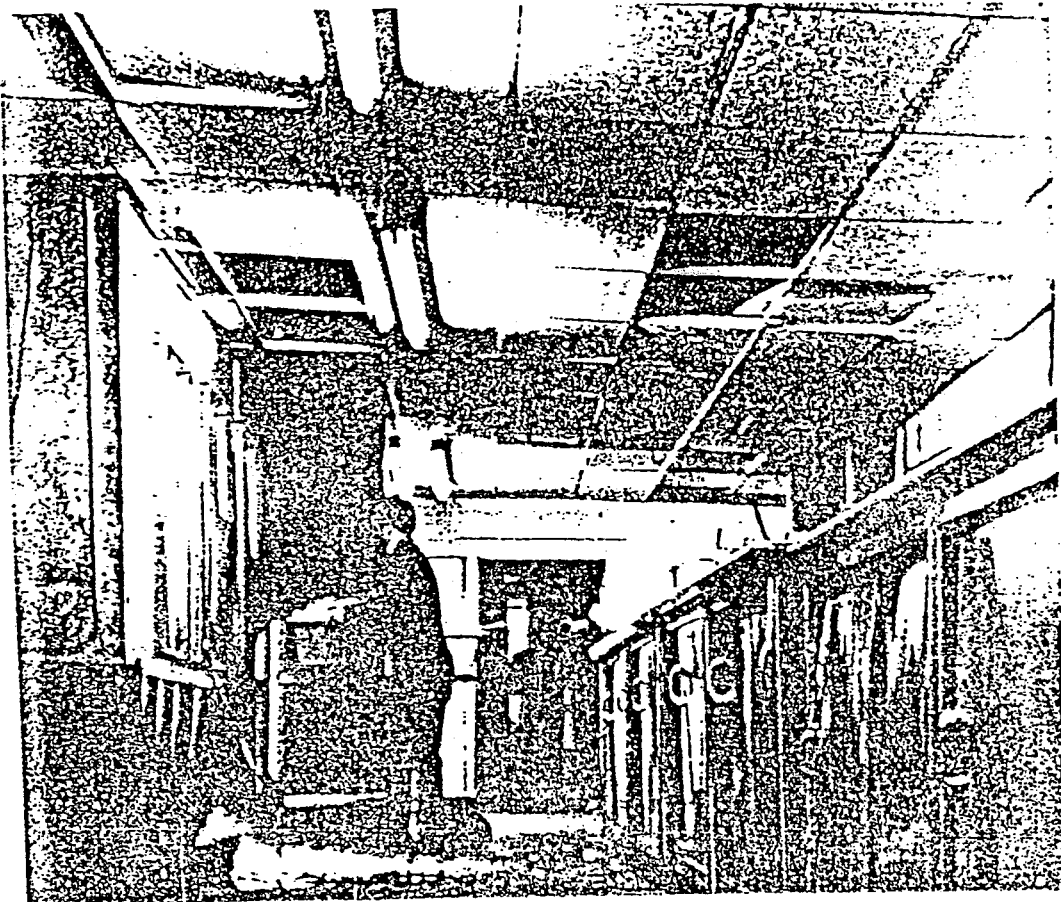
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I do not know that I have ever considered any case completely closed. Simply because we deal with people, the possibility always exists that information will emerge long after the accused has received a verdict of guilty or not guilty... Therefore, the files of any criminal investigation should never be completely closed.

-Robert A. Houghton, former
Los Angeles Chief of Detectives
who directed the investigation
of the murder of Robert F. Kennedy



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A view of the western end of the Ambassador hotel pantry, taken on June 6, less than 36 hours after the assassination.

FIGURE 1.12

X-775

Chapter One

How Many Bullets?

"I would say that eventually there will be theories about 11 bullets, 12 bullets and 13 bullets, and either Mr. Sirhan Sirhan is guilty - and should remain in prison - or he's innocent..."

-Los Angeles Chief of Police Edward M. Davis, December 4, 1975.

"There were eight bullets fired, seven recovered, and there were never any more shots fired. That's the fact..."

-Los Angeles District Attorney Joseph P. Busch, December 18, 1974.

In the very early morning of June 5, 1968, a spray of bullets in a pantry of the Ambassador Hotel in Los Angeles tore into the bodies of six people, wounding five, and killing, twenty-five hours later, Robert F. Kennedy, himself the brother of a murdered president. Around the dying senator five other victims crouched or lay in their own blood. Paul Schrade, a 43-year old regional director of the United Auto Workers Union, had toppled backwards over waiter Vincent DiPierro, bleeding profusely from a scalp wound, spattering DiPierro's face and glasses with his blood. Ira Goldstein, 19, had fallen almost on top of them, hit in the left buttock as he stepped over Irwin Stroll, who had been struck in his left shin. At the other end of the pantry William Weisel, an ABC-TV unit manager, clutched at his abdomen; Elizabeth Evans sat near him, blood from a wound in her forehead trickling down her face. Some feet away the immense figure of assistant maitre d'



(B)

[Handwritten signature]

Senator Kennedy lying on floor prior to removal
to Central Receiving Hospital.

Karl Uecker had fixed a hammerlock on a tiny man bent double on a serving table, clutching a .22 caliber pistol in his hand as a crowd of men behind him struggled for his gun.

"I thought there were a whole flock of people shooting at us," journalist Kristi Witker said later. "I felt if I had to get shot, it was just as well to get shot right there, so I didn't move... It never occurred to me there was only one man. There seemed to be so many shots I was sure there was a whole band of people. The guy next to me (Schrade) was shot in the head. He fell down and was bleeding on my foot. Another man on the other side (Weisel) was shot in the stomach." (N) Numerous other witnesses had detailed - and varied - accounts of the panic and chaos of those first few moments.

Three bullets had hit Senator Kennedy - two in his back and one in the back of his head. A fourth bullet had passed harmlessly through the shoulder-pad of his jacket. The two of these bullets which lodged in his body were later removed - one from the head by Dr. Henry Cuneo at Good Samaritan Hospital, and one from the lower portion of the back of the neck by Dr. Thomas Noguchi, the county coroner.

One bullet was retrieved from the forehead of Paul Schrade; one from the left hip of Ira Goldstein, one from Irwin Stroll's shin; one from the scalp of Elizabeth Evans; and one from William Weisel's abdomen. Another bullet had apparently passed through Ira Goldstein's pants leg without inflicting injury.

There were a total of eight bullet wounds, a total of seven bullets removed from victims. Two bullets had come sufficiently close to victims to leave entry and exit marks in clothing. The assailant

that many of the eighty people in the pantry saw carried a .22 caliber Iver Johnson pistol -- capable of firing eight shots. Apparently he had made every bullet count.

The gunman apprehended was a twenty-four year old Palestinian Arab named Sirhan Bishara Sirhan. He was five feet three inches tall and weighed 120 pounds. It took more than six men, two of them professional athletes, to subdue him and wrest the gun from his hand.

The scene was one of wild confusion - bodies falling, men struggling to stop the shooting, the uninjured rushing to assist the injured, photographers and newsmen attempting to record the event, with shots sounding like firecrackers throughout the small confined pantry.

Only a few moments before, it had been a scene of jubilant victory. Robert F. Kennedy had just won the California Democratic Primary and both the first and second floor ballrooms of the Ambassador Hotel were filled to overflowing with excited Kennedy supporters. Having waited until almost midnight to be sure of the victory, Kennedy now descended from his fifth floor suite to address his supporters in the Embassy Ballroom.

In order to avoid the massive crush Senator Kennedy had decided to enter the Embassy Room stage by way of the kitchen area. (F) It was also a last-minute decision to leave the Embassy Room in that direction. Originally it had been planned that he would leave the opposite way going downstairs to address the crowd in the Ambassador Grand Ballroom. Instead, he was directed through the pantry toward the Colonial Room for a news conference with the print media representative who had felt slighted by what they considered a campaign overemphasis on the electronic press.

Senator Kennedy had entered the Embassy Ballroom from the corridor behind the stage to take his place on the temporary stage built out into

FIGURE 1.4



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The podium of the Embassy Ballroom on the morning of the shooting, after the area had been cleared of people. The doors near which police are conferring lead to the area of the pantry.

the Embassy Room itself. The doorway leading into the ballroom was located to the right of this temporary stage as it was faced from within the large ballroom. (See Figure X.) The rostrum was positioned at the center of this raised platform. (F) While the Senator was speaking, the curtains to his rear were drawn so that the built-in stage could not be seen from the audience. When he concluded his speech, he left the temporary stage, passed through the curtains (F), and crossed the real stage to leave by the rear stage door (F). As Kennedy reached the doorway, someone shouted, "This way, Senator," and he was led to the right and down an 18 inch incline on the corridor leading to the pantry. (F) At that moment, the south door of the pantry was closed thereby allowing access only by the north swinging door. An armed security guard stood in front of this door, and joined Robert Kennedy as he passed through it.

It is here, with the decision to go right instead of left that some of the questions about the assassination began. Was it simply coincidence that the gunman was waiting on an unscheduled route? How was it decided that the route would be changed? It has even been argued that since few had known in advance that Kennedy would turn to his right, the events which followed must have been accidental. The facts, however, are otherwise. Even if Kennedy had followed the original plan, it is almost certain that he would have passed through the pantry only a short while later.

* * * * *

In the early morning hours of June 5, police arrived at the scene in increasing numbers. Oddly, there were no police at all in the hotel at the time of the shooting, but the first police car arrived at approximately 12:21, about six minutes after it occurred. At 12:30, the assailant was taken out of the pantry where he had been pinned down against a steam table, and driven to Rampart police station. Officers Travis White and Arthur Placencia, who had taken him into custody, were accompanied by California Assembly Speaker Jesse Unruh, who had been in the pantry during the shooting. Nobody knew the suspect's name.

About ten minutes after the suspect was removed Robert F. Kennedy was carried out of the pantry on a stretcher, back through the kitchen entrance toward the elevator. He was taken on an ambulance toward Good Samaritan Hospital. The five other victims, meanwhile, were leaving or being removed. More police continued to arrive, and it was about this time that the official inspection of the crime scene began.

According to a police log made available seven years later, this investigation extended more than 12 hours, until approximately 1:30 p.m. the same day. It is likely, moreover, that police returned several additional times in the days that followed. Police criminalist DeWayne A. Wolfer, would testify in a deposition in 1971 that "I went to the scene of the crime and I explored the trajectory of all the holes in the wall, and the walls of victims. (sic)... I was there immediately after the death of the Senator. (sic)" (N-153) Asked exactly when he had arrived Wolfer wasn't sure, but said that he remembered that he was watching television at the time. "It was still in the vicinity of midnight, right around there, but I don't

know what time." This, Wolfer added, was "a matter of record."

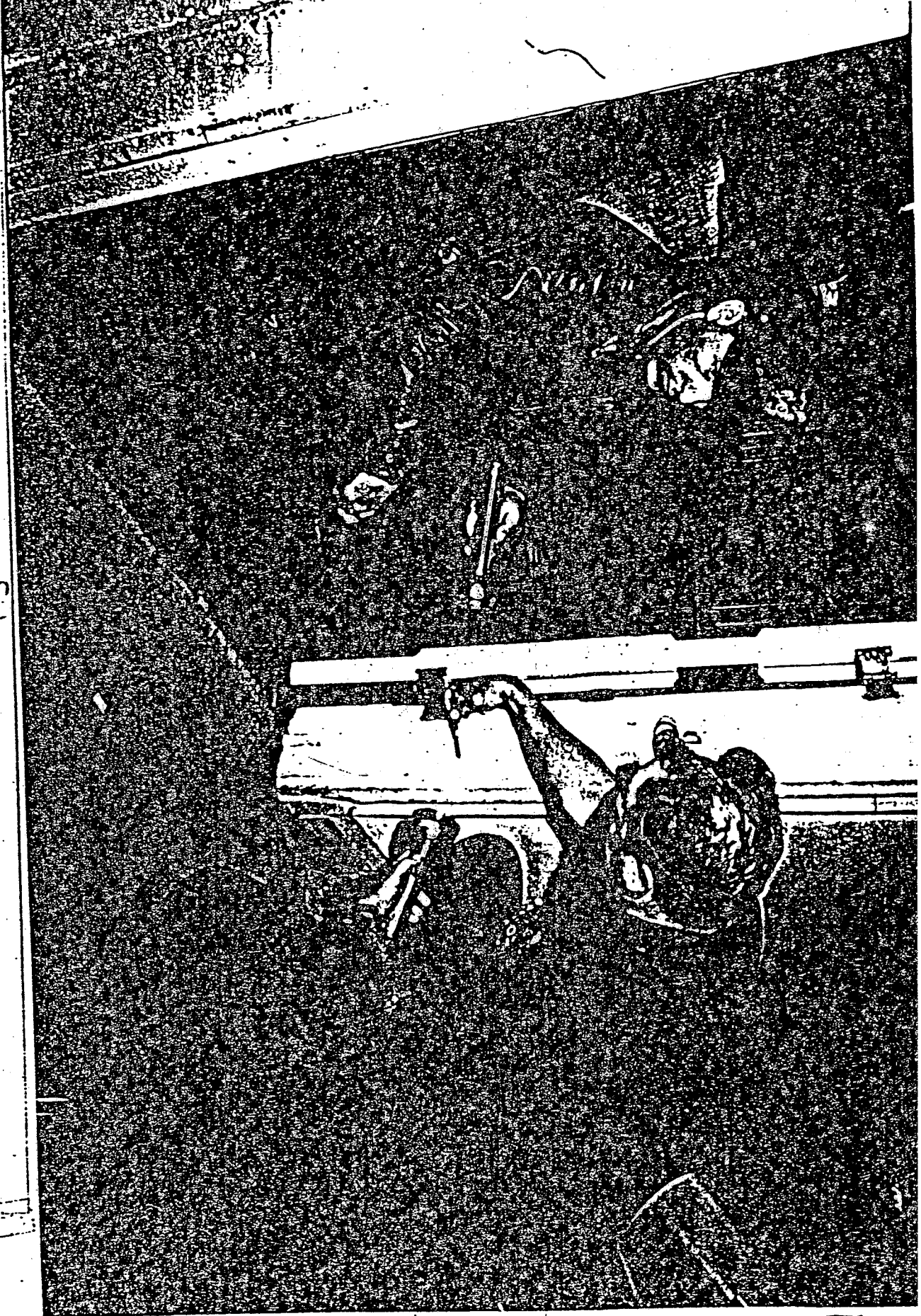
The record, though it was not available for four more years, proved to be somewhat more precise. It said that Wolfer had been called at 1:00 a.m. and had arrived at 2:00. Officer Charles Collier was on the scene at the time and he was assigned to take orientation photos. Under Wolfer's direction, the crime scene was searched for physical evidence.

A second crime scene search began at 4:00 a.m., along with a "reconstruction of firing positions." Parts of this examination were also recorded with photographs, and Wolfer, according to his record, requested Sergeant LaVallee to make a sketch of the area. What precisely was examined during this period, which police officers were involved, and what it was that they discovered, is only imperfectly known. It has had to be pieced together slowly from scraps of testimony, a set of photographs, and the few official records which have been made available. Most of these records, though requested, are still being deliberately withheld.

It is not clear, for example, when the blood stains from the floor were removed, though apparently it happened before 5:00 when La Vallee arrived. La Vallee was the surveyor for the Scientific Investigation Division of the LAPD and according to a later account by Los Angeles Chief of Detectives Robert A. Houghton, he noticed that the floor had been mopped of blood stains, thus eliminating an important clue to locations. Houghton did not mention, however, that at least one set of blood stains was not mopped up, a film of blood that splattered on the western edge of the westernmost steam table. No record is available of which victim this might have come from or of what tests were performed on it.

By 8:00 a.m., according to his work log, Wolfer returned to the main police headquarters at Parker Center "for more equipment." We do

Associated Press photograph of two police officers examining an apparent bullet near the Ambassador pantry on the morning of the shooting. Officials refused to reveal the identity of the two officers involved.



NO CREDIT [REDACTED]

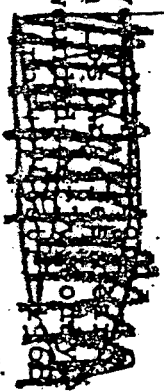


Figure 1.8

not know what the equipment was, or how it was used. As Wolfer then reportedly discussed the case with Lt. Hughes, Hughes' report or recollections might shed light on the state of the evidence as of that time. It is not known, however, if such a report exists, and, if so, it also has been withheld.

No information is available about how many personnel were still on the scene at the pantry, but at 9:30 a.m., the start of a normal day, Wolfer returned there again. A further search of the crime scene was made, and at 10:30 a.m. it is recorded that the floor of the kitchen and west anteroom were swept. The debris was then searched for additional physical evidence.

By his own account, Wolfer "retrieved and was in charge of the crime scene," and the photos taken by Collier show important aspects of the examination which took place. Yet the precise significance of each of these photos is often unclear, and since the photos were never admitted into evidence and no report from Collier is available, many points of ambiguity remain. Official diagrams of the pantry exist, at least one of which may have been drawn by La Vallee, but this is not known for sure, nor has any report La Vallee may have filed on that morning been released. Even diagrams of the pantry taken publicly into evidence at the Grand Jury, which were marked with witness locations as part of the testimony, have also remained unavailable. The reason—such extreme secrecy exists about such items of evidence has never been made clear.

It is unlikely, however, that any of these concerns were anticipated by the officers on hand at this time. Few, if any, of the men who participated in the crime scene search would have guessed at the questions which would later be raised about it. Few would have suspected that 7½

ANALYZED EVIDENCE REPORT

68 521 466

DATE 6-5-68	INVESTIGATION 187 P.C.	ANALYST ASSIGNED	FIELD CALL <input type="checkbox"/>
OFFICER REQUESTING Melendrez	VICTIM Kennedy, Robert F.	SER. NO.	DIV. Rampart Det.
LOCATION OF OCCURRENCE Ambassador Hotel, 3400 Wilshire	DIV. Rampart	DATE & TIME OCCURRED 6-5-68	

ANALYSIS REQUESTED
Trace Bullet Trajectories and search for physical evidence.

DISPOSITION OF PROPERTY	PROPERTY BOOKED TO <input type="checkbox"/> ARRESTEE <input type="checkbox"/> VICTIM <input type="checkbox"/> OTHER:
-------------------------	---

The undersigned is prepared to testify that he is a Criminalist employed by the Los Angeles Police Department; that he did on the 5th day of June 1968 obtain from Embassy Room kitchen area evidence consisting of:

- #1 2 - Ceiling Panels
- #2 2 - Boards from door frame
- #3 Beads

That he did make an examination and analysis of this evidence and in his opinion:

All items booked evidence and photos taken at scene for bullet trajectory. Above items were booked as Items #117 and #118.

Cryptic Wolfer report concerning evidence taken from the crime scene. Though the report was filed 23 days after the assassination, no conclusions were offered.

ANALYSIS COMPLETED 6-28-68	DISPOSITION OF EVIDENCE Released to T.L. Miller #11152
APPROVING Lt. Donald W. Mann #2445	ANALYST (Signature and Serial No.) <i>D. Wayne A. Wolfer</i> Off. Dewayne A. Wolfer #6727

years later still another inspection of the pantry would be ordered, more bizarre than the first, with the ostensible purpose of finding clues which had been missed in 1968. Yet while most of the events of the original search remained obscure, enough information did leak out to raise doubts about what was found. The more that became known, moreover, the more these doubts increased.

* * * * *

Sometime on the morning of June 5, two police officers bent down to inspect the frame of the door that led from the hallway to the Embassy Room stage. The west facing of that doorway would have been in the direct line of fire from Sirhan's gun, through the open pantry door. In the door jamb the officers found a hole with an object in it. The object appeared to be the base of a bullet.

To inspect the hole more closely, they crouched down on the floor and one of the officers shined a flashlight on it. The other tapped it with what appeared to be a penknife. There was something that appeared to be a bullet lodged inside.

At that moment, an Associated Press photographer on the scene, realizing that the policemen had discovered apparent evidence, photographed the examination of the door frame. The photograph was later filed, but was not published. It bore the following caption:

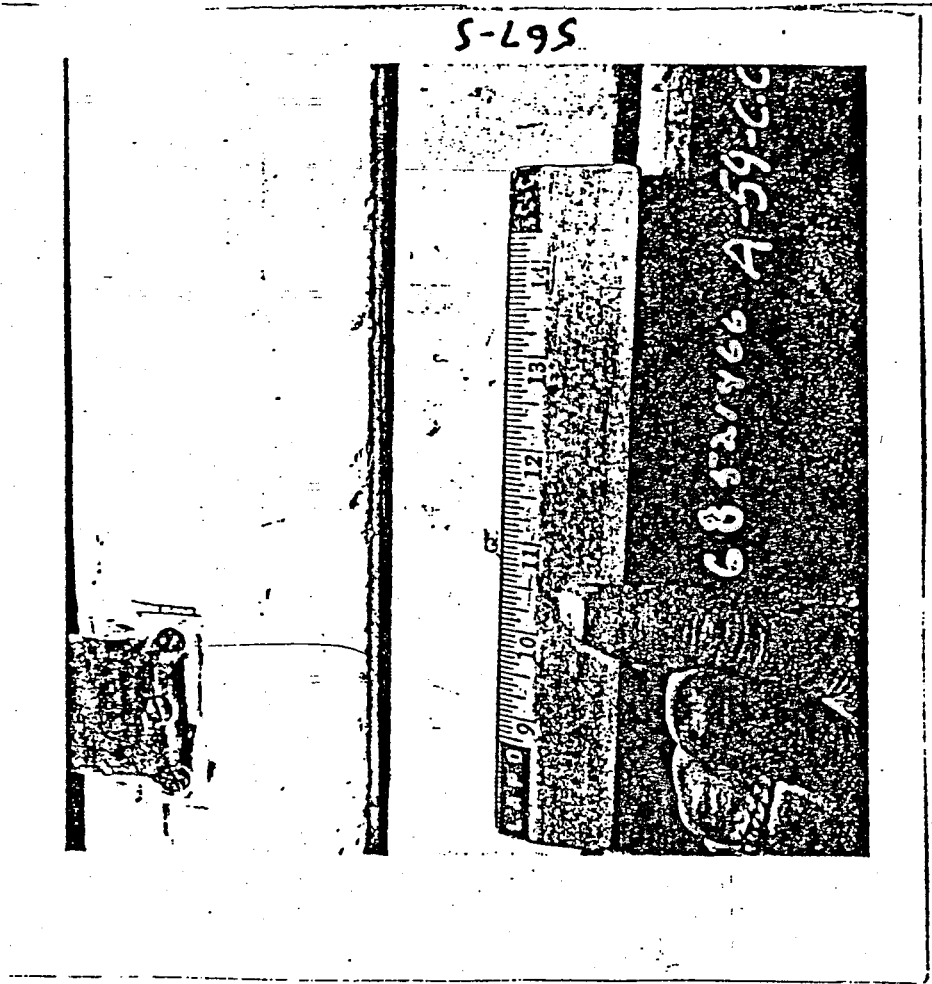
(LA 27) Los Angeles June 5, 1968

(APWirephoto)

BULLET FOUND NEAR KENNEDY SHOOTING SCENE

A police technician inspects a bullet hole discovered in a door frame in a kitchen corridor of the Ambassador Hotel in Los Angeles near where Sen. Robert F. Kennedy was shot and critically wounded early today. Bullet is still in the wood.

(rhs40745stf) 1968



Close-up police shot of apparent bullet in the jamb of the stage door. No records are available of how this object was later examined, or by whom.

At least three other photographs were taken of this examination and filed in the official police records. One, an orientation shot, showed one of the officers pointing at the object and was taken from the corridor to the north-east. (F) This was the door through which Senator Kennedy had passed as he left the Embassy Room stage before turning right toward the pantry. A second photo, closer up, (F) showed one of the officers pointing at the object with a pen and the second holding a ruler beside it. The third and closest shot (F) showed simply the ruler held up against the object in the hole. If the object involved was not a bullet, there is nothing in this photograph to indicated it. (N)

Neither of the officers in this photo, it is now known, were present when the object was removed. Neither, at the time, could know the potential significance of what they examined, nor could the AP photographer who took the photograph. In the next few days, however, seven separate bullets, or the fragments which remained of them, filtered in from hospitals to be booked by police. An eighth bullet, though reportedly not recovered, was needed to account for a wound path through Senator Kennedy's chest and one of the holes discovered in the ceiling panels above the pantry. Since eight bullets were thus accounted for and since the revolver taken from the assailant in custody could only fire eight shots, any additional bullets discovered could mean only one of two things: either a shooting incident had occurred previously in the vicinity of the Ambassador Hotel pantry, or a second gun was involved in the assassination of Robert Kennedy.

With the taking of these four photographs, however, the issue of this apparent extra bullet faded into obscurity. No public reference would ever be made to it in the 14 month investigation that followed, nor about the examination of other areas where bullet holes seemed to exist. Although



A-94-C.C.

68521466

564-5 D41

SIGNED BY ROZZI
11-15-78

Police photo of the examination of the apparent bullet.—The officers involved are the same as were shown in the AP photograph.

~~120~~

official reports were undoubtedly made none has ever been released. All that remained, in fact, to record this incident was a single captioned AP photograph in the news organization's files. The subsequent history of this photograph, and of the official unwillingness to recognize its implications illustrates the problems encountered from the beginning in attempting to obtain answers about the Robert Kennedy assassination.

It was only by accident, in fact, that the photograph's existence was ever discovered at all. In early 1969, Mrs. Lillian Castellano, a Los Angeles widow and student of the Robert Kennedy assassination, was examining some photographs in the local office of the Associated Press. A long-time skeptic about the Warren Commission Report, Mrs. Castellano had immersed herself completely in all the known facts of the RFK shooting. She had already discovered discrepancies which were disturbing, and was in possession of photographs which seemed to suggest bullet holes in the center divider to the pantry swinging doors. She was, however, unprepared for what she encountered among the AP photos she examined that day. Understanding at once the significance of the apparent extra bullet, she obtained a copy from the Associated Press, and attempted to gain some answers to the issues it posed. Though begun in 1969, this effort is still continuing.

By the time Lillian Castellano discovered the AP photograph, however, a puzzling history had already developed concerning the official examination of the issue of number of bullets.

"The first four hours" Chief of Detectives Houghton later wrote, "are the most crucial in any homicide investigation; if the guilty are not apprehended or identified by then, they may never be found." Yet in the case of determining the number of bullets fired in the pantry the slowness



Official police photograph of the same area depicted in the Associated Press photo. Senator Kennedy emerged from this doorway following his victory speech, turning right toward the Ambassador pantry.

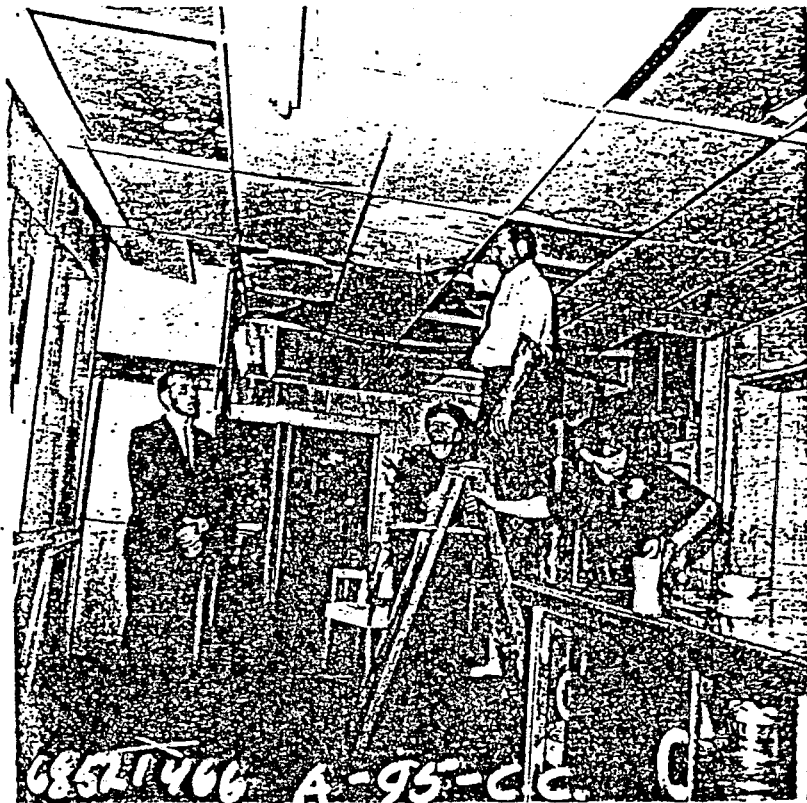
of the investigation is remarkable. If two gunmen were firing, a minimum of two people were "guilty" and the entire dimensions of the crime are altered. But however little may have happened in the first four hours, it is evident that this possibility had not been disposed of even in the first four days.

Certainly evidence of the importance of this question was not lacking. At 1:45 a.m. on the morning of the shooting, Rafer Johnson was interviewed by police, and turned over Sirhan's gun to be taken into police custody. It was an eight-shot Iver Johnson .22 caliber Cadet model revolver, serial number H53725. Eight empty cartridges were in the cylinder. At 5:00 that morning the gun was booked into evidence at Rampart Station and exactly twelve hours later it was received by Police criminalist Wolfer. Shortly thereafter, according to Wolfer's work log, he "examined Iver Johnson to determine number of shots fired." At no later point could Wolfer have been unaware that Sirhan could have fired only eight shots.

By this time, it should have been known that five separate bystanders had been wounded during the shooting, each presumably by a separate bullet. Wolfer, moreover, had already examined the ceiling tiles at the crime scene and he did so again shortly after taking possession of Sirhan's gun. He knew that they contained at least three separate holes. Even if one of these holes were from a ricochet, and even if the ricochet bullet had subsequently struck a victim, that made a minimum total of six bullets. The two bullets lodged in Kennedy's body brought the total to eight, the limit of Sirhan's gun. Any other bullets would have had to have come from a second gunman.

If this arithmetic was not yet clear by the evening of the fifth, it must have been unmistakable by the evening of the seventh, when all the victim bullets or fragments had arrived in police custody. At 3:55 a.m. on

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Wolfer passes a probe through an apparent bullet hole in a ceiling panel in the Ambassador Hotel pantry. Though photo was taken on the morning of the shooting, a portion is already missing from the center divider of the swinging door (compare with photo 1.6). The "X" mark on the floor at the lower left of the photo is meant to show where Kennedy fell.

the morning of the shooting, police had received two vials containing fragments of the bullet removed from Kennedy's brain. These were booked as items 26 and 27. By 5:00 a.m. they had received the bullet from Stroll (item 105) and by 5:20 the bullet from Goldstein..(item 113). At 1:45 p.m. Wolfer took possession of the Stroll and Goldstein bullets, although not apparently of the Kennedy fragments, and fifteen minutes later the remains of the Evans bullet (item 45) were also booked into evidence. At 9:45 the following morning the bullet from Kennedy's neck arrived, having been removed during the autopsy, and at 6:00 p.m. the two remaining bullets (items 56 and 57) came in, taken, respectively, from William Weisel's stomach and Paul Schrade's skull. Seven bullets from six victims, none of them weighing so little that any two wounds could have been caused by the same gun. With three holes in ceiling panels ^{two at the shoulder pad of Kennedy's coat} and an additional through-and-through wound in Kennedy's chest, it was by no means clear that the eight bullets recovered could have accounted even for this damage. Eight bullets was the very minimum that must have been fired, however, and all this must have been obvious no later than the evening of June 7.

Yet by June 9, four and a half days after the shooting, very little progress had apparently been made indetermining whether any other bullets were fired. A meeting was held that morning to review the entire case and the subject of bullets came up in Wolfer's report. "It's unbelievable how many damn holes there are in that kitchen ceiling," Wolfer was quoted as saying. "Even the dorrs have holes in them, which can be mistaken for bullet holes... We've booked two ceiling panels and two boards from a door frame as evidence - but these have to be double-checked to be sure they contain holes through which bullets passed." Yet if a check was made of

these items, no record of the results has been preserved. Three days after this meeting, Wolfer's work log records what is described as "X-rays of evidence," and five days later still there is an entry for "X-rays of door-jam." No notes were saved from these reputed examinations. If X-rays were made they were not preserved, and if conclusions were drawn they were not recorded. On June 28, over three weeks after the assassination, a cryptic "Analyzed Evidence Report" was filed, but "analysis," unfortunately, was totally lacking. The report, in its entirety, is reproduced as figure ____.

Apart from recording the booking of potential evidence 23 days before no observations or conclusions about the evidence were offered. And with the laconic report the official record ends of the LAPD pursuit of critical physical evidence in the murder of Senator Kennedy.

For years afterward, the identity of the "2 Boards from door frame" cited in Wolfer's report has remained unclear. But whether this referred to the area shown in the AP photo or to the center divider Mrs. Castellano was already concerned about, the need for X-rays or other time-consuming analysis remains somewhat obscure. If the object in the AP photograph was a bullet, it was merely necessary to extract it. If the holes in the center divider were caused by bullets, since there were no holes of exit on the other side of the fixture, it would only be necessary to examine the hole and determine if a bullet lay at its end. If bullets had caused any of these holes, the bullets themselves - unless they boomeranged - should have been apparent. Assuming bullets were recovered, where were they? Assuming bullets were not recovered, why conduct pointless X-rays? The only conceivable reason for the "X-rays of door jam" recorded on June 17 would have been to determine if bullets had been recovered but later lost or stolen. Thus, the purpose of these tests, as well as their timing and outcome, remains shrouded in mystery.

The Associated press wirephoto was not the only piece of evidence of possible extra bullets. During the morning hours of June 6, John Clemente, a member of the "Kennedy Assassination Truth Committee" accompanied by John Shirley, visited the Ambassador pantry and took photographs of the scene. The attention of these men was particularly attracted by what was described as "the wooden jamb on the center divider between the two padded swinging doors." The swinging doors in question were those at the west end of the pantry, and the door jamb at issue was on the eastern side of the doors. "In the wooden jamb," Shirley later recounted in an affidavit, "were two bullet holes surrounded by inked circles which contained some numbers and letters." Photos were taken of these holes from both long and short range. The holes were described as between waist high and eye-level, and Shirley observed a hotel manager pointing the holes out to another person, apparently a press photographer. "It appeared," he wrote, "that an attempt had been made to dig the bullets out from the surface. However the center divider was loose, and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed." The two men examined the area for a period, took their photos, and left.

Photos which had previously been taken of this vicinity confirm that things were definitely happening to the center divider. The earliest shots had been made by the police and these remained unavailable for more than seven years. But a Los Angeles Times photograph dated June 5 was available, and in it the same center area is shown from the same vantage point as a June 6 photo taken by Clemente. Here the jamb from the center divider is already missing, showing that it had been removed in the hours following the shooting. This photograph as well was noted by Mrs. Castellano, and

it added to her suspicions about bullets in the center divider. Since the holes at issue had been circled and numbered, these suspicions had apparently been shared by police.

By the time Lillian Castellano had collected her group of photographs, however, the official police position on flight paths and bullet number was already established. The official line stated that eight bullets were fired, seven recovered, and that no other bullet holes existed in the pantry except for the three in the ceiling panels. Two of these were said to be entry holes and one an exit hole for the bullet that eventually struck Elizabeth Evans on the forehead.

This theory was set forth in an Employees Report by Wolfer dated July 8, 1968, and in a schematic diagram by Wolfer which was undated. No mention was made of any holes around doors, and no explanation was offered as to why what appeared to be bullet holes were not. The testimony of eyewitnesses and victims was ignored in critical respects. For these reasons and others, this account of the flight paths was to provoke considerable skepticism when it became fully known. Perhaps in anticipation of this, neither of the documents in which it was outlined was placed in evidence at the trial, and neither became available until almost two years later. They served, nonetheless, from almost the beginning, as the basis for the official position, a position which has never varied from the time it was advanced to the present day.

The discovery of the AP photograph came at a time when Sirhan's trial was still in progress, and Lillian Castellano's first effort was to apprise Sirhan's counsel of this evidence, since it shed serious doubt on his lone involvement. The defense which had been adopted for Sirhan, however, was one of diminished mental capacity, and rested on the argument that Sirhan

AUTHENTICATION OF CLEMENTE PHOTOGRAPH OF TWO BULLET HOLES
IN
CENTER DIVIDER OF PANTRY DOORS

I, John Shirley, attest and affirm that on the morning of June 6, 1968 I accompanied John R. Clemente to the Ambassador Hotel where he took a number of photographs.

We went to the Embassy Room and then to the adjacent kitchen/service area where Robert Kennedy had been shot. In this area Mr. Clemente took several photographs including a long-shot and a close-up of the wooden jamb on the center divider between the two padded swinging doors through which Mr. Kennedy and his party had entered the service area after leaving the Embassy Room.

In the wooden jamb of the center divider were two bullet holes surrounded by inked circles which contained some numbers and letters.

I remember a manager pointing out those particular marked bullet holes to another person, who appeared to be a press photographer.

The two circled bullet holes in the photograph were between waist-high and eye-level, and I am six feet tall.

It appeared that an attempt had been made to dig the bullets out from the surface. However, the center divider jamb was loose, and it appeared to have been removed from the framework so that the bullets might be extracted from behind. It was then replaced but not firmly affixed.

It also appeared to me that there was evidence that another bullet had hit one of the padded swinging doors.

John Maguire Shirley
JOHN SHIRLEY

WITNESS:

William Castellano

KENNEDY ASSASSINATION
TRUTH COMMITTEE
P. O. BOX 38524
L. A., CALIF.

23 March, 1969

24B

Statement by John Shirley, describing an examination of the crime scene on the day after the assassination, and presenting evidence of possible extra bullets.

had not been fully responsible for his act. Little attention was given to questions of physical evidence, and since none of his lawyers doubted that he had shot Kennedy, no attempt was made to contest this fact. In a policy they later regretted, Sirhan's attorneys either passed over or conceded the issues of evidence which were later to become central. It is doubtful that they gave this photographic material serious consideration.

Attempts were also made to bring the photographic evidence of possible extra bullets to the attention of the authorities, but the response, though more explicit, was the same. Sirhan prosecutor John Howard was contacted by phone early in 1969 but Howard said flatly that no other bullets were involved, and that all the holes in the pantry, like the ones from the center divider, had been circled. The holes were not caused by bullets, at all, he said, but by food carts. He did not describe how the carts could have created these holes, nor did he explain how these conclusions had been reached.

Harder for the authorities to ignore, however, was an article which appeared on May 23 in the Los Angeles Free Press setting forth the evidence Mrs. Castellano had collected. Entitled "Truth Committee Releases Conspiracy Evidence," the article marked the first public airing of the issue of possible extra bullets and dealt at length with photographic and eyewitness evidence of holes which had never been accounted for. Arguing for the likelihood of three additional bullets beyond those admitted by the authorities, the article was followed two weeks later by the publication of the photographs on which these assertions were based. It cited the exchange with John Howard and enumerated a variety of evidence which had not been explained by the authorities. The charges were now out in the

open, and if they were insubstantial officials could presumably dispose of them easily. If Mrs. Castellano were wrong, the opportunity now existed to refute her by releasing the contrary evidence, thus clearing the air of the suggestions she had raised. The policy which was adopted, however, was exactly the reverse.

A case in point is the response of the District Attorney's office. On May 28, 1969, Los Angeles District Attorney Evelle Younger held a press conference on the Sirhan case, praising "Special Unit Senator," the unit set up to investigate the assassination, and reviewing examples of "conspiracy suggestions which have been publicized, investigated, and discredited." "No possible avenue of information was considered unworthy of investigation by SUS," Younger said. "Well in excess of 4,000 possible witnesses and others pretending to some knowledge of events upon the crime were interviewed, investigated, and reinterviewed by members of the unit... All results of the investigation were made available to the team of deputies district attorney assigned to the preparation and presentation of the case."

But this material would not be limited to the, Younger suggested. "It was agreed," he said, "that full disclosure of the results of the investigation should be available to the public at a time when the constitutional rights of the defendant could not be jeopardized by the attendant publicity." Now, however, Sirhan had been convicted, and the "work product" of the case would be made available on all matters of "legitimate public concern." "The Los Angeles Police Department," Younger added, "has agreed without reservation that the interests of the public and law enforcement are best served by full disclosure of the results of the comprehensive investigation which they have conducted... (T)he Sirhan case record will be made available to the public to the fullest extent that security precautions and administrative resources will permit." No one hearing these words

would have dreamed that Younger would later prove a consistent opponent of "full disclosure" or that police would later conclude that the "fullest extent" to which they could make their material available was not at all.

Younger also described the disposition of evidence before the court: "To ensure the preservation of the exhibits received in evidence or marked for identification at this trial, pending the determination of the case on appeal, the Los Angeles County Clerk will prepare duplicate copies of the documentary evidence and photographic representations of exhibits which will be available for inspection by interested members of the public." Yet in future years, "interested members of the public" would be frustrated in their attempts to "inspect" witness interviews in six prosecution exhibits which Younger mentioned. How was this possible, since according to Younger these exhibits were submitted at the trial specifically "to become a matter of public record?"

At this date," Younger concluded, "no credible evidence has been presented to any law enforcement agency concerned with the assassination of Senator Robert F. Kennedy which lends credence to the supposition that any person other than Sirhan B. Sirhan bears any criminal responsibility for that tragic event." No mention is recorded, from this session, of any questions concerning extra bullets or extra guns. Since these issues had been raised and carefully documented only five days before, this in itself is unfortunate. Younger himself had been personally attacked, albeit in the underground press, and might have taken this opportunity to respond. Not having detected the evidence which Mrs. Castellano had unearthed, the press might at least have been expected to inquire about it in view of its possible implications. In this way, the newly unveiled "full disclosure" policy might have been launched.

It must have seemed obvious from Younger's promises, however, that if any serious charges were made about extra bullets or other issues, they would readily be dealt with by authorities and the contrary evidence produced. "Among the records now on file," Younger had proclaimed, "are the assertions of a number of individuals... with respect to the possibility of a conspiracy to effect the death of Senator Kennedy. Such allegations have been investigated in depth by the responsible law enforcement agencies and will continue to receive attention as new speculations arise." (emphasis added.)

"New speculations," in fact, had already arisen, and they would not die out until they were dealt with. On June 6, the Free Press published the AP photo for the first time along with a Clemente shot showing holes in a center divider which police had circled and numbered. Though the interest aroused by these photographs was not yet obsessive, the issue remained as an unanswered challenge to the official case. It was not a challenge of which the Los Angeles authorities were unaware.

On June 9, 1969, District Attorney Younger appeared on a local television program, "Tempo," and was interviewed by newsman Robert K. Dornen. Though not apparently disturbed about the extra bullet issue, Dornen did give Younger an opportunity to dispose of it. Younger passed.

Dornen - "...Now, the Sirhan case -- that has been under your supervision here for a long, long time. And I thought we'd been pretty lucky in avoiding the conspiracy rumors with this one. However, I hear a lot of talk, just in the last two weeks - you're smiling already, you've probably heard it too - about 10 bullets out of an 8 bullet revolver. Are we going to go through this?"

Younger - "You know - it's an interesting thing. We did everything humanly possible to let the whole world know that no stone was left unturned in this investigation. As you know, the LAPD had a special unit - the FBI conducted their own investigation - we participated in them -

I have visited and lived in California from time to time over the years, always reinforced in its sunlight and wondering at the good luck that brought me there. More perhaps than natives who come to take it all for granted, I have marvelled at a place so civilized and free-wheeling, a place at once healthy, stable, and zany, rooted in strength but hospitable to oddity in the way that strong and varied places can be: a state of sweep and promise where the jaded Boston-New York-Washington traveller discovers, unbelieving, an airline that will fly him twice as far at half the fare while friendly unselfconscious long-legged girls in silly hats serve fruit punch and soup; a state where there is a minimum of the rigor mortis that normally smothers politics - where an ex-Jesuit can succeed an ex-actor as governor, and an ex-Marine can defeat an ex-movie star for the House of Representatives and later win a Republican primary for Congress after running against Richard Nixon at the peak of his power.

In California, where splendor is natural, where pockets of misery interrupt the countryside rather than the other way around, the largest sense that people share is that here we can make it, here the future is possible; and the largest sense that visitors share is, if not here, where? But it is also true that even here, there is a new hedging to the hopefulness, a new awareness of the fragile tentative quality of a civilization too used to too much, too enamored of the superficial, too dependent on the material, too blessed to be insulated from the rest of the world, ^{perhaps} too casual about its blessings to deserve them; a civilization built astride a Fault, not just in its people but in the earth itself, built where no human triumph can ever fully obliterate the reality of ultimate human dependence on the whim of something greater.

And at the hub of all the sweep and promise and tentativeness and natural splendor, located off-balance geographically and improbably off-balance in other ways, a bit grotesque perhaps from a distance and on the fringes but with an almost small-town calm at the core of the cosmopolitan swirl, Paducah and Mecca on the Riviera, the capital not of a state but of a state of mind, the futurama called Los Angeles: somehow out of all the missed opportunities to plan better and to organize sensibly has emerged this endless transportless suburb in an endless spring-time, this magnet to gray panthers, black panthers, peroxides, hopheads, wetbacks, and middle Americans that somehow digests it all and works - diversity without trenches, ethnic heritages preserved but not often

distorted into high school elections pitting Jews against Italians or gangs warring over crumbling strips of concrete; diverse cultures preserved, but also somehow absorbed into something coming closer and closer to community.

One thinks of middle-aged women in faded dresses chanting "veto Tito" as they troop past taco stands and orange drive-ins selling patty melts, and of beards hitching rides in battered convertibles in January from foggy beaches to campuses which though in a metropolis have nevertheless kept room to breathe. Nowhere the crampedness of Philadelphia or the bleakness of Maine or the isolation of Louisville, and nowhere the gnarled tensions of New York; telephone operators who are polite, waitresses who smile, police who are pleasant to strangers asking directions, snack bars that sell real fruit in office buildings, readable signs announcing approaching cross-streets where retired wardrobe mistresses and children who elsewhere would be on paper routes try to sell maps with directions to Douglas Fairbanks, Sr.'s last nest.

And everywhere the magic names: Laguna, Malibu, La Cienega, Wonderland Park; other names that would seem ordinary elsewhere acquiring inspiration by location, by association: "Sunset" in Los Angeles glittering, "Sunrise" on Long Island tired; Wilshire, Laurel Canyon, even Santa Monica - all the Sans and Santas: Vicente, Rosa, Ysidro, Fernando, the Spanish mispronounced into the sloppy friendliness of American voices; freshening sounds, air and light in them. East meeting West, grace plus intelligence and drive, northern energies and southern pace; unexceptional parts producing the exotic alloy of sophistication and openness that distinguishes the people of this far edge of the continent: ordinary Americans in the semi-tropics, stitching and hanging "Welcome to Our Home" signs on light yellow walls in pink stucco houses, their healthier, better-looking, clear-eyed children carrying surfboards or riding bicycles bare-chested past palm trees to rock concerts; salt of the earth folk, cautious and religious,

melding traditional attitudes into the broader perspectives and opportunities of a land where dogs ~~dance~~^{WALTZ} in \$1000 frocks on hotel stages, and the Emperor of Japan is led by a ~~two~~^{eight-}foot-high Mickey Mouse through cheering transplanted Iowans waving miniature American flags.

Black, white, brown, yellow, all strengthened and mellowed by climate and circumstance, more tolerant and informed than their brothers and sisters in other places, more curious and gullible; great problems but little despair, challenges without desperation, without fists or stomachs clenched; people having fun, as the word was used before it became a parody, a put-down; the senses in rare confluence; at night the extended twinkle of the Valley from Mulholland, the great pink sky offering peace from beyond the palisades at sundown, brightness and color above and around, lawn green and heaven blue; and gold the unexpected total of it all, gold sometimes chased by hustlers and diggers, sometimes dimmed by smog, sometimes tarnished or confused for tinsel, but gold nevertheless: a golden city, a city not of but for angels. And they write songs about San Francisco!

Within this miracle of sprawl can be found what may be the greatest concentration of intelligent, public-spirited people anywhere in the world - good citizens, attractive, honorable men and women, nothing reactionary or closed-minded about them, Bradley people, Kennedy-McCarthy people, people whose efforts helped produce 90% of the vote for anti-war candidates in the 1968 Presidential primary.

Yet when their police department bungles the investigation of the murder of Robert Kennedy himself and their District Attorney plays games with the facts about the murder, it is almost impossible to get people closest to the situation to do anything about it.

For some, the issue is too close, too painful; for some, too distant, not relevant at all: what's past is past, how can anything be retrieved by worrying about what's lost? And there are some for whom it is too relevant, too close in quite a different sense - too close to reputations, or to other matters, or perhaps to ambitions. It is not easy to tell whose attitude is shaped by what motive, or where one reason for reticence yields to another. Sometimes motives intersect in the subconscious, and sometimes announced motives cloak less acceptable ones: a politician who professed to find the assassination so painful that he couldn't bear to

look at the evidence or talk about the event manages to bear the pain long enough to distort the views of those who have studied the evidence; community leaders shocked enough on hearing the facts to talk about organizing a public meeting discover that pressures of time prevent their proceeding with the meeting after an editorial growls about "ghoulish inquiries."

But the greatest difficulty is the most circular: how can anyone, no matter how concerned about the public good, discover that the murder of Robert Kennedy is unsolved if his usual sources of information repeatedly tell him the opposite? When ^{to} challenge ~~ing~~ official theories ^{is to} invite gossip about one's motives or one's sanity, audible challenges tend to be left largely to people who seem flakey - which in turn makes it easier to regard as flakey people who are critical. And that, in turn, makes it more difficult for people worried about their credibility or careers to join in the criticism.

And so to full circle: there will be no effective demand for a new investigation if informed people do not know that the facts warrant such an investigation. But how are informed people to realize that it is precisely the way they are getting their information, the very fact that they are "informed," that has prevented their understanding the need for the new investigation? The few courageous public figures - above all, Supervisor Baxter Ward and a former Assistant District Attorney, Vincent Bugliosi - who have spoken out have done so at a price. Otherwise thoughtful people dismiss their efforts as publicity-seeking and caricature their independence with hints about crackpots. Then, their reputations damaged x further because of their courage, the fact of their support is used to discourage ~~ing~~ other political figures who may be tempted to break ranks publicly.

People who are less well "informed," TV watchers and talk show listeners, reacting intuitively, steered by common sense and spared the contagious mind-set that calculated distortion can produce, may suspect what they wish about destroyed door frames and missing records and indignant eyewitnesses; nothing much will happen till people in positions of influence decide it should. And suddenly an unpleasant thought occurs: how many individuals in how many positions would it require to induce this mind-set that has closed the issue for so many influential people?

2? 5? 10?

there was a total of over 4,000 interviewed. And we used a great many witnesses at the trial and then we took statements from about 150 more - that we didn't use but that we put in the record at the trial.

And then there is tons of information over at the LAPD that's going to be made available, and not once was there any evidence to indicate that there was more than one persons involved in this thing. And, in spite of everything, as you've said, the stories have already started. But I guess there's one saving grace. We knew before we started that there would always be someone, after it was all over with, say "What about this?" "What about that?"

It is clear from this exchange that the issue of extra bullets was a live one in early June. The District Attorney of Los Angeles was aware of it and assured listeners about the "tons of information" in existence. Not only would this evidence be preserved, but it would be "made available."

According to the official account, however, on June 27, 1969, less than three weeks after these assurances were given, "two boards from a door frame" and ceiling panels taken from the Ambassador pantry were destroyed, in unexplained circumstances, by the Los Angeles Police Department. The most critical police evidence on the issue of the number of bullets was deliberately demolished. Mr. Younger has never explained why.

In the absense of any official response to the questions raised by the photos suggesting extra bullets, this issue and others languished, forgotten except by a handful of people. These few people, however, were hardly idle, and long before either of the authors became active in the case, they continued to study and probe the evidence and uncover additional problems. Dismissed as hobbieists and malcontents by officials apparently unable to answer their questions, they persisted in their concern, gathering those facts to which they could gain access, and sifting the meagre information available from officials. What they discovered did not ease their doubts.

Lillian Castellano accumulated possibly the most extensive personal files on the case, files whose contents she had thoroughly mastered. A journalist named Ted Charach probed the case for years, uncovering discrepancies in a variety of areas which he later collected in a film. Another newsman, John Christian, developed a voluminous body of material relating to conspiracy possibilities, information which was difficult to dismiss. Author Robert Blair Kaiser, who had signed up as an investigator for Sirhan's defense, presented, in a book called RFK Must Die a startling account of Sirhan's mind and past, and raised questions about the case which the police had failed to resolve. Though often in disagreement or even at odds, these individuals and others did important research on central aspects of the case, and developed a factual base which was both impressive and disturbing. Most disturbing of all, however, were the continued attempts of Los Angeles authorities to pretend that the questions did not exist.

In 1971, a Grand Jury hearing was convened in Los Angeles to investigate issues of possible "tampering" with the Sirhan evidence. No evidence of tampering was ever discovered, but testimony was taken and exhibits were submitted into evidence. One of the exhibits, put on record at the insistence of Lillian Castellano, was the Associated Press photograph. Three years after it was taken and two years after it was first published, the photograph finally became part of an official record.

The same year, in a deposition taken in a civil suit in Los Angeles, police criminalist DeWayne Wolfer was questioned about the holes encountered in the pantry. Following an attempt by attorney Barbara Blehr to block his promotion in a civil service proceeding, Wolfer sued Blehr for libel. The suit was later dismissed, but not before Wolfer had been questioned by Blehr about his procedures in the Robert Kennedy investigation. Sur-

prisingly hazy in his memory of these events, Wolfer continually made reference to the "records of the case." He had not apparently studied them before being questioned, however, which detracted from the value of the deposition. When the records were requested, moreover, they turned out to be mostly unavailable.

- Q - ...Will you please check to see if you have the spectrograms this afternoon?... If you can't, I will subpoena them... Because if they are attached to the reports they will have to be subpoenaed...
- A - My orders are, no reports. If I start sneaking reports out, I am in trouble.
- Q - Then how about my requesting that you sneak them out or I will serve you a subpoena duces tecum this afternoon?
- A - You could certainly serve me a subpoena duces tecum. I am not trying to hide anything of that nature. (152-153)

In the case of the spectrograms discussed in this exchange it turned out four years later that although Wolfer thought he had made some, the records had apparently been lost. This was not atypical of the status of much of the evidence.

Not only were the records made available in the course of this proceeding incomplete, but contrary to Younger's promise of "full disclosure," officials also refused to release all or even part of the 10 volume report on the assassination. Although Wolfer gave important information about a number of topics, therefore, it was often impossible to make an independent check of his claims.

Where a check could be made, moreover, the results were

sometimes inconsistent. "There were three holes in three different acoustical tiles," Wolfer said. "As I say, this is all a matter of record." The records, however, included the "Analyzed Evidence Report" of June 5, 1968, which showed only two ceiling tiles. If a third was recovered no record of it has survived.

When asked about possible bullets from the scene, Wolfer seemed to be clearer in his recollections.

Q -- How long were you on the premises before you opened (the holes) up?

A - Well, the holes were opened up almost immediately upon arriving there, because the first and primary concern at the scene was to locate -- it wasn't the immediate, but the secondary, was to locate the projectiles before they were lost or damaged or the like. So it was in the early morning hours. (168)

And what was found?

Q - Did you find any bullet holes in the door frame?

A - I found no bullet holes in the door frame. I found many holes, but none containing bullets or caused by bullets.

Q - Where did you find bullet holes?... All of them were in the ceiling?

A - All holes, yes.

Q - There weren't any in the wood?

A - If counsel is referring to what appeared in the newspapers showing it in wood, showing a hole, there were many holes and we explored all the holes in the door and were never able to find any bullets or even any indication that there was a bullet.

Wolfer was also questioned about what might have caused these holes:

Q - Was there a bullet hole in the woodwork between the swinging doors going to and from the kitchen?

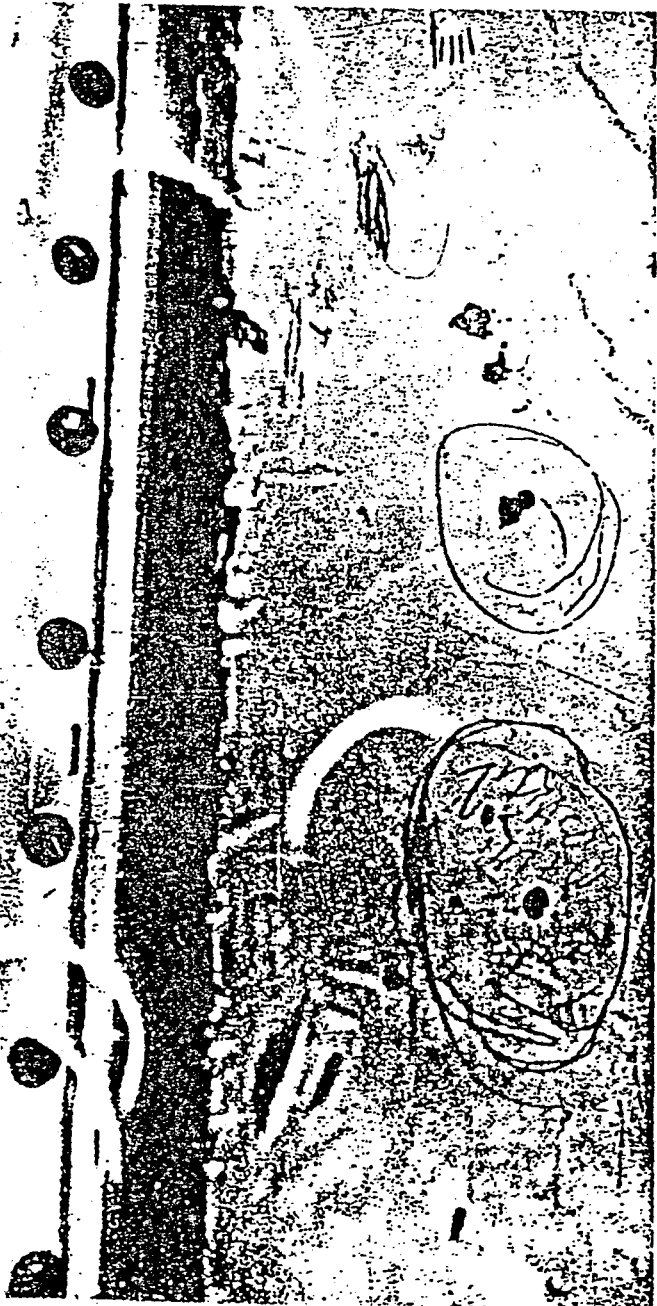
A - No, there was not... There were many holes in the woodwork on the swinging doors that were

FF-70
- 128 - 8ht

Photograph included by Dr. Thomas Noguchi as Exhibit E of the autopsy report on Senator Kennedy. The holes depicted and circled are in the center divider of the swinging doors at the west end of the pantry.

V F -

VIC



Exhibit

(11)

caused by some other object. All of these holes were explored and no bullets were found...

Q - And what could they be caused by?

A - They were caused by some object poking the wood. ~~A ramrod, a tray, a dish tray~~ -- there was many of those protable carts and that had a round area on it. That could have certainly caused it.

Unfortunately, no serious attempt has ever been made to show how food carts could have caused the holes in the Ambassador pantry, much less how they could have created the object in the stage door examined by the two policemen. Persons other than Wolfer who have examined such carts have been mystified as to how they might have created such damage. Yet the "food cart theory" of the holes in the pantry has remained up to the present, the foremost official alternative to the second gun theory.

At the time of the Blehr deposition the police photos taken in the pantry were withheld. Although Wolfer referred to them, however, he seemed uncertain of their significance. At one point he conceded that photos were taken of a door frame. (225) ~~Yet three weeks~~ before the following exchange had occurred:

A - Anything we found that looked like a bullet hole we explored. We went into and opened it up to see what was in it.

Q - Did you photograph it?

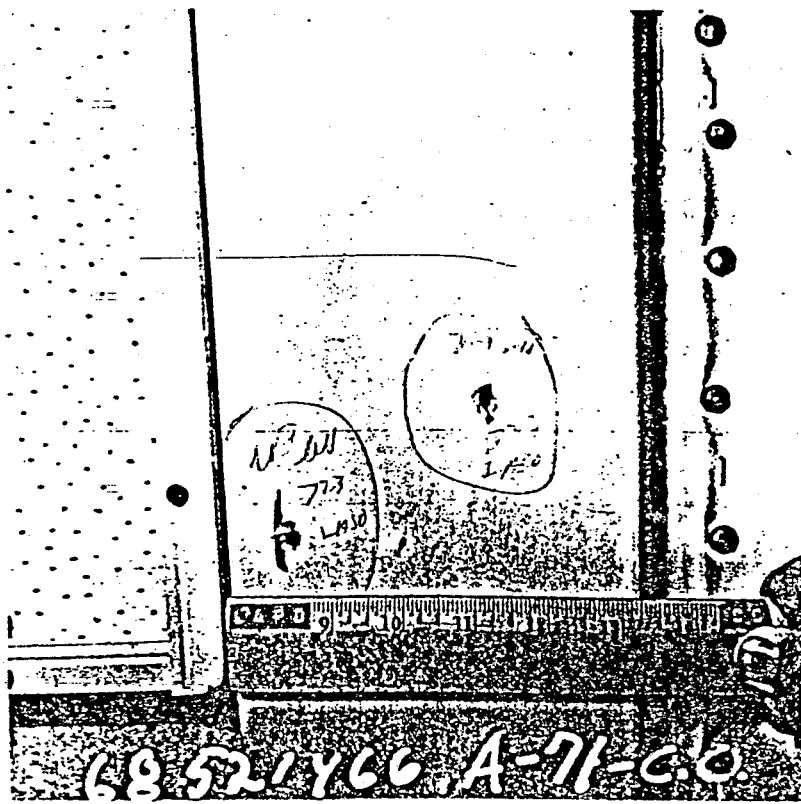
A - Not at all. We would have had too many photographs.

Q - How about the door jamb going into the kitchen where the swinging doors are?.... Was that photographed?

A - No because this is a negative type. If you don't find a hole -- if you don't find a bullet we wouldn't photograph just any hole. I mean there was too many holes to photograph...

What then is the significance of figure ____ and figure ____, both taken by a photographer working under Wolfer on the morning

EXHIBIT JD



505

68-521466 A-71-C.6.

Holes in the door frame immediately to the south of the swinging doors at the west end of the pantry. This photo was taken by police on the morning of the shooting after the holes had been circled by police.

of the shooting? These photos, of course, were not made public until four years after the Wolfer deposition. Possibly he expected them never to be made public. Since the photos were taken, however, and since, according to Wolfer, photographs were not taken of "negative types," the inference which remains is that the "type" of these photographs was not negative.

That apparently was the suspicion of Los Angeles Coroner Thomas Noguchi. Noguchi conducted the autopsy on Senator Kennedy in the early hours of June 6, and on June 8 and June 11 he visited the Ambassador pantry for an at-scene inspection, accompanied on the latter occasion by Wolfer. More would later become known about this trip, but after the autopsy report was filed it was clear that Noguchi as well had been impressed with some of these holes. A photograph of two of them from the center divider was cryptically appended to the report as Exhibit E.

Although many other aspects of the Wolfer deposition are of interest and significance, one additional major point remains to be made. Throughout the interview Wolfer denied the existence of any additional bullets. Yet a very peculiar remark appears in the passages where the crime scene search was first discussed:

..I went to the scene of the crime and I explored the trajectory of all of the holes in the wall, and the walls of victims. (sic) I interviewed several of the victims. I made up a basic plot plan of all trajectories and holes and the persons in there. I was there immediately after the death of the Senator. (sic) I retrieved and was in charge of the crime scene and I recovered the bullets that were recovered...

Imprecision of speech is hardly a rarity in Wolfer's testimony, but his remark about the recovery of bullets is enough to give one pause. Two bullets were removed from Robert Kennedy, and one from each of the five other victims. One bullet was described officially as "lost in the ceiling interspace." These add to a total of eight, the limit of Sirhan's gun. According to previous accounts no bullets or bullet fragments were ever found on the scene. What, then, were the bullets "recovered" by DeWayne Wolfer?

* * * * *

In 1973, when one of the authors first became involved in the case, the status of the evidence was much as it had been at the end of 1971. Questions had continued to expand, and the answers had continued to be withheld. Because the issue of the number of bullets seemed perhaps the most troubling, questions about it were raised in conversations with the police and District Attorney's office. But although these discussions were amicable, answers were not forthcoming. The ceiling panels, in fact, were discussed at some length without any hind being made that they might not still be in existence. When oral discussions proved unhelpful a number of the key questions were submitted in writing. These included the following:

- II.3. Who are the police in the A.P. wirephoto examining bullet in "door frame?" Why did they say there was a bullet there if there wasn't one?
4. Is there a trajectory study available that can explain how eight bullets fired from Sirhan's gun could have caused the bullet wounds and other bullet-induced damage in the pantry?

5. Examine:
 - a. Ceiling panels with bullet holes to determine their location in the pantry and the angle of entry and exit of the bullets.
 - c. The divider between the swinging doors and the two boards taken from the door frame.

Although all these questions were more than four years old this may have been the first time they were ever formally submitted to the authorities. They were as easy to respond to as they had always been. Few things could have been simpler than to allow the inspection of panels or to make available documents and reports. If the official version were correct, in fact, the release of such information would only serve to confirm it, and to relieve the authorities themselves of what by now must have been a tiresome rumble of criticism. The identification of the policemen in the Associated Press photo was as easy as it was useful and would have helped determine at long last what it might have been that they were examining. None of this information was obscure, and none of the investigation required was exceptional. After four years of speculation and debate, the matter seemed to qualify as a matter of "legitimate public concern."

Nonetheless, no helpful response was forthcoming. Assurances were given that the photograph caption was in error, that in fact the police officers in question had never believed that the object they were pointing at was a bullet. Neither the officers, nor their names, nor their reports, nor any other official documentation on the matter was produced. There were no substantive responses to any of the other questions raised. With private exchanges this unsatisfactory, public ones were inevitable.

In December, 1974, issues of physical evidence in the case were raised at press conferences held in Los Angeles and New York. Of the three central questions posed the first referred to the number of bullets fired. Almost concurrently, however, on the NBC Tomorrow Show, Los Angeles District Attorney Busch reiterated that only eight bullets were fired and seven recovered, refusing once again to provide any evidence. Repeatedly the issue was renewed in the following year, and just as repeatedly was stonewalled or ignored. In the summer of 1975, the Los Angeles Police Commission joined the list of parties which refused to act. D.A. Busch complained that the debate had come to resemble a broken record, though he failed to produce any evidence which might end it. Some progress was finally made in studying the disputed firearms evidence, but the simpler and easier steps required to clarify the number of bullets issue remained completely neglected.

In August the announcement was made that the ceiling panels and door frames from the pantry had been destroyed four years earlier. No clear account was given of how this was allowed to happen. No explanation was given of the coincidence that this occurred only 35 days after questions about such evidence had first been raised. In December, 1975, in fact, in an affidavit filed in support of the pantry search warrant, police sergeant Phillip Sartuche rewrote history by ^{asserting that} speculation about more than eight bullets "surfaced" only after the destruction of this evidence. (2-3) The actual chronology was the opposite.

If the panels were destroyed in 1969, it was asked, why was an "inspection of the ceiling tiles" cited in the report of a police Board of Inquiry in 1971? If, as officials claimed, the panels were unimportant, why were they even cited in this report at all? These questions were addressed to the Los Angeles Police Commission among others, but no answers were ever forthcoming. Nor were any apologies heard from Mr. Younger, now Attorney General of California, in view of the fact that his promises about the evidence in 1969 had proved to be so empty.

Following one public hearing in 1975, Wolfer literally fled from pursuing newsmen. Though superficially more dignified, the posture of his superiors was much the same.

* * * * *

The greatest single breakthrough to date in the effort to find out what had caused the LAPD to begin its collection of door frames came as a result of the interest of Vincent Bugliosi.

During the summer of 1975 a number of legal actions were filed by Paul Schrade, a key Kennedy supporter in 1968 who had been one of the first to be wounded during the shooting. As a victim in the incident, Schrade had a special claim to "standing" before the court, and the legal initiatives which he began were responsible for the firearms examination ordered in August by Superior Court Judge Robert Wenke. As part of this proceeding Wenke also ordered that additional records and materials, hitherto unavailable, be produced. Among other items these included

a partial collection of property reports, Wolfer's work log for two weeks after the shooting, and official photographs taken of the interior of the pantry on the morning of June 5 and afterwards. Three of these photographs corroborated the Associated Press photo, and at about the time these pictures became available Vincent Bugliosi was asked to join the case as Schrade's co-counsel.

A former Los Angeles Deputy District Attorney, Bugliosi had served in the D.A.'s office for eight (?) years and had been the prosecuting attorney in the Charles Manson case. Of the 106 felony trials he had prosecuted, he had lost only one, and his published account of the Manson case had become a national bestseller. Able, experienced, hard-driving, and dedicated, Bugliosi had long since been concerned about the unanswered questions of the Robert Kennedy case, but he had not become closely involved with it until the preceding summer. He brought to the case not only toughness and talent but a prominence in Los Angeles, and an intimate knowledge of its legal and law enforcement establishments. Bugliosi had always made a habit of joining personally in the investigations of his cases, checking leads in the field and examining witnesses first hand. Important to the conviction of Manson and his "family," this facility was of more than a little value in the effort to find elusive evidence in the Robert Kennedy case.

The photographs released under Judge Wenke's order in November included not only shots of the west door jamb of the stage door, but of other locations as well. There were

shots of the center divider, confirming the Clemente photograph published by Castellano and the photo included in Noguchi's autopsy report. There were also shots of the south door frame of the swinging doors, showing two holes which looked even more like holes created by .22 bullets. Like the hole in the center divider, these had also been circled and numbered. Finally, there were a variety of other shots of panelling and wood, showing what appeared to be marks or indentations, as well as photos showing Wolfer and another official pointing to unidentified locations on the walls. None of these photographs was labelled, unfortunately, and the significance of each had to be pieced together or guessed at. (N) The same two police officers appeared around the stage door in the AP and official photos.

- For six years, no one had been able to learn the identity of these men. It took Vincent Bugliosi less than six days.

On November 14, 1975, Bugliosi went to the Rampart Division of the LAPD, armed with the Associated Press shot, and showed it to several officers on duty. One thought he recognized the policeman on the right, but when the lead was checked out it proved to be false.

The following day Bugliosi went first to the Metropolitan Division, asked about the photograph, but got no positive response. Next he tried the Wilshire Division, where a Sergeant Farmer promptly identified the officer on the right as Sergeant Charles Wright of the West Los Angeles Division. Though not completely certain, Farmer believed that the officer on

the left was Sergeant Robert Rozzi, Hollywood Division.

"I then proceeded to the Hollywood Division," Bugliosi related in an affidavit filed two days later, "where the officers on duty positively identified the officer on the left as being Sgt. Robert Rozzi of their division. I left my name and phone number with the Watch Commander and requested that he contact Sgt. Rozzi and have Sgt. Rozzi call me that evening, which Sgt. Rozzi did."

When Rozzi called, Bugliosi received the information that others had tried for years to obtain. Rozzi acknowledged that he was indeed one of the officers depicted in the photo and that the object he was shown examining appeared to be a small caliber bullet. He stated that he had not removed the object from the hole, but that he believed that someone else had done so.

Sergeant Rozzi agreed to meet with Bugliosi, and during this interview he signed an affidavit confirming what he had seen. The following portions are particularly relevant:

...During the night, one of the investigators for the Los Angeles Police Department suggested that we look for bullets and bullet holes. I don't recall anyone finding any bullets on the floor et cetera. However I personally observed some small holes in a partition behind the stage. I have no way of knowing how these small holes were caused.

Sometime during the evening when we were looking for evidence, someone discovered what appeared to be a bullet a foot and a half or so from from the bottom of the floor in a door jamb behind the stage. I also personally observed to be a bullet in the place just mentioned. What I observed was a hole in the door jamb.

and the base of what appeared to be a small caliber bullet was lodged in the hole. I was photographed pointing to this object in a Los Angeles Police Department photograph marked A-94-c.c. 68521466, where I signed my name in the upper right hand corner: Robert Rozzi 11-15-75.... The object which I believed to be a bullet is shown in an LAPD photograph marked 68521466 A-59-C.C. and signed in the upper left hand corner on the reverse side: Robert Rozzi 11-15-75. (See Appendix ___.)

Later that evening, Bugliosi placed a phone call to the Watch Commander of the West Los Angeles Police Department requesting that Sergeant Wright telephone him at his home. At about 7:00 p.m. the following evening, November 16, Wright returned the call.

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

Bugliosi made arrangements to meet with Wright to have him sign a statement to that effect. They were to meet the following evening at 6:00 p.m.

The following day, however, November 17, 1975, was the first day of the examination of the firearms experts in Superior Court. The issue of possible extra bullets came up. "At approximately 3:00 p.m.," Bugliosi related, "I asked witness Stanton Berg if he would recommend a ballistics examination if

I were to present evidence in court that a bullet was in fact removed from the aforementioned door jamb. The proceedings ended shortly thereafter and immediately upon the termination of the proceedings, Sgt. Phil Sartuche of the L.A.P.D. came up to me and asked me 'Do you have Rozzi's statement', wherein I replied 'yes'. He asked me if he could read it but I told him I did not have the statement with me. Although my meeting with Sgt. Wright was scheduled for 6:00 p.m., when I learned that Sgt. Sartuche was aware of the fact that I had spoken to Sgt. Rozzi, I immediately raced out to the W.L.A. Division of the L.A.P.D. to get a statement from Sgt. Wright before anyone from the L.A.P.D. had an opportunity to get to him first. I was not quick enough."

Bugliosi arrived at the West Los Angeles Division at about 3:40 but was told that Sergeant Wright was on the phone. When Wright emerged ten minutes later, "he was holding a yellow piece of paper in his hand. I looked down on the paper," Bugliosi wrote, "and saw the name Sartuche. I said to Sgt. Wright words to the effect that 'old Sartuche really works fast...' whereupon Sgt. Wright said yes. I told Sgt. Wright I wanted to take his statement on the door jamb incident, and he told me that he had just been instructed by Deputy City Attorney Larry Nagin not to give a statement."

After six years of inaction and stonewalling, Los Angeles officials had finally taken a measure on the door jamb issue. They ordered one of the witnesses not to talk.

Bugliosi called Nagin back, telling him that in the absence of a written statement, Wright could be subpoenaed to testify in court. Apparently impressed by this logic, Nagin asked Bugliosi to leave for a few minutes while he conferred privately with Wright. Although one would like to believe that Nagin wished only to congratulate Wright for his part in uncovering evidence, this conclusion may not be the most probable. Wright was a city employee, moreover, and if the City Attorney's office had other concerns it is not likely that they communicated them ineffectively.

Upon Bugliosi's return, Nagin informed him that a statement would be possible, but only if it were taken in the presence of Nagin and Sergeant Sartuche. Bugliosi agreed to this, and scheduled the meeting for the City Attorney's office. There was, however, a catch.

"When I got off the phone with Mr. Nagin, I started discussing the door jamb incident and related to Sgt. Wright what he had told me the previous night about there being a bullet in the hole and it definitely being removed, whereupon he retreated from his statement to me over the telephone and said that it looked like a bullet in the hole and that he assumed that someone removed the object from the hole. I told him that this unquestionably was not what he told me over the phone and that it was my distinct belief that he had retreated from his original statement to me. I told him that if that was going to be his written statement, it would not serve any purpose for me to secure a written statement from him and that we would proceed by subpoena and would secure his testimony in court on this issue."

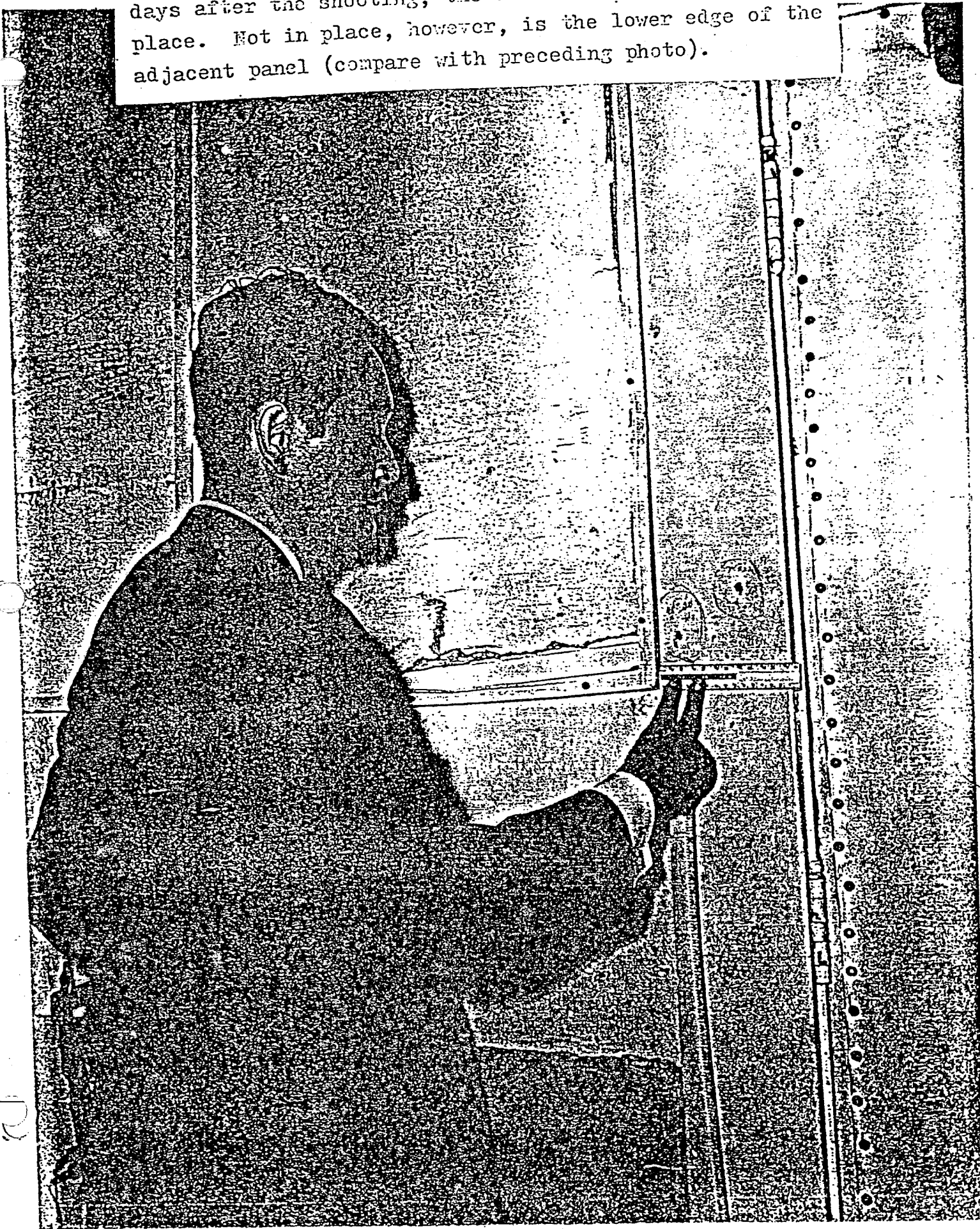
(emphasis added.) Whereupon Bugliosi cancelled the appointment with Nagin and Sartuche, obtained a subpoena from his office, and served it upon Sergeant Wright.

The next day in court Bugliosi asked permission to call Rozzi and Wright immediately, based on the centrality of their testimony to the issue of a second gunman and the fact that the testimony might be "perishable." Having interceded the previous day before an affidavit could be taken, the representatives of Los Angeles law enforcement now moved to block the taking of testimony under oath. They were successful.

The authorities were not successful, however, in preventing a variety of other interesting accounts which were secured in the next few weeks. In a statement obtained by Bugliosi on December 1, for example, Coroner Noguchi related some of the background of the photograph he had attached to the autopsy report:

On the date June 11, 1968, I went to the pantry area of the Ambassador Hotel in Los Angeles to make an "at scene investigation of the scene of the homicide. I had requested that DeWayne Wolfer of the Los Angeles Police Department be present, which he was. I asked Mr. Wolfer where he had found bullet holes at the scene. I forget what he said, but when I asked him this question, he pointed, as I recall, to one hole in a ceiling panel above, and an indentation in the cement ceiling. He also pointed to several holes in the door frames of the swinging doors leading into the pantry. I directed that photographs be taken of me pointing to these holes. I got the impression that a drill had been placed through the holes. I do not know whether or not these were bullet holes, but I got the distinct impression from him that he suspected that the holes may have been caused by bullets.

Noguchi examines
of the swinging doors. Though photo was taken several
days after the shooting, the door frame is still in
place. Not in place, however, is the lower edge of the
adjacent panel (compare with preceding photo).



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If there are discrepancies as to the number of bullets fired in the pantry or the number of bullet holes, I would recommend as I would do in any criminal case, further studies by an impartial panel of experts to resolve this matter.

The authorities were also unable to forestall a statement from former Ambassador waiter Martin Patrusky, a major eyewitness to the shooting. Patrusky had been present in the pantry during Kennedy's victory speech and had encountered Sirhan there at the time. Following the shooting, he was taken to the Rampart Division of the LAPD, but although he remained there until 7:00 or 8:00 in the morning he was never questioned. Upon returning to the Ambassador, Patrusky said, he was allowed to go home and excused from the lunch shift. His affidavit then described a later incident:

Four or five days or maybe a week later, the Los Angeles Police Department tried to reconstruct the scene of the crime and where everybody was standing. I and several other employees of the Hotel were present in the pantry. There were four or five plainclothes officers present. The reconstruction incident took about an hour or so.

Sometime during the incident, one of the officers pointed to two circled holes in the center divider of the swinging doors and told us that they had dug two bullets out of the center divider. The two circled holes are shown in a photograph shown to me by Mr. Bugliosi marked "Exhibit JA" at the top. A man is pointing to the two circled holes.

I am absolutely sure that the police told us that two bullets were dug out of these two holes. I don't know the officer's name who told us this, but I remember very clearly his

telling us this when they were re-creating the scene, and I would be willing to testify to this under oath and under penalty of perjury." (emphasis added.)

One other statement which the authorities were unable to prevent was that of Patrusky's boss at the time, Ambassador maitre d' Angelo DiPierro. . . Shortly before the shooting began, DiPierro was escorting Ethel Kennedy, who had fallen behind the Senator in the crowd. "Five or so paces before we reached the two swinging doors leading into the pantry, I heard the first shot coming from within," DiPierro related. "We proceeded toward the two swinging doors, and as we reached them, the rapid fire began, so I literally pulled Mrs. Kennedy from the open doorway to take cover." Immediately after the shooting ended, DiPierro and Mrs. Kennedy went into the pantry to see what had happened. What DiPierro later discovered, however, the police apparently failed to report.

"After Senator Kennedy had been removed from the pantry, many people, including the police and myself, started to look over the entire pantry area to piece together what had happened. That same morning, while we were still looking around, I observed a small caliber bullet lodged about a quarter of an inch into the wood, on the center divider of the two swinging doors. Several police officers also observed the bullet. The reason I specifically recall the approximate height of the bullet location is because I remember thinking at the time that if I had entered the pantry just before the shooting, the bullet may have struck me in the forehead, because I am approximately five feet 11½ inches tall. (emphasis added.)

DiPierro believed that the bullet which lodged in the center divider was the same one which had struck victim Elizabeth Evans in the forehead. Since Mrs. Evans had remained conscious following the shooting, DiPierro assumed that the bullet which had struck her "never entered her forehead and instead continued into the center divider." Though DiPierro did not know it, however, bullet fragments weighing more than 30 grains were removed from Mrs. Evans' scalp. The Evans bullet, therefore, clearly could not have been the one he saw.

Little ambiguity was evident in DiPierro's recollections:

I am quite familiar with guns and bullets, having been in the Infantry for 3½ years. There is no question in my mind that this was a bullet and not a nail or any other object. The base of the bullet was round and from all indications it appeared to be a .22 caliber bullet.

A day or so later the center divider that contained the bullet was removed by the Los Angeles Police Department for examination. I don't know who removed the bullet or what happened to it. The hole that contained the bullet was the only new hole I observed after the shooting. Even prior to the shooting, there were a few holes from nails, et cetera on the two swinging doors...

* * * * *

A minimum of eight bullets were accounted for by police. The apparent bullet discovered by Sergeants Rozzi and Wright makes nine. "There is no question in my mind," said Angelo DiPierro, that what he saw was a bullet, and if he was correct this brings the apparent total to ten. Yet according to the policeman who had spoken with Martin Patrusky two bullets were recovered from the center divider, making a total of ten. (N)

DeWayne Wolfer himself, according to Dr. Noguchi, seemed to think there were bullet holes in the pantry on June 11, although this was long after the implications of such holes must have been obvious to him. And according to DiPierro, the bullet which he observed was seen by "several police officers" as well. Where did it go?

No suggestion has ever been made that a gun was discharged in the Ambassador pantry either prior to or after the Kennedy assassination. Yet in the absence of such an earlier or later firing, even a single extra bullet on the scene would mean unmistakably that a second gun was firing at the time Robert Kennedy was killed.

The response of Los Angeles officials to this possibility has been remarkable. A raid was organized on the Ambassador pantry, to which the press was invited although they were not allowed to watch. Interviews were conducted with witnesses Bugliosi had located, and two hotel carpenters were also questioned and said they saw what appeared to be bullet holes in the center divider. Yet no release has been made of the voluminous documentation which must exist of the original pantry search. No further inquiry has been launched on how and why the original evidence was destroyed. No apparent effort has been made to secure better information from Wolfer, whose role in this whole episode is so central, or to interview other witnesses on the scene or police who took part in the pantry search and reconstruction. No known study has been initiated of the serious problem of reconciling even admitted bullet.

damage in the shooting with the possibility that only eight bullets were fired, a problem discussed in chapter four. All of these options which are open to the authorities are difficult or impossible for anyone else to pursue.

Suggestive of the approach of current officials to the case is the fact that before Angelo DiPierro was interviewed about his observations he was informed by Lieutenant Patchett of the LAPD that the object he had seen was not a bullet. (N) How Patchett was priviledged with this singular insight would be fascinating to know, since his finding has never been unveiled before the public. Given such a prelude, however, it comes as no surprise that when his interview took place DiPierro was no longer unequivocal that what he saw was undoubtedly a bullet. His questioners were apparently better authorities on what DiPierro had seen than DiPierro was himself.

In late December of 1975, the office of the District Attorney announced that the object shown in the Associated Press photograph was not a bullet but a nail. This claim may be true, but it is symptomatic of the current state of the case that neither the evidence nor the trust exists to know if it is or not. No detailed evidence has been released in support of this conclusion. No records to substantiate it from the time of the original search have been produced. No testimony has been adduced from the officer who presumably removed and examined it on the morning of the shooting. Even if this potential bullet could be ruled out, moreover, at least four other bullet possibilities would remain.

As in so many other aspects of the case, skeptics can only raise questions about this issue and lack the necessary resources either to answer them or to evaluate the answers of officialdom. It is not inconceivable that the object in the A.P. photo may have been a nail and the fact that authorities embrace this possibility does not rule it out. As long, however, as officials continue to conceal information and demand that glib pronouncements be taken on faith, little confidence can be reposed in the seriousness of their effort. The time is long since past when a closed investigation by agencies of their own past performance can command any credibility.

If the authorities in Los Angeles were grateful for Vincent Bugliosi's help in doing their job, they managed to contain their gratitude. (N) If they had come to regret their six years of obstruction on the issue, they failed to apologize for it to Mrs. Castellano. Judging from their subsequent reactions, in fact, they continued to remain averse to promptings either to seek information or to release it.

As argued in a legal brief submitted in December, however, the official responsibility to provide satisfactory answers was as great as it had ever been before:

If Sgts. Rozzi and Wright, and Mr DiPierro were incorrect in their statements of observing extra bullets at the crime scene, the burden is now on the LAPD, through the offices of the Los Angeles District Attorney and the California Attorney General, with the cooperation of the Los Angeles City Attorney's Office, to present the following evidence in court: that the LAPD removed the subject door jamb and the center divider from

the pantry area, transported them to LAPD headquarters, removed the "objects" from the door jamb and the center divider which Sgts. Rozzi and Wright and Mr. DiPierro believed to be bullets, analyzed said "objects" and found them to be something other than bullets. They must identify what these "objects" were, present their official reports and records on the entire matter, and have a representative or representatives testify under oath and penalty of perjury that Rozzi, Wright, and DiPierro were all incorrect in their stated observations.

In the absence of such controverting, substantiating evidence presented by the LAPD, the present state of the evidence, which is now a matter of public record, leads to the inescapable conclusion that more than one gun must have been firing at the assassination scene on June 5, 1968.(N)