

October 14, 1983

To: File

From: Greg Stone

Re: Potential fallback positions given the verification of nine or more shots/bullets.

Presently available evidence suggests a rebuttable presumption of at least one bullet and/or bullet hole in the walls or ceiling of the pantry area, beyond what has currently been admitted by Los Angeles officials. Were more than eight bullets incontrovertibly established, various fallback explanations may be envisaged as options for opposing a reopening of the case. They deserve consideration.

Seven bullets in the shooting cannot be denied, because they were recovered from victims in hospitals. An additional bullet is required to account for either the shoulder pad or (in the Wolfer version) through-and-through shot and the third bullet hole in the ceiling panels. This is the postulated "ceiling interspace" bullet, which makes eight. The presently available documentation for the police flight path theory, apart from incidental (and contradictory) official references, consists

of Wolfer's chart and bullet inventory* and the official (albeit uncaptioned) photographs of the police crime scene reconstructions.

Possible responses to the verification of a ninth bullet include the following:

- 1.) There was (or may have been) a previous shooting in the Ambassador Hotel pantry area. This claim has never been made by anyone and seems almost inconceivable. In order for it to be credible, a specific incident would need to be adduced, and this would be difficult to concoct out of nothing. To account for the Rozzi-Wright bullet or the four FBI bullet holes, the prior shooting would also have had to involve bullets of approximately .22 caliber, another coincidence. Also, the claim of a previous shooting would not remove the force of Angelo DiPierro's initial observation that the bullet (not hole) which he encountered in the center divider after the assassination had not been there before.

- 2.) An additional ceiling panel hole (beyond the three admitted) makes an entrance or exit hole for the former "ceiling interspace bullet."

Not a problem. First, this explanation is only available if the newly

* Attached. Officials have never been compelled to offer even the most rudimentary defense of the Wolfer flight path analysis, to address its many problems, or to make public full information. Apart from the question of new bullet damage, there has long been serious doubt as to whether police can account for the damage currently admitted through any explanation involving only eight bullets. If police were forced to recreate or reenact specifically their current version of the flight paths and shooting events, its deep problems would at once become apparent. These are no less serious for not being all easily summarized. (See chapter four, LJS ms.)

verified hole is in a ceiling panel. Second, the locations at which additional ceiling panel holes are most likely (above or behind Sirhan) - as well as most other ceiling panel locations - are not consistent with this explanation, given any likely bullet ricochet behavior. Third, whether such a bullet (which is also - on the present Wolfer account - the Kennedy through-and-through bullet) would have had sufficient force to rebound and exit a ceiling tile is questionable. (The last point would not apply if the shoulder-pad bullet were substituted for the through-and-through bullet in the analysis. This would require, however, a fresh change in the official position and might possibly create problems about muzzle distance, Kennedy's fall, and about the severity of Schrade's wound.) It should be noted in connection with this point as a whole that imminent discovery of a new ceiling panel hole does not seem likely at this stage.

3.) An additional west end or ceiling panel hole could be dismissed by identifying the through-and through bullet (or the shoulder-pad bullet in a revised version) with a bullet recovered from Weisel, Goldstein or Stroll. By consolidating these bullets, one reduces the bullets associated with current damage from eight to seven, leaving room for a newly discovered shot. However, there are these problems: First, this scenario requires the discovery by officials of a new, appropriately placed, ceiling tile hole. Such a discovery would be too convenient, and the ceiling tile evidence has reportedly all been destroyed. Second, neither the Weisel, Goldstein, or Stroll bullet is probably plausible as a ricochet, for reasons of either victim position or of the condition and weight of the recovered

bullets. Third, it seems unlikely that the through-and-through shot would have had the force to ricochet in this manner. (If the shoulder pad shot is substituted for the through-and-through shot, this third point is obviated, but the problems mentioned above (2) are added.)

4.) Two would-be assassins acted at the same time, but only by coincidence. This is a New York Times fallback position in dealing with a possible grassy knoll shot in Dallas. The explanation avoids conspiracy, but its probability is miniscule.

5.) When Sirhan began firing, a second gunman decided on the spur of the moment to attempt an assassination previously unplanned. Barely conceivable, even if the gunman disliked Kennedy.

6.) Another gunman did fire in the pantry, but it was a mistake, reflex, or an attempt to protect Kennedy. This explanation concedes nine bullets, but avoids conspiracy. Its problems are the following: First, no one questioned in the pantry, including Cesar, has admitted firing a shot. Second, officials have always denied that anyone beside Sirhan fired any shots. Third, if the other gunman was armed with a .38, that gun could probably not have accounted for any of the currently admitted holes, including all of the holes in Kennedy or his clothing. Fourth, the five victim wounds, to Kennedy's rear or left, seem unlikely to have been caused by someone standing close behind Kennedy as an unintentional or reflex shot. If such a person fired the Kennedy through-and-through or shoulder pad shots, there would probably be additional ceiling panel holes beyond those admitted by police. Moreover, whoever fired any of the four RFK

shots most likely fired all of them, due to the extreme similarity of their distance of origin and flight paths. Fifth, the firing of point-blank shots into Kennedy in an effort to protect him is highly unlikely. On the other hand, the extreme human density in the pantry makes an attempt at protective shots unlikely from anyone not close to Sirhan. (Sirhan was grabbed within seconds of firing, moreover.) Protective shots striking any of the five other victims or the west vicinity of the pantry are hard to credit. Who was the other gunman?

7.) Sirhan and an accomplice were firing, but it was a conspiracy of amateurs. This raises the following questions: Who was the other person in the conspiracy and how did he plan the job with Sirhan? Where is the evidence that he had a gun, and how can its firing be explained as part of a hit on the Senator if (as police hypothesize) Sirhan's bullets were the ones striking him? If the accomplice was an Ace guard, how did Sirhan and the accomplice arrange to have Ace hired by the hotel that night, and how did they arrange for assignments which enabled the advantageous timing and locations which occurred? Why did Sirhan protect his identity? If the conspiracy was anti-Israel, was anyone else in the pantry strongly pro-Arab and convinced that Kennedy was a major Arab opponent? The admission of an accomplice concedes fundamental police error in the Sirhan investigation and the suspect investigation, on top of the prior error in the bullet investigation. Why should we believe police that these (now) two assassins were not working with/for others?

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Before any of the above explanations becomes necessary for officials, they must first have admitted what they have vociferously denied for fifteen years, the firing of at least nine bullets. This being conceded, their credibility, and above all Wolfer's*, have been dealt an enormous blow. This, in itself, erodes the presumptive credibility of any fallback explanations advanced by them. (It is worth noting in passing that the number of additional bullets verified affects the relative believability of the possible responses listed. This element should be factored in for a complete appraisal.)

On the merits, only explanations six and seven above are not far-fetched. Number seven appears to be unlikely, but requires a detailed examination. Number six is only credible for a gunman within a few feet of Kennedy and Sirhan; either a defensive or a panic shot from greater distance is hard to imagine. At this point, the analysis turns to some extent on the location of the new bullet initially postulated (if location is known) and whether it is hypothesized as coming from Sirhan or gunman number two. (The fuller flight path examination this controversy should compel ought to illuminate all of the background problems of locations, angles, distances, times, eyewitnesses, etc.) Almost certainly, all four RFK shots came from the same gun, and either four panic or defensive shots directed at Kennedy from point blank rear seems almost inconceivable.

Verification of a ninth bullet not only savages official credibility, but establishes a probability of a conspiracy on non-amateurs.

* An ancillary aspect of the admission of extra bullets is the necessity of explaining why they were missed, concealed, lost or destroyed by Wolfer.

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Los Angeles Police Department
EMPLOYEE'S REPORT

FILE

DR 68-521-466

Form 207 (Rev. April 1962)

SUBJECT

Kennedy - 187 P.C.

DATE & TIME OCCURRED 6-5-68	LOCATION OF OCCURRENCE Ambassador Hotel	DIVISION OF OCCURRENCE Rampart Division
REPORTER (Rank, Name, Assignment, Division) Lt. D.W. Mann, O-I-C, Criminalistics Section, S.I.D.		DATE & TIME REPORTED 7-8-68

DETAILS:

The weapon used in this case was an Iver Johnson, Cadet Model, .22 caliber, 8 shot revolver (2½" barrel). This weapon had eight expended shell casings in the cylinder at the time of recovery from the suspect. A trajectory study was made of the physical evidence which indicated that eight shots were fired as follows:

- #1 - Bullet entered Senator Kennedy's head behind the right ear and was later recovered from the victim's head and booked as evidence.
- #2 - Bullet passed through the right shoulder pad of Senator Kennedy's suit coat (never entered his body) and traveled upward striking victim Schrade in the center of his forehead. The bullet was recovered from his head and booked as evidence.
- #3 - Bullet entered Senator Kennedy's right rear shoulder approximately seven inches below the top of the shoulder. This bullet was recovered by the Coroner from the 6th cervical vertebrae and booked as evidence.
- #4 - Bullet entered Senator Kennedy's right rear back approximately one inch to the right of bullet #3. This bullet traveled upward and forward and exited the victim's body in the right front chest. The bullet passed through the ceiling tile, striking the second plastered ceiling and was lost somewhere in the ceiling interspace.
- #5 - Bullet struck victim Goldstein in the left rear buttock. This bullet was recovered from the victim and booked as evidence.
- #6 - Bullet passed through victim Goldstein's left pants leg (never entering his body) and struck the cement floor and entered victim Stroll's left leg. The bullet was later recovered and booked as evidence.
- #7 - Bullet struck victim Weisel in the left abdomen and was recovered and booked.
- #8 - Bullet struck the plaster ceiling and then struck victim Evans in the head. This bullet was recovered from the victim's head and booked as evidence.

A Walker's H-acid test was conducted on Senator Kennedy's suit coat in the area of the entrance wounds. This test indicated that the muzzle of the weapon was held at a distance of 18 to 20 inches from the coat at the time of all firings. I HAVE EXAMINED THE ORIGINAL OF THIS DOCUMENT AND FIND THIS REPRODUCTION TO BE A TRUE COPY OF SAME, MADE WITHOUT ALTERATIONS OR ERASURES.

BY *[Signature]*
RECORDS AND IDENTIFICATION DIVISION
LOS ANGELES POLICE DEPARTMENT

DATE & TIME TYPED 7-8-68 10 a.m. S.I.D.	DIVN. RPTG.	CLERK	EMPLOYEE(S) REPORTING <i>DeWayne A. Wolf</i>	SER. NO.	DIVN.
SUPERVISOR APPROVING <i>[Signature]</i>	TITLE	SERIAL NO.	Officer DeWayne A. Wolf #6727 S I D		

