

V. TROUBLESOME MISLEADING STATEMENTS BY OFFICIALS

1. Sandra Serrano quoted as saying she "heard shots," Special Unit Senator, pg. 119.

The statement was taken from context from the book Special Unit Senator. The entire statement was as follows: "Tests were conducted with all exit doors open and closed. The meter on the stairs from which Miss Serrano claimed to have heard the shots, registered no greater change than one decibel during any of the tests."

Investigators reviewed Miss Serrano's original statement. She referred to the sounds she heard as "six quick backfires."

The statement in Special Unit Senator was not a statement released by the Los Angeles Police Department. The book Special Unit Senator was not written by the Police Department and its contents are not our responsibility. The statement in the book is a misquotation of the official reports of the Los Angeles Police Department.

individual's account of a highly emotional incident, but the best way of doing it is by contrasting the stories of several witnesses, provided they have had no chance to compare notes. Most minds are highly suggestible.

Both Serrano and DiPietro had been given polka-dot-dress "tests" in the Oval Room of the Ambassador on June 10. George Stoner of the D.A.'s office arranged the unusual fashion show. On display were eight different styles, sizes and colors. Each witness was independently asked to pick the dress closest to the one seen five nights before. Miss Serrano picked number 6, which had a high collar, long sleeves and a bow. DiPietro picked number 4, a dress with medium-sized dots, a plunging neckline and short sleeves.

On June 19, Lieutenant Pena received further evidence to challenge the accuracy of Miss Serrano's report. Captain Cecil R. Lynch of the Los Angeles Fire Department had been making the rounds of various stairways and exits from the Embassy Ballroom to check for possible fire-law violations that evening of June 4. He had personally inspected the outside flight of stairs on which Sandra Serrano claimed to have been seated during Senator Kennedy's victory speech. Lynch saw no one on the stairs at that time.

The next day, June 20, Pena ordered sound-level tests to be conducted at the Ambassador to determine whether a gun fired in the pantry could be heard by the stairs outside the opposite end of the Embassy Room. The two locations were approximately a hundred yards, and many walls, drapes and doors apart.

Officer DeWayne Wolfer conducted the sound tests at the hotel between 11:30 A.M. and 1:30 P.M., when no functions were being held in any of the major ballrooms or neighboring

floors. Thus, there was no talking, shouting or music to lessen the sounds of the shots, as they must certainly have been covered the night of the assassination. Sirhan's gun was fired, with the same caliber of mini-mag ammunition, at approximately the spot where Senator Kennedy fell. The weapon was held horizontally, its muzzle pointed toward the door at the west end of the kitchen, the direction in which Sirhan had shot.

Several series of sound tests were made during these two hours. Wolfer and his assistants fired one, four and eight shots, recording the meter's response to each, testing the sound level at different exits as well. Tests were conducted with all exit doors open and closed. The meter on the stairs, from which Miss Serrano claimed to have heard the shots, registered no greater change than one half decibel during any of the tests. What's more, there was no hubbub to help drown out the pistol cracks. The minimum change in noise level, discernible for people with normal hearing is two decibels, though a person with exceptionally sharp hearing might detect a one-decibel fluctuation.

Had this been an ordinary investigation, DeWayne Wolfer's report would have closed the Sandra Serrano file. She obviously thought, in the furor of the moment, that she heard and saw certain things which were not physically possible or did not actually occur. It happens every day, in petty cases as well as in major crimes. People are positive they see someone who later turns out to have been miles away. They hear something which can barely be detected by the most sensitive electronic device. Yet Manny Pena knew that as long as Miss Serrano stuck to her story, no amount of independent evidence would, in itself, serve to dispel the "polka-

dot-dress girl" lever, which had by now, in the press and public mind, reached a high point on the thermometer of headlines. She alone could put that spotted photo to rest.

Wally called over Sergeant Hernandez, the SUS polygraph (he detector) expert, who also happened to speak fluent Spanish (as did Miss Serrano). Besides, he was a highly skilled investigator. Pena asked Hank Hernandez what he was doing for dinner that night, and suggested he might like to take Sandra Serrano out for a SUS-bought steak. Hernandez called for Miss Serrano, and over dinner they talked about what she had seen and heard after the assassination at the hotel. She still insisted her original story was true. Hernandez asked if she would be willing to undergo a polygraph examination. She readily agreed, and after dinner they drove to Parker Center, using Polygraph Room B for the three-channel Secresting instrumentation test.

"The time is ten-fifteen P.M.," Sergeant Hernandez began, taking her final statement on the matter. "The date is June 20, 1968. And now, Sandra, I'm going to ask you some questions just so we can get the true facts on the previous statement you made. . . . The whole thing that we are trying to resolve here is what actually happened at the Ambassador Hotel on June the fourth. . . . Now, you went to the Ambassador Hotel with some other people. . . . Did you eventually wind up in the main ballroom—"

"Uh huh."

"—of the hotel? And I understand you had something to drink there?"

"Yes."

"What did you drink, Sandra?"

"A screwdriver."

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"A screwdriver. Just one screwdriver."

"Yeah."

"And sometime during the course of the evening—you said about eleven-thirty—you went out to the stairway?"

"Uh huh, outside."

"Outside. And you sat down on that stairway?"

"Yeah, I think I did."

Hernandez said, "Okay, now, we have statements here that obviously are incorrect—"

" . . . people messed me up."

"How was that?"

"Well, stupid people. Well, I don't know how to say it. I they—just in all the commotion and everything, like . . . I was supposed to know more than I knew."

"I understand! Well, to make it simple—now, first of all, Mr. Ambrose, I think, is a person that you had described previously as having talked with you?"

"Uh huh."

"And do you remember what you told Mr. Ambrose?"

(John Ambrose, on the D.A.'s staff, was the man she had first approached.)

"Yes, I told him that I heard the people say, 'We shot him,' or 'They shot him,' or something. And I remember telling him that I had seen these people on the . . . on the stairway."

"You told him this, and then sometime later, I think, you heard the kid—some kid mention something about a white dress and polka dots."

"Right."

"Was this where you got the idea . . ."

"I don't know."

"I don't know."

"I don't know."

"I don't know."

"I don't know."

"I don't know."

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"Okay—now, earlier also you said . . . Hernandez possibly took her back, point by point, over the various statements she had made in her transcript interview at Rampart on June 5, correcting or clarifying each detail before moving on to the next. Miss Serrano's monitored automatic responses to key questions indicated descriptions: the dress she saw had merely been white, not white with black polka dots, and as the girl ran past she had not shouted. "We shot Senator Kennedy," he ranted. "He shot Kennedy." or "They shot Kennedy." And as to her statement about having heard the sound of gunfire—

"No, I never said I heard shots," Miss Serrano insisted. "You never said that. Well, now, somebody quizzed you as saying that you heard shots, and I know they were backfires 'I heard backfires of a car, and I know they were backfires of a car. I know they weren't gunshots."
"Okay. Also, where was it that you saw the waiter— the kid that was a waiter in the kitchen? Where did you see him and hear his statement?"

"Upstairs."
"In the Embassy Room?"
"Uh huh."
"And that is when you heard the kid say something?"
"Right."
"About a woman?"
"Right."
"In a white polka-dot dress?"
"Well, regardless of what was said before, now we know that it was a girl in a white dress that he saw?"
"Right."
Blank Hernandez sighed with relieved satisfaction. "When

was the first time that you knew that this was a pack of mistruths?" he asked her.
"When I went down to the police station?"
"Which one? This police station?"

"Rampart."
"Why didn't you correct them at that time, Sady?" he asked softly.
"I don't know. After . . . well, two reasons, so I didn't want to look like a fool, which I look like now. Another reason, because everybody figures . . . you know . . . I was sitting there hearing descriptions and descriptions of these people. Oh God, no, maybe that's what I'm supposed to see . . . more than, more than I did. It maced me up, that's all, and I figured, well, they must know what they're doing— I mean, they are police, after all. They have to know what they're doing. And I just figured they knew what they were doing. That's all."

Sergeant Hernandez said, "Sady, just for my own personal edification—now why, when I talked to you earlier this evening, in front of your aunt . . . why didn't you tell me the truth?"
"Because I knew I was going to tell you later."
"Did you know you were going to tell me later?"
"Yes."

"Do you feel better now?"
"Yes and no. Well, yes, I feel better . . . I knew that it would keep growing and growing and growing . . . the whole thing was a lie; that's it, and I don't know—to tell you the truth, I don't really feel it was my fault . . . I didn't even know I was on television . . . everybody was making me up-at-work around eleven-fifteen, and I never got home

would sit o'clock. And we didn't do anything during that time, anything. . . . They didn't even know what they were doing between themselves. That's what killed me. You really feel you can't say anything, and you know you're supposed to say something. But I'll tell you what—I guess everybody feels that way, and I got kind of nervous, that's all. And I think it was the first cop's fault. I want to put the blame on somebody. I want to shift it from me or somebody."

"And the purpose of the interview, Vincent, as I have indicated to you, is to determine the truth, the whole truth, and nothing but the truth as far as what you saw on the night that Kennedy was assassinated. . . . Okay? Eleven days after the Serrano polygraph test, Sergeant Hernandez was reinterviewing and polygraphing young Vincent DiPietro."

"Yes, sir."

"Now, one important fact that you indicated previously, on June fifth, was that you had seen a girl in a black-and-white polka-dot dress standing next to Sirhan, the suspect in the Kennedy shooting."

"Yes."

"As a matter of fact, you have told me now that there was no lady that you saw standing next to Sirhan."

"That's correct."

"Okay. Now, I can appreciate what you would have been or could have been going through on that evening."

"Yes."

"—but I think what you have told me is that you probably got this idea about a girl in a black-and-white polka-dot dress after you talked to Miss Sandra Serrano."

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"Yes, sir, I did."

"Would you tell me about that? What did she tell you that prompted you to dream up or to say that you had seen a woman behind Sirhan?"

"She stated that there was this girl that was wearing a polka-dot dress came running down, I guess it was the hallway; saying that 'We shot him,' and . . . she . . . you know, we started asking each other questions about the girl, and evidently I went along with what she said as being a person that I imagine that I saw."

"Okay. Now, something that is very interesting to me is that you described this girl in the black-and-white polka-dot dress—"

"Yes."

"—and you described her so well that in my experience I believe you were describing someone that you had seen during the night."

"Possibly."

"Or that might be a neighbor of yours or somebody that you had, in fact, seen somewhere else, but not in the kitchen of the Ambassador Hotel."

"That is very possible, yes, sir. . . . It was, I am fairly sure, one girl that was in there that night."

"In the ballroom?"

"In the ballroom that night."

"Was that girl wearing a black-and-white polka-dot dress?"

"Probably. In fact, I believe it was. . . . Yes."

"Is this girl in the black-and-white polka-dot dress also the girl that you [later] described with a pug nose?"

"Yes."

"She also had a pug nose?"

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