

Coroner favors recheck of gun in RFK murder

By Robert L. Rose
Our West Coast Bureau Chief

LOS ANGELES — Los Angeles County Coroner Thomas D. Noguchi has urged that Sirhan B. Sirhan's pistol be test-fired again to make sure it was the one that killed Sen. Robert F. Kennedy.

"Yes," Noguchi said, when asked by Los Angeles County Supervisor Baxter Ward if it was a good proposal.

Ward, a relatively unpublicized candidate for governor in the June 4 California primary, called a hearing on ballistics evidence in the Kennedy assassination in his dual capacity as chairman of the county coroner department.

Dist. Atty. Joseph P. Busch refused to appear, although invited by Ward to testify, saying it was mere campaign fanfare and absurd, and that ballistics questions were resolved at the trial in 1969 and when they were revived by conspiracy theorists in 1971.

HOWEVER, two firearms experts testifying at the Monday hearing joined a third, who originally raised the question, in declaring that, from photographs:

- Two bullets, one recovered from Kennedy's neck and the other from the abdomen of a wounded bystander, did not appear to match. The first looked like it has a single knurled groove, or cannellure,



Sirhan B. Sirhan

around the lead butt. The second appears to have two.

- Grooves in the lead caused by the rifling in the pistol when the bullet was fired do not match on the two specimens.

- A third test-fired bullet from Sirhan's gun, an Iver Johnson .22 Cadet No. H53725, does not match either of the other two.

"I AM SUGGESTING the bullets were not fired from the same gun, based on the photographs," testified Herbert L. MacDonell, a professor at Corning Community College and Elmira College in New York. "But the only way to be sure is to test-fire the pistol again and compare the projectiles in question microscopically."

Lowell W. Bradford, a firearms expert from San Jose, Calif., made similar points and said the "only way to resolve this is to conduct a thorough

examination of all the ballistics evidence, including refiring the gun."

A veteran Pasadena (Calif.) criminalist, William W. Harper, first said more than three years ago that none of the three major bullets in the investigation matched each other.

Harper, who Ward said was ill and unable to appear at the hearing, raised the question of whether an overlooked second gunman may have been Kennedy's real murderer and that Sirhan may have been convicted for a killing he admittedly attempted but perhaps did not actually commit.

ATTORNEY Barbara Warner Blehr in 1971 accused the Los Angeles Police Department criminalist DeWayne Wolfer of test-firing the wrong gun.

Dist. Atty. Busch said she was wrong but that a subsequent investigation showed the office of County Clerk William G. Sharp had mishandled the evidence, permitting "tampering."

Sharp, after a critical grand jury report then, and again at the Ward hearing, denied the accusations. Wolfer, who is suing Ms. Blehr, declined to appear.

NOGUCHI elaborated on another area of dispute involving the "two-gun theory," saying the fatal shot, behind Kennedy's right ear, had to have been fired from "one to three inches" away.

He said two other bullets, which entered Kennedy's right underarm as he raised his arm, possibly to try to defend himself, were fired from almost as close range.

But three witnesses at the trial said they believed Sirhan was several feet — or yards —

away when the shooting took place in the pantry of the Ambassador Hotel in Los Angeles the night of June 5, 1968, just after Kennedy made a California primary victory speech.

"I testify on the basis of the physical evidence, not on what witnesses say," Noguchi told the Ward hearing.

ANOTHER WITNESS, atomic scientist Vincent P. Guinn of

the University of California at Irvine, suggested that fragments of all the bullets recovered in the shooting — eight of them — be subjected to radioactive tests to determine if they all came from the same batch of lead, thus the same manufacturer.

Noguchi said he had contacted Guinn within days of the assassination for such help but that Wolfer had told him not to go forward because the tests were so sensitive they could be confusing.

"He said they would show differences between the base of the bullet and the cone. I took the advice," Noguchi said.

THE U.S. Supreme Court a year ago refused to review the Sirhan conviction, which had earlier been upheld by the California Supreme Court. One of the appeal grounds was evidence supplied by Harper on alleged ballistics discrepancies.

State Atty. Gen. Eville J. Younger noted that the new evidence hadn't been presented to the state court and had to be disregarded by the federal court.

At his trial, neither Sirhan nor his attorneys questioned the ballistic evidence and, in fact, conceded from the opening statement that Sirhan had killed Kennedy.

The defense was exclusively on the premise that Sirhan, a Jordanian Arab, was so d-ranged by his feelings over the Palestine problem he shouldn't be held accountable for the shooting of Kennedy, whom he regarded as a friend of the Israelis.

In his notebooks, which police confiscated, a seizure the U.S. Supreme Court sustained, Sirhan wrote repeatedly, "RFK Must Die..."

Sirhan was sentenced to die but his life was spared by state and federal court rulings against capital punishment. He is now serving a life term in San Quentin Prison.