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SIRHAN DIDN'T KILL RFK!

A Special
4-Page Report

Sirhan didn't kill RFK!

TOM THOMPSON

"There are guns between Bobby and the White House..."

— RFK emissary to Jim Garrison 1968

Early in the morning of June 5, 1968, a .22 caliber gun was forcibly wrestled from the hand of Sirhan B. Sirhan moments after Senator Robert Kennedy, fresh from an upset victory in the California Presidential Primary, had been fatally wounded.

Had Sirhan escaped that night while Senator Kennedy lay dying on the pantry

floor of the Ambassador Hotel, an assassin's bullet lodged in his brain, what kind of investigation would the Los Angeles Police Department have conducted? Would they have concluded, as they did, that there was no conspiracy, that Sirhan was in fact a "lone nut"? Would they have concluded that the only weapon fired that night was the Sirhan weapon, and that gun "and no other gun in the world" was the murder weapon?

The fact is that Sirhan B. Sirhan did not escape. After a highly publicized trial, the young Sirhan was found guilty of first degree murder on April 17, 1969

and sentenced to die in the gas chamber. Today, with the death penalty declared unconstitutional, Sirhan is alive and awaiting parole (set for Feb. 23, 1986) on San Quentin's death row.

Tried But Failed

There is little doubt in anyone's mind that Sirhan wanted to kill Senator Kennedy; yet today, more than seven years after that tragic night at the Ambassador Hotel, one question, buttressed by overwhelming circumstantial evidence, haunts the American psyche: *Did Sirhan Sirhan really kill Bobby Kennedy?*

The speculation that Sirhan tried but failed to kill Senator Kennedy is based primarily on two major points: expert ballistics evidence that proves the bullet recovered from Kennedy's body and the bullet recovered from William Weisel, a television producer who was wounded that night, could not have both been fired from Sirhan's gun; and the eyewitness testimony of virtually everyone in a position to see that places Sirhan no closer than two feet from the Senator's body, while the official coroner's report states that Kennedy was shot from a distance of no more than three inches.

Special Unit Senator

With Sirhan and his gun firmly in tow, Los Angeles District Attorney Evelle Younger, who has since been catapulted to the Attorney General's seat of the State of California, and the Los Angeles Police Department, announced to the world that they were conducting the most thorough murder investigation in history. What they didn't tell the world was that the investigation dubbed "Special Unit Senator" apparently had but one goal, and that was to prove that Sirhan and Sirhan alone killed Senator Kennedy.

with a .22 caliber 8-shot Ivar Johnson handgun, Serial #H53725.

Vital to that apparent preordained conclusion would be to find that all bullets fired that night were fired from Sirhan's gun. The evidence was quickly provided by LAPD crime lab specialist DeWayne Woifler, who testified before the grand jury and later at Sirhan's trial that he had personally test-fired the Sirhan gun and that, based on his comparisons of those test bullets and slugs taken from Senator Kennedy's body and William Weisel (one of five innocent bystanders who were wounded that night), they were all fired from "the Sirhan gun and no other."

Virtually everyone in the nation accepted that official version, including Sirhan's defense lawyers, who concluded that since the LAPD ballistics evidence proved it, then Sirhan must be the killer.

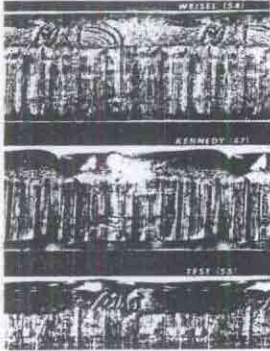
First Doubts

Among those who had some doubts about the official findings was investigative journalist Ted Charach, who was that night in the midst of preparing a documentary film about Kennedy's almost sure rise to the presidency. Charach, who since then has conducted a virtual one-man vendetta in search of the true facts surrounding the assassination, recalls:

"It was midnight when Bobby Kennedy came down from his fifth-floor suite to speak to his supporters. I was in front of the dais in the press section as he made his victory speech. I was to interview him afterwards."

Immediately following the speech, Charach got into a conversation with Stephen Smith, Senator Kennedy's brother-in-law, and wandered off to a

- The Principals -



The unmatched bullets.



Sirhan Sirhan, brainwashing victim?



Thane Eugene Cesar, owner of "the second gun."

Ted Charach, investigative journalist, filmmaker.



Paul Schrade, assassination victim, Kennedy associate.

Prof. Herbert MacDonell, forensic scientist.



The second gun

TOM THOMPSON

A second gun was present at the Ambassador Hotel the night Robert Kennedy was gunned down; that gun was drawn and fired. And the gunman was directly behind and to the right of Senator Kennedy. In exactly the position from which the evidence indicates Kennedy was fatally shot.

The gun belonged to Thane Eugene Cesar, a plumber by trade and part-time security guard hired by the hotel to beef up security. Cesar's role in the tragedy is one of the most controversial and perplexing issues raised by critics of the official lone-assassin theory.

While virtually everyone's attention was focused on Sirhan following the first shots, one lone witness, former KNXT news employee Donald Schulman, stated that a security guard had drawn and fired his weapon. In an exclusive taped interview Schulman told Ted Charach, "We were slowly pushed forward, another man stepped out and he shot. Just then the guard who was standing behind Kennedy took out his gun and fired also. The next thing I knew is that Kennedy was shot..."

Discredited

Following Schulman's testimony, which he refused to change, he was intimidated and discredited by police investigators and his own station. Schulman's testimony was never offered as evidence in the Sirhan trial.

Cesar admitted to investigators that he did in fact draw his gun, but only after he was knocked down in the scuffle following the shooting. But Cesar's story allegedly changed each time he was interviewed by law-enforcement personnel. As a result of his "inconsistent testimony," Cesar was never called to

testify before the grand jury or at the Sirhan trial.

In an exclusive interview with Charach several months after the Kennedy murder, Cesar admitted drawing his weapon "as soon as the shots were fired." Cesar also admitted that when he was questioned by the police and FBI following the shooting, he was never asked what caliber gun he was carrying that night, whether he was carrying a back-up gun or whether he had fired any gun in the pantry.

Cesar also admitted that he owned a .22 caliber pistol, similar to the Sirhan gun, and that he did have the weapon with him that night but instead was carrying a .38 caliber pistol.

Gun Sold

The late Los Angeles County District Attorney Joseph Busch has stated that Cesar told investigators that he had sold his .22 about one month prior to the assassination, but in his interview with Charach, Cesar amended his original statement to say that he had sold the gun to a friend in Arkansas in September 1968, three months after the assassination.

Charach obtained a copy of a receipt for the sale of the .22, signed by "Thane Cesar," which reads: "On the day of Sept. 6, 1968 I received \$15 from Jim Yoder. The item involved is a H&R 9 shot serial number V13332." That .22 caliber pistol which may play a significant role in solving the second gun controversy is missing. It was allegedly taken in a burglary from Yoder's home in 1968. Thane Eugene Cesar is also missing.

Ted Charach, who is responsible for uncovering more irregularities and influencing the key ballistics experts in in-

(please turn to page 29)

All photos from "THE SECOND GUN" Copyright 1973



quieter location near the pantry. "Smith and I were discussing the campaign theme, 'A new vision of America,' when we both heard some shots ring out."

Ted was the first person to enter the pantry following the shooting. "I was the first in there and the last to leave..."

Although Sirhan was in custody and it seemed an open-and-shut case, Charach was not satisfied. "I remembered having seen Sirhan at the hotel two nights before as part of a group of swarthy men, and I began to be con-

cerned about the possibility of a conspiracy."

The Coroner's Report

Charach's curiosity and belief in a conspiracy was heightened when he read the Kennedy autopsy report of Los Angeles County Coroner Thomas Noguchi. Noguchi found that all gunshot wounds came from "right to left directions, and upward and back to front direction." From the deeply ingrained powder burns on the Senator's ear, Noguchi concluded that the bullet that penetrated Kennedy's brain was fired from a distance "one inch and no more than three inches from the surface of behind the right ear."

Noguchi's testimony ran contrary to virtually every eyewitness report placing the presumed assassin Sirhan Sirhan no closer than two feet from and in front of the Senator, and provided the first real crack in the official conclusion.

Noguchi was given every opportunity to change his testimony. "One of the deputy district attorneys approached me after I testified in Grand Jury after having my testimony already transcribed. He

said 'Tom, are you sure three inches?' He offered that if I misunderstood — if I misstated, this is the time now to correct it, but I thanked him because I don't have to concern (myself) about witnesses because I based my opinion totally on physical evidence."

Less than one year later, after repeated suggestions that it would be better for the District Attorney's version of the shooting if Noguchi's testimony were different, Noguchi was fired by the Los Angeles County Board of Supervisors for failure to properly administer his department. Noguchi was exonerated in a Civil Service Commission review of the case and reinstated to his position as coroner, a position he still holds.

The Second Gun

Armed with Noguchi's testimony, the belief that a second gun must have been used, and reels or taped interviews with witnesses who discounted the police contentions of a "lone nut" assassin, Charach began work on a new documentary, a journalistic film probe entitled "The Second Gun."

The biggest break in the case came when Charach enticed noted Pasadena forensics expert William Harper to conduct ballistics tests on the Sirhan gun and bullets to determine if there were any discrepancies.

Harper, now 72 and in failing health, gained access to the evidence in the summer of 1970 with the approval of one of Sirhan's defense attorneys. Seven months later, Harper's conclusions created a bombshell: "There is a significant difference in the markings made on the bullets which struck bystanders and those which penetrated Senator Kennedy's body. I can find no matching characteristics between these bullets, and I am forced to conclude that these bullets were fired by different guns."

Harper also concluded: "A second gunman to the right rear of the Senator was in a virtual blind spot where no one was looking after Sirhan started firing. The muzzle of the Sirhan gun was about two feet from the Senator. Wounds 1-2-3 (Kennedy's wounds) could not have been inflicted under these conditions, even if the Senator had turned to his left by 90 degrees."

Justice By Error

If those findings weren't damaging enough, Harper also stumbled across the unbelievable fact that Sirhan's gun was never tested and that LAPD firearms expert had used another .22 caliber pistol to fire the test bullets that were later used to confirm that all bullets fired the night of the assassination were fired from Sirhan's gun. Thus, the most damaging evidence against Sirhan was provided by a gun he never owned, touched or knew anything about. In Charach's words, when Wolfer pulled that stunt, he established "justice by error."

Even stranger is the fact that using this second gun once to help prove Sirhan

killed Kennedy, the LAPD then proceeded to destroy it a full seven months before the trial.

Despite Harper's astounding discoveries, most journalists, perhaps feeling cheated by the events of the Garrison trial in New Orleans, where D.A. Jim Garrison was having difficulty proving a conspiracy in the assassination of President John F. Kennedy, turned a deaf ear toward another conspiracy. One notable exception was the *Free Press*, which Charach cites as "one of the few papers with guts enough at the time to print our story."

Wolfer's Errors

Others who failed to miss the significance of Harper's revelations were Wolfer's fellow forensic scientists who, appalled at his apparent incompetence, convinced Los Angeles Attorney Barbara Blehr to formally charge DeWayne Wolfer on May 28, 1971, with major errors and violations of standard ballistics practices in major capital cases. Police Chief Ed Davis defended his crime lab "expert" as the top man in his field in the country.

Despite Davis's praise, newly appointed District Attorney Joseph Busch, who replaced Evelle Younger, by this time Attorney General, announced that he would investigate the facts. As the months dragged by, and several announced press conferences to release the D.A.'s findings were cancelled, it became apparent that something major was cooking at the County Hall of Justice. Finally the reason for the delay was officially announced.

In the course of investigating Wolfer, the D.A.'s office had stumbled across something far more interesting and urgent. Busch announced that there was some concern that evidence in the Sirhan trial had been "contaminated," and perhaps tampered with, by unauthorized individuals. Busch announced that the matter would be taken before the Grand Jury since it appeared that certain evidence may have been rendered useless in any further court actions resulting from Sirhan's conviction.

With that announcement, attention on Wolfer's apparent indiscretions was sidetracked for all but a few, among them Marshall Houts, editor-in-chief of *Trauma* magazine, a publication specializing in forensics and criminalistics in the field of medicine, anatomy and surgery.

In a personal letter to his friend and longtime associate, Evelle Younger, Marshall Houts wrote of his concern over Wolfer's activities: "... I have no personal interest in the matter but do have a deep academic and professional concern over Wolfer's horrendous blunders in the past and those he will commit in the future if he continues on in his present assignment."

The letter continues, "... Wolfer suffers from a great inferiority complex for which he compensates by giving the (please turn to page 4)

- Flash -

As the *Free Press* went to press this week with a special edition probing the assassination of Senator Robert F. Kennedy, the Los Angeles County Board of Supervisors reversed an earlier stand and voted 5 to 0 to seek a reopening of the Kennedy investigation. Spurred by Supervisor Baxter Ward, the board unanimously decided to join in legal efforts that seek to force a re-firing of the alleged murder weapon and a retesting of the bullets fired the night of the assassination.

Critics of the Los Angeles Police Department's handling of the original investigation into the assassination of Senator Kennedy contend that such a reopening of the case will prove that Sirhan B. Sirhan, convicted as the lone assassin, did not kill Kennedy and that another person or persons conspired to murder Senator Kennedy on the eve of his 1968 California presidential primary victory.

Complete details of the Kennedy assassination and the seven-year effort to reopen the case are contained in the accompanying articles in this week's *Los Angeles Free Press*. □

Sirhan Sirhan and the "Walking Bible"

A television preacher who was fired from Los Angeles TV station KCOP after it was alleged he was involved in the assassination of Robert Kennedy has won a civil suit against the station.

Jerry Owen, known as the "Walking Bible," was first connected with Sirhan when he told investigators following the assassination that he had picked up Sirhan Sirhan on the day of the assassination and drove him to the Ambassador Hotel, where Kennedy was later killed. Police investigators say they had checked out Owen's story and concluded that he was simply seeking publicity and ignored him.

Owen was later fired from his position as host of a weekly TV program at KCOP because "he was involved in the killing of Robert Kennedy."

For most investigators and journalists, the Rev. Owen story ended when police dubbed him a publicity-seeker. The fun-

damentalist preacher's connection with Sirhan resurfaced with a vengeance when bizarre new allegations connecting Owen, to a possible conspiracy in the Kennedy assassination were raised in the final days of Owen's \$1 million slander suit against KCOP.

Former Los Angeles Deputy District Attorney Vincent Bugliosi, who tried the Sharon Tate/Manson murder case and is the author of *Helter Skelter*, entered the case at the eleventh hour and argued that Owen was in fact deeply involved in the assassination. Bugliosi's attempts to prove his allegations were cut short when, despite a court order, police officials refused to release investigative files on Owen. Bugliosi had sought all records, documents, taped interviews by police with Owen and fingerprint tests allegedly conducted on the Owen car that might have proved the Owen contention that he had, in fact, given Sirhan

a lift on the eve of the assassination.

The police department resisted all efforts to obtain those materials on the advice of the District Attorney's office.

Bugliosi did manage to provide a series of dramatic allegations when he produced a new witness linking Owen to the Kennedy murder. The witness, Los Angeles County rancher Bill Powers, who Bugliosi describes as "in fear of his life," reluctantly took the witness stand and stated that a "couple of days" prior to the assassination Owen visited Powers at the Powers ranch, which is next to Owen's ranch in Santa Ana.

Powers stated that Owen, who was generally without funds, had in his possession 25 to 30 \$1,000 bills and that he arrived in a 1964 Lincoln with a black man in the front seat and a person "strongly resembling" Sirhan Sirhan in the back seat. Owen purchased a truck (please turn to page 29)

Sirhan brainwashed, evidence forged, former prison psychiatrist claims

Former California prison psychiatrist Dr. Eduard Simson, who conducted intensive tests with Sirhan Sirhan at San Quentin Prison, contends that Sirhan may have been programmed to kill Senator Kennedy, that many of the anti-Kennedy writings contained in Sirhan's notebooks, considered key factors in his conviction and the lone-assassin theory, may have been forgeries and that the psychiatric defense of Sirhan was, in short, the psychiatric blunder of the century.

Doctor Simson, now in private practice in Monterey, Calif., further states that when he attempted to inform prison officials of his findings, his visits with Sirhan were immediately "terminated by a nasty letter" from San Quentin Associate Warden James Park. Ironically, during Simson's six-year term on the prison psychiatric staff, this was the first case from which he had ever been removed.

'Disservice'

Simson's visits with Sirhan and his astounding observations were made during the summer of 1969, including approximately 20 visits; Simson, at first reluctant to become involved publicly with the case, was approached by ballistics expert William Harper and encouraged to study the trial transcripts

and evaluate those conclusions with his own psychiatric evaluation of Sirhan. Simson looked further and concluded that "it would be a disservice to the profession of psychology to let this matter rest without further review."

Simson has since provided the *Free Press* with a 22-page affidavit outlining his conclusions and opinions.

"I am appalled at the conduct of the mental-health professionals involved in this case. I discussed my findings with the prison's chief psychiatrist, Dr. David G. Schmidt. It was our conclusion that the findings reported during Sirhan's trial did not match but, in fact, were strictly in conflict with our findings elicited from Sirhan at San Quentin." Dr. Simson states that despite testimony at the trial by the trial's main witness, Dr. Bernard Diamond, "nowhere was I able to find evidence that he (Sirhan) is a paranoid schizophrenic or psychotic."

"The testimony of psychiatrists and psychologists, which I have carefully studied from trial transcripts, shows significant errors, distortions, even probably falsification of facts. The main reason for these errors rests largely on their belief that Sirhan killed Robert F. Kennedy... Had they known the ballistics evidence strongly contradicts Sirhan having killed Robert F. Kennedy, their

approach... would have been different."

The assumption that Sirhan was, in fact, the lone assassin of the defense, in Sirhan's words, "proving what to them was a known fact rather than in discovering the truth." According to Simson, Sirhan refused to cooperate with his psychiatrists because he saw them as Jewish, and Sirhan, personally involved in the Arab-Israeli crisis, had little faith in Jewish persons.

Sirhan told Simson while in prison that "whatever strange behavior I showed in court was the result of my outrage over Dr. Diamond's and other doctors' testimony. They were saying things about me that were grossly untrue, nor did I give them permission to testify in my behalf in court."

In his scathing affidavit Dr. Simson suggests that perhaps Sirhan was programmed by his own defense counsel to accept the idea that he (Sirhan) was a lone gunman, despite the fact that to this very day Sirhan contends that he is unaware of what transpired that night.

Simson points out that in six of eight sessions Dr. Diamond used hypnosis with Sirhan. "What was the purpose of it? To plant ideas in Sirhan's mind, ideas that were not there before? To make him accept the idea that he killed Robert F. Kennedy?... When Dr. Diamond was unable to get Sirhan to admit that he wrote the notebooks, he testified (p. 697B) '... so I undertook some experiments on possible hypnotic suggestions.'"

Simson has also sworn that Sirhan exhibited consistent feelings "about strange handwriting in his notebook"

which Simson states leads him to believe that "someone other than Sirhan underlined and made notes in this book — at some date after these books were taken from Sirhan's home."

"The handwriting of Sirhan in his notebooks differs often drastically, from the handwriting on numerous test materials I obtained from Sirhan at San Quentin," notes Simson.

"I strongly suspect the notebooks are a forgery, for the thinking reflected in them is foreign to the Sirhan I carefully studied."

At no point during the trial was there any effort to have a handwriting expert examine the handwriting to determine if in fact some of the notations were forgeries. The defense stipulated that Sirhan had in fact written them. Also at no time was a lie detector test administered with the simple questions: Did you kill Senator Kennedy? Was there a conspiracy? Did anyone tell you to shoot at Senator Kennedy?

Simson has asked himself numerous questions: "Was Sirhan merely a double, a stand-in, sent there to draw attention? Was he at the scene to replace someone else? Did he actually kill Robert Kennedy?"

There is also one last unspoken and unwritten question that nevertheless leaps from the pages of Simson's affidavit: What would we know now about the assassination if the police defense hadn't been overwhelmingly willing to accept Sirhan as a lone assassin and as a result conducted an entirely different kind of investigation? Would we still be asking questions about who killed Bobby Kennedy several years after his assassination? — Tom Thompson

SIRHAN

(continued from page 3)
police exactly what they need to obtain a conviction (our emphasis)."

The *Free Press* has learned that the conduct of DeWayne Wolfer in the Kennedy case is currently under investigation by the American Academy of Forensic Sciences. Sources close to the investigation have told us that charges against Wolfer, which could lead to censure or disbarment from the prestigious Academy, include the allegation that "he willfully introduced fraudulent evidence into an American courtroom."

Wolfer's apparent "fraudulent" testimony had a decided effect on the defense of Sirhan headed by Attorney Grant Cooper: "... Had I any inkling or belief that Sirhan had not acted alone or not fired the fatal shot, it is obvious that an entire investigation would have been wholly reoriented... I did not seek in any way to challenge the theory of the prosecution on the foregoing gross physical discrepancies and evidential contradictions..."

Grand Jury Smokescreen

The most effective counterattack designed to impeach Harper's findings occurred when the late District Attorney Joseph Busch empaneled the Grand Jury in the summer of 1971 to examine whether Harper's access to the evidence was authorized and if his findings were in fact valid.

The Grand Jury, under the direction of Busch, dutifully concluded that "because the exhibits in the custody of the County Clerk's office were handled, examined and photographed by unauthorized persons and mishandled by County Clerk exhibit personnel, there exists a reservation on the part of 1971 Los Angeles County Grand Jury relating to the present integrity of the ballistics exhibits which were introduced into evidence, both during the Grand Jury presentation on June 7, 1965, and during the subsequent trial of the defendant, Sirhan B. Sirhan."

The Grand Jury admitted some shortcomings to their investigation when they noted, "We are unable to substantiate these reservations."

And so it was hoped by Los Angeles officials that the case would now be closed, the upstarts would slink away and

there would be no tarnishing of Los Angeles' reputation, as had been the case in Dallas where official bungling had been the order of the day following the assassination of President John F. Kennedy.

Different Angles

The investigation continued, and on Nov. 28, 1973 Herbert Leon MacDonell, one of America's foremost criminologists and director of the Laboratory of Forensic Science in Corning, N.Y., added his valued voice to Harper's. There were two guns!

In his affidavit, MacDonell, attracted to the case after viewing Charch's film, *The Second Gun*, states that the bullets removed from Senator Kennedy and bystander William Welles could not have been fired from the same weapon. Not only were the rifling angles different, as Harper had found, but the bullets were probably from a different manufacturer, with a different number of rings or cannelures around them. MacDonell concludes by stating that "the bullet removed from the late Senator Kennedy was not fired from the Ivar Johnson .22 cadet revolver taken from Sirhan."

The fabric of myth and misleading official statements holding the single-gun theory together was torn even further when in May of 1974 Los Angeles County Supervisor Baxter Ward held hearings in an attempt to force a reopening of the case or at the very least force a re-firing of the Sirhan weapon. Harper's and MacDonell's findings were substantiated by Lowell W. Bradford, the former director of the Santa Clara County crime laboratory, yet another noted and respected forensic expert.

No Tampering

The myth that the evidence in the case had been tampered with and somehow altered, or had deteriorated with age, was also laid to rest during the Ward hearings. William Sharp of the County Clerk's office testified that only authorized persons were allowed access to the evidence (including William Harper who had gained authorization through Sirhan's defense counsel) and that the Grand Jury's conclusion that the evidence had somehow been tampered with was "pure, unadulterated nonsense."

Robert Eskanos, who had conducted (please turn to page 29)

Schrade sues Sirhan, others to reopen RFK investigation

JEFFREY KAYE

Paul Schrade, the former United Auto Workers Union official shot in the forehead as he stood next to Senator Robert F. Kennedy when he was killed in the Ambassador Hotel seven years ago, has taken a three-pronged legal offensive in his efforts to reopen the assassination case.

Last week, Schrade filed three separate civil suits aimed at gaining access to evidence in the case. The first is a personal damage claim against convicted assassin Sirhan Sirhan and against 12 John Does. Schrade has said repeatedly that he does not believe that the bullet which injured him came from the gun of Sirhan, but according to Jack Tenner, an attorney who filed the action on Schrade's behalf, the suit will allow for certain discovery motions in order to ascertain who else, if anybody, might have been involved in the shooting or its planning.

The two other suits deal principally with evidence gathered by police investigators in their probe of the case. One of the legal actions, which Schrade refers to as the "key one," asks that Schrade "be granted the right to inspect and test the exhibits in this case both as an interested citizen and as a victim of the crime itself." Schrade explained that if the motion were granted, he would gain access to evidence that is under the jurisdiction of the Superior Court — exhibits used before the grand jury and in the trial of Sirhan.

The third action is a writ of mandate filed for Schrade by attorney C. Stephen Howard against Los Angeles City Attorney Burt Pines, the five members of

the Los Angeles Police Commission and the Los Angeles Police Department for their refusal to hand over material gathered in the case. Schrade explained that this evidence was at one time available to the public, and he said that certain selected journalists have been given the opportunity to examine the now secret documentation and physical evidence.

The former union official is holding out high hopes for the second of the three motions, the one that seeks to examine and test evidence, because the judge who will be reviewing his suit is the same one who has granted the Los Angeles *Times* and CBS permission to examine a 10-volume summary of the Los Angeles Police Department's findings.

That suit also seems to be the most important of the legal actions since it will deal specifically with contentions of some ballistics experts that there was a second gun involved in the shooting.

"Since the experts have never qualified themselves in court, our efforts are to get this kind of testing and examination of the evidence in an arena where everybody's involved — the Sirhan attorneys, the District Attorney himself, the police chief, the Police Commission — under the supervision of a judge," said Schrade. "And if it's done in that kind of arena under close supervision right here in Los Angeles, we can then come to a decision whether there was a second gun or not."

The second suit is expected to be heard in Los Angeles Superior Court this week.

Schrade said that the lawyers handling the three cases are doing so on a voluntary basis. □

SIRHAN

(continued from page 4)

an investigation for the County Administrative Office into Grand Jury charges that "the evidence had lost its integrity through the handling, examining and photographing by unauthorized persons," testified that "there was no substantial evidence of unauthorized handling of original exhibits."

Los Angeles Coroner Thomas Noguchi repeated his findings concerning the distance from which Senator Kennedy had been shot during the Ward hearings: "The head wound (fatal shot) was three inches from the right ear, most likely one inch to the edge of the right ear."

Despite Supervisor Ward's hearings and the overwhelming amount of evidence contradicting the official "one-gun, lone-nut" theory, he was unable to gather the necessary three of five votes from his fellow elected officials on the board to demand a re-firing of the gun.

Since then the composition of the board has changed with the election of liberal Ed Edelman, and the *Free Press* has learned that in light of new evidence Ward will seek official backing of the Board of Supervisors in demanding that the Sirhan gun be re-fired and that an investigation of the Kennedy assassination be conducted by an appropriate impartial agency such as a special prosecutor.

'Arrows of Truth'

While elected officials and the Los Angeles Police Department were avoiding (and continue to avoid) any action that might alter their adherence to the original conclusion, the prestigious American Academy of Forensic Sciences decided in February of this year to conduct an in-depth investigation of their own into the ballistics evidence.

The Academy's investigative team returned its findings in July of this year. Doctor Ralph Turner, a professor at Michigan State University's School of Criminal Justice who headed the panel, stated that their findings indicate that two guns may have been fired.

The Academy, which includes most of the nation's leading firearms, ballistics and pathology experts, then immediately called for a reopening of the investigation into the assassination of Robert Kennedy. In asking for a reopening of the investigation, Dr. Robert J. Joling, presi-

dent of the Academy, stated: "Only an independent, nongovernmentally controlled body of experts can really be relied upon to let the arrows of truth come to rest wherever that may be."

Official Coverage

In addition to the overwhelming ballistics evidence suggesting that there must have been another gun, allegations that the CIA and LAPD officers assigned as primary investigators in the Kennedy case have conspired to cover up the true facts have been leveled by the Campaign for Democratic Freedoms (CDF), a Los Angeles research group.

In a CDF report, Donald Freed, noted conspiracy investigator, co-author of *Executive Action* and author of a soon-to-be-released book entitled *Sirhan Sirhan*, alleges that two top LAPD investigators, Manuel Pena and Lt. Enrique Hernandez, who were assigned to track down conspiracy leads in the case, were in fact CIA trained agents.

According to the CDF report, Officer Pena had resigned from the LAPD in 1967 and was assigned to the CIA's foreign police training academy near Washington in preparation for a Latin American assignment when he was called back to Los Angeles to "coverup" evidence of a conspiracy. Lt. Hernandez, according to the CDF report, received similar training at the same CIA foreign police training school and also served in the CIA-front organization in Venezuela called the United Police Command.

The CDF report alleges that Hernandez's main assignment was to discredit numerous eyewitness reports that Sirhan was accompanied by a woman in a polka dot dress who may have been an accomplice to the murder. Freed has also told the *Free Press* that Hernandez allegedly used his position as polygraph operator to discredit any other witnesses whose stories varied from the official version. Hernandez is allegedly still employed by the government as an agent at Edwards Air Force Base.

In the book, *RFK Must Die*, Robert Kaiser, quotes FBI special agent in charge of the Kennedy investigation, Frenchie Longeres as saying, "I'm still not convinced this isn't a Manchurian Candidate case." The suspicion that Sirhan was in fact programmed to kill Robert Kennedy has been one of the more persistent rumors surrounding the investigation. New evidence lending credence to that theory in the JFK case

WALKING BIBLE

(continued from page 3)

from Powers at that time, and it was that truck that Owen was driving when he allegedly picked Sirhan up.

More Evidence

Powers also testified that he distinctly remembers Sirhan's name mentioned by Owen a "month or so" before the assassination. Sirhan's name came up when Owen allegedly complained about the training methods Powers and one of Powers' employees was using in the training of Owen's horse. According to Powers, Owen suggested that he knew some people at the track who could do a better job, and mentioned Sirhan's name as one of those persons. Powers remembers the name because it was unusual and because of the widespread publicity received following the assassination.

Sirhan's name came up again some five or six months after the assassination when Powers met Owen at the Hilton Hay Co. in Santa Ana. Powers testified that at that time Owen asked him if the police had talked to him about Sirhan.

Powers was also visited on six separate occasions by law-enforcement investigators, and on one occasion, he states, the FBI told him that Sirhan's fingerprints had, in fact, been found on the glove compartment and rear window of the truck Owen had purchased from Powers.

Bugliosi told the *Free Press* in an ex-

clusive interview that a second bombshell in the trial came as the result of a lucky hunch. Owen's attorneys had called 20-year-old Jackie Gray to the stand in an effort to prove that it was he and not Sirhan who was in the back seat of the Owen car and that Powers, had mistaken Gray for Sirhan. Bugliosi took a shot in the dark when he asked Gray if his father (the black man who testified he was in the front seat) and Owen ever talked about Sirhan. Gray's reply, "That's all they ever talked about," sent reporters racing for phones.

Telling The Truth

Over continued objections about the witness's competency (he is described as a mental defective), Bugliosi elicited further testimony that the elder Gray and Owen wanted him to be just like Sirhan, that he had been introduced to Sirhan in 1967, one year prior to the assassination, and that Owen often gave Sirhan money and clothes.

Bugliosi has told the *Free Press* that despite Gray's acknowledged mental deficiencies, he is convinced that Gray was telling the truth.

Without access to police reports that would possibly explain the reason for the numerous official visits by law-enforcement personnel to Powers, and establish whether, in fact, Sirhan's fingerprints were found in Owen's car, numerous haunting questions surrounding the bizarre connection between a convicted assassin and a fundamentalist preacher simply add fuel to an already burning controversy. — Tom Thompson

has been offered by author Richard Popkin of San Diego who claims he had uncovered an alleged assassin who was programmed to participate in the Dealey Plaza assassination of President Kennedy in 1963.

Popkin obtained his documentation, which has been offered to Senate investigators, from a Canadian man who deprogrammed the alleged JFK assassin. The *Free Press* has learned that at the time of the RFK assassination, the man who claims to have deprogrammed the JFK assassin was living and working in Los Angeles and was interviewed at his home by the FBI less than six hours after Robert Kennedy was fatally shot at the Ambassador Hotel. Contacted in Canada, this potentially vital witness states that he is prepared to testify if the case is reopened.

Was Sirhan, who was glassy-eyed following the shooting, who can't remember the events in the pantry and who, according to defense doctors, had been frequently subject to hypnosis before the assassination, a programmed Manchurian Candidate?

Missing Evidence

Four key pieces of evidence suggesting a conspiracy appear to be missing from police files. First, there are the ceiling panels above the pantry area where Senator Kennedy was shot; second, the right sleeve of Kennedy's coat. Allegedly, there are at least three bullet holes in those panels, which, if true, would suggest that there were more than eight shots fired that night. Three hit Senator Kennedy; five bystanders were struck; three bullet holes in the ceiling panels and another bullet that passed through Kennedy's right coat shoulder: 3 plus 5 plus 3 plus 1 equals 12.

Sirhan's gun, allegedly the only weapon fired that night, is an 8-shot revolver.

Another interesting piece of evidence that is missing is a report by retired LAPD officer Paul Shraga who claims he was told by a couple at the scene of the Robert Kennedy assassination who ran past him, "We shot him, we killed Kennedy."

Polka Dot Dress

Sgt. Shraga claimed in an interview with KMPC radio investigative reporter Art Kevin that the couple was in their 20s and that the woman was wearing a polka dot dress. Shraga says he broadcast a description of the couple for two hours over the police radio until he was told by a superior to stop the broadcasts. Shraga says he was told: "We got our man. Let's not make a federal case out of it." Subsequent written reports filed by Sgt. Shraga are missing from the police files.

The *Free Press* has also been informed by Ted Charach, the father of the second-gun theory, that files regarding security at the hotel have been destroyed

THE SECOND GUN

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investigating the second gun theory, has informed the *Free Press* that he recently came very close to finding that mysterious gun when he tracked down one of the burglars in an Alabama prison who admits that he and others stole the .22.

Following leads to the other alleged bandits, Charach found himself in Arkansas attempting to make a deal for the gun when he was literally run out of town by subtle threats against his life. Charach told the *Free Press* that he is now offering a \$1,000 reward for the gun. "In view of the overwhelming circumstantial evidence pointing to a second gun as the murder weapon, the gun sold by Cesar may in fact be the actual murder weapon."

Right-Wing Sympathizer

Cesar is a self-admitted right-wing sympathizer who hated the Kennedys and blacks, a fact which is in direct con-

or removed. Included in those security files, according to Charach, are "kill Kennedy" leaflets confiscated from the fifth floor of the hotel where Kennedy's headquarters were located.

Researcher Donald Freed also contends that he has been informed by reliable police sources that armed police undercover officers and Secret Service personnel were on duty at the Ambassador Hotel June 4 and 5. Those charges are vehemently denied by both the LAPD and the Secret Service.

Film Probe

One who believed there was conspiracy from the beginning is Ted Charach. His film, *The Second Gun* (filmed and directed by Gerard Alcan), which will premiere in Los Angeles in September, is the result of seven years of "starving and struggling." Now that the media is finally interested in the assassination at a time when Charach predicts an investigation is less than two months away, Charach is both bitter and proud.

He is bitter towards the media: "If they had acted open-minded from the beginning and not been so prejudicial, we could have cracked this years ago."

He is bitter toward certain of Sirhan's defense attorneys, who, according to Charach, attempted to sabotage his efforts in order to make "a political martyr of Sirhan rather than seek out the truth." He is bitter towards National General, who first distributed his film in 1973, when it received rave reviews as the film that would reopen the assassination. National General abruptly pulled the film off the market without explanation after a short run. Charach believes political pressure was brought to bear on the distributors to suppress the truth.

Charach is proud of what he has done to arouse the public to act, to become "angry enough to care" as Bobby Kennedy once declared. "I don't have all the answers," Charach says, "I just know Sirhan did not kill Bobby, and if my efforts and my film help force a new investigation, I will be happy."

Right To Know

Charach has been threatened, he has been bribed, his film has been sabotaged, but he has continued to fight for the public's right to know who killed Bobby Kennedy.

In a 1970 lawsuit against the police department in which he sought the release of vital documents in the police file, Charach noted: "The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

Nothing has changed to alter those sentiments. The public has a need and a right to know. □

tradition to the findings of former Los Angeles police chief of detectives Robert A. Houghton, who authored the first book on the assassination entitled *Special Unit Senator*, which detailed the police investigation of the Kennedy murder.

Houghton wrote that following intense investigation into the possibility that right-wing extremists were present at the hotel, it was found that there were none.

In a taped interview with Charach, Cesar stated that he had worked actively for the ultra-conservative American Party, had campaigned for George Wallace and predicted a race war in America. "One of these days, at the rate they're going, there's going to be civil war in this country. It's going to be white against black, and the only thing I'd say is the black will never win."

Cesar told Charach, "I definitely wouldn't have voted for Bobby Kennedy because he had the same ideas that John did, and I think John sold the country down the road... he gave it to the Commies... he gave it to the minorities." □