

SIRHAN EVIDENCE CALLED DOUBTFUL

SEP 18 1975

Bullets Have Deteriorated,
Police Expert Testifies

NYTimes

Special to The New York Times

LOS ANGELES, Sept. 17— Questions concerning the present condition of ballistics evidence were raised today at the second day of hearings in the court-ordered re-examination of the assassination of Senator Robert F. Kennedy.

DeWayne A. Woffler, chief forensic chemist of the Los Angeles Police Department, who was in charge of the technical investigation in 1968, said that bullets used as evidence against Sirhan B. Sirhan, the convicted assassin, appear to have deteriorated because of oxidation and handling since he first tested them seven years ago.

Attorneys for the Los Angeles District Attorney's Office contend that, because of damage to ballistics evidence, valid conclusions cannot be drawn from any retesting of evidence.

Second Gun Issue

The hearings are the first stage of a plan, approved by Judge Robert A. Wenke of Los Angeles Superior Court, to determine whether a second gun, in addition to the Sirhan gun, was fired the night of June 5, 1968, when Senator Kennedy was fatally shot in the Ambassador Hotel here after winning the California Democratic Presidential primary.

The re-examination was granted on the request of the CBS television network, which wants to make a documentary on the assassination investigation, and Paul Schrade, a former official of the United Automobile Workers who was one of five other persons wounded in the shooting.

Next Monday, a panel of seven firearms experts is scheduled to begin independent retesting here of 20 ballistics exhibits used in the Sirhan trial. One of the first questions the group will try to answer

is whether the evidence has deteriorated enough to make retesting impossible.

Purpose of Hearings

The hearings this week are intended to establish that all the evidence listed in the plan, which includes Mr. Sirhan's .22-caliber pistol, eight spent cartridges from the gun, Senator Kennedy's clothing and bullets that struck the other victims, is still in custody.

Proponents of the "second gun theory" maintain that the bullet that hit the Senator in the neck and another bullet that struck William Weisel, one of the other victims, were not fired from the same gun. They base this belief on apparent differences in markings on both bullets.

Mr. Woffler's testimony is meant to reconfirm what tests he performed in the original investigation and whether the ballistics evidence in custody is the same evidence he tested.

During his testimony, Mr. Woffler has had trouble recalling many aspects of his original examination. In answer to questions about his procedures and record-keeping, he often replied, "Today, seven years later, I do not recall."

Some attorneys have criticized Mr. Woffler for not keeping more detailed records of his investigation, which they say are vital to the new tests. A diary of this general activities has been found, but Mr. Woffler has said it was kept mainly to support his claim for overtime pay.