

Harold

SIRHAN EVIDENCE MISHANDLED: D.A.

Exhibits from the trial of convicted assassin Sirhan Bishara Sirhan "have not been properly protected . . . (and) have been directly handled by numerous persons," Dist. Atty. Joseph P. Busch Jr. said today.

Busch said his findings have sidetracked his initial investigation into charges that ballistics evidence that helped convict Sirhan of the June 5, 1968, assassination of Sen. Robert F. Kennedy resulted from improper procedures.

"We currently are in the midst of an investigation to determine whether there has been any intentional or unintentional tampering with the key exhibits involved in the trial—including the murder weapon and the bullets taken from the body of Sen. Kennedy."

Sirhan currently is a prisoner on San Quentin's death row for the Ambassador Hotel murder that occurred moments after Kennedy had claimed victory in

the 1968 California Democratic presidential preference primary election.

Busch said his initial post-trial investigation stemmed from "certain charges against Los Angeles Police Dept. criminalist DeWayne Wolfer, including the allegation he was guilty of violating proper procedures in the ballistics investigation

"Because the original exhibits were protected by a court order which would prevent their being directly handled," Busch said, "we felt at the outset of the investigation that we could proceed simply by determining the validity of (the) charges against Mr. Wolfer.

"However, we have had to delay our findings after learning that this court order protecting the exhibits has been ignored . . . The exhibits have not been properly protected by the County Clerk's Office.

"Indeed, there is evidence the

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D.A. Claims Evidence Mishandled

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exhibits have been directly handled by numerous persons."

Although Busch expressed "terrible concern about the possibility that they (exhibits) have been tampered with," he said, "we still are confident at this point that the original investigation was thorough and that the subsequent trial outcome was valid. Our concern now is whether there has been any violation of the integrity of the exhibits."

The district attorney promised "appropriate action and . . . a full report to the public" at the conclusion of the investigation.

from Greg Roberts, 7/15/71
from Henry Laddner, 7/15/71

ALEXANDRIA DAILY TOWN TALK ALEXANDRIA-PINEVILLE, LA., SUNDAY, JULY 11, 1971

'Tampering' With Bullets, Pistol That Killed RFK Stirs Concern

By Dave Smith

(Los Angeles Times News Service)

LOS ANGELES -- Los Angeles Dist. Atty. Joseph A. Busch Jr. said Saturday his office is "terribly concerned" over strong evidence that the fatal bullets and murder weapon in the assassination of Sen. Robert F. Kennedy have been tampered with.

In a statement released by an aide, Busch said his office will conduct an investigation into "evidence the exhibits have been directly handled by numerous persons" in direct violation of a court order sealing the items.

No suspects were named, but another spokesman said it was learned that almost anyone

If tampering should be proven to be extensive, it could be impossible ever to prove or disprove these claims.

The report came to light on a local television station's 6 p.m. news report Friday, after one of the stations employees reportedly was questioned by Busch's office about his own investigation of the "second-gun theory."

That news report followed by three days Busch's second postponement of a news conference at which he was expected to disclose results of his office's investigation of the claims.

That postponement was occasioned when investigators learned of the ease with which unauthorized persons had been

that a .22-caliber lead slug can be permanently changed even by being rubbed a few minutes between a person's fingers. If that has happened, merely at the hands of an innocently curious person, the bullets might never be made to match further bullets from Sirhan's weapon in the event of future ballistics tests.

The reexamination of evidence in the Kennedy case was launched May 28 when attorney Barbara Warner Blehr wrote a letter to the Civil Service Commission here in an effort to block the permanent appointment of Los Angeles police department criminalist Dewayne Wolfer as head of the LAPD crime lab. That appointment

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Clerk's Office Hit on Sirhan Evidence

BY DOUG SHUIT *L.A. Times*
Times Staff Writer 7-13-71

The weekend disclosure that evidence in the Robert F. Kennedy slaying may have been altered led Monday to developments which focused attention on the Los Angeles County Clerk's Office.

The developments were:

—An order to County Clerk William Sharp to inspect his office for possible security breaches, to reevaluate its control system and to inventory exhibits and transcripts from the Sirhan Bishara Sirhan trial.

—A statement by Sharp that a personal investigation has "failed to disclose any mishandling" of key exhibits, although there are "still some stones unturned."

—The revelation by an aide to Dist. Atty. Joseph A. Busch Jr. that "some employees of the clerk's office" are being given lie detector tests.

Busch said last week his office was "terribly concerned" over evidence that the fatal bullets and murder weapon in the assassination had been tampered with.

He also said he and his staff are investigating "evidence that exhibi-

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bits have been directly handled by numerous persons," a violation of a court order sealing them.

The clerk's office was charged with maintaining the integrity of evidence in the Sirhan trial pending an appeal.

The order to Sharp came from Supervisor Kenneth Hahn, who oversees the operation of the County Clerks Office.

Hahn also directed the county's chief administrative officer, Arthur G. Will, to determine if the clerk's office needs additional precautionary equipment.

"The county clerk also is clerk of the Superior Court," Hahn said. "This responsible duty sometimes is taken for granted except where there are appeals in connection with noted crimes and exceptional court cases."

Busch's aide, in revealing that some employees of Sharp were being asked to take polygraph examinations, declined to identify the men, but specify the num-

County Clerk Defends Sirhan Case Security

Harold

Tells Supervisors He Found No Tampering With Key Exhibits Entered Into Evidence

7-14-71 BY DAVE SMITH *L.A. Times*
Times Staff Writer

Los Angeles County Clerk William G. Sharp explained Tuesday the procedure his office used to protect evidence before, during and after the Sirhan Bishara Sirhan trial and insisted he has found no evidence of tampering with key exhibits.

In a letter to the Board of Supervisors, Sharp offered his "complete cooperation" with the district attorney's office in a probe of possibilities that evidence in the assassination of Sen. Robert F. Kennedy—including the fatal bullets, murder weapon and the senator's coat—may have been tampered with since Sirhan's conviction.

Sharp conceded that the exhibits have been viewed, but said he has no evidence that anyone but attorneys connected with the case, or their agents, have had the opportunity to handle the key exhibits themselves.

Right to See Exhibits

"It's absolutely true the exhibits have been available," Sharp said, "and everybody had a right to see them—the press and everybody else. It's a question whether they had access to certain 'hard' exhibits."

After the Sirhan trial concluded, Superior Judge Herbert V. Walker ordered certain key exhibits "sealed" by a court order. But Sharp said, the court order permitted "counsel of record" and attorneys for both the prosecution and defense, as well as agents for those attorneys, access to the crucial exhibits.

Sharp said a list of persons asking to examine the exhibits has been kept by his office. He estimated that several dozen names were in the records. Among them, he said, were those of Luke McKissack, Sirhan's defense counsel in his automatic appeal before the Supreme Court, and William Harper, criminalist and ballistics expert who has contended that ballistics work in the original investigation was done improperly. Sharp said Harper was granted access as an agent of McKissack.

Sharp told the supervisors:

"At the outset of the case I in-

structed the criminal division of my office to provide the strictest security to Sirhan exhibits, and I personally inspected the security measures which were instituted.

"Prior to the trial, the exhibits were held in a walk-in vault to which only exhibit clerks had access—and within a safe within that vault to which only the chief, the assistant chief and the supervisor of exhibits had access.

"During the course of the trial the exhibits were transferred to the courtroom where they were given special security by the courtroom clerk. At the conclusion of the trial the exhibits were transferred back to the vault and placed under special security."

Sharp admitted that special secur-

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ity could have been breached in the Sirhan evidence, but said he has no knowledge of it. In normal cases, he said, the public is entitled to view evidence in any case where no court order forbids it. But even then the evidence is restricted to an area kept under close surveillance.

Dist. Atty. Joseph Busch revealed over the weekend that his office was "terribly concerned" over evidence that the fatal bullets and the gun in the Kennedy case might have been deliberately or inadvertently tampered with.

This possibility could obscure an earlier investigation into charges that ballistics work in the Sirhan trial violated scientific procedure.

Those charges, based on Harper's private investigation, were lodged by attorney Barbara Warner Blehr in an effort to block the appointment of police criminalist DeWayne Welfer as head of the Los Angeles Police Department crime lab.

Harper and Mrs. Blehr have questioned whether there might have been a