

PROBE

Magazine. The truth is in here.

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Sirhan Sirhan and the RFK Assassination: Part I: The Grand Illusion

By Lisa Pease

This is the first of a two-part series dealing with Sirhan Sirhan's current efforts to win an evidentiary hearing before the California State Supreme Court, and the evidence upon which that request is based. This part will focus on the evidence in the case, particularly as it relates to the gun, the bullets, and a little-known item referred to as Special Exhibit 10. The second part will deal with the question that must logically follow: If Sirhan didn't kill Kennedy, then who did?

The Grand Illusion

"If he isn't guilty, it's the sweetest frame in the world." — Los Angeles Deputy District Attorney John Howard, 1975

Have you ever seen a master magician? Have you found yourself gasping in amazement asking half-aloud, "How did he do that?" You see a man step into a box on a hollow platform that's immediately hoisted into the air. Within seconds, the man you saw get into a box that still hangs in front of you appears from behind you in the audience, walking down the aisle. Your eyes have convinced you this is not possible, because you saw the man get into the box. Yet there he is, the impossible made real. Such a trick is called a grand illusion, designed to confuse and deceive. Most enjoy being deceived in this manner; few want to puzzle the evidence through logically to the only possible conclusion of how such a trick has to be done. After all, the man cannot both be in the box and on the ground at the same time!

The assassination of Robert F. Kennedy is also a carefully constructed illusion, designed to confuse and obfuscate. Imagine what the eyewitnesses in the crowded pantry saw. Robert Kennedy had obviously been shot, and

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Newman Wins, Chomsky Loses!

Sirhan was firing a weapon. Sirhan must have killed Kennedy. And yet, the physical evidence does not support this conclusion. Sirhan cannot have killed Kennedy any more than the magician could be both in the box and in the audience. It is not physically possible. And just as only another magician or an extremely perceptive observer can tell you the truth behind the box illusion, only the conspirators themselves or perceptive observers can throw light on the events of June 5, 1968.

The quantity of people who have seriously investigated the RFK assassination is surprisingly small, given the large number of people who have at some point or another devoted time and energy to learning the facts surrounding the assassination of Bobby's older brother John. But what this small, dedicated group of citizens has uncovered is astonishing. The evidence they have uncovered deserves to be dealt with honestly in a court of law. In fact, a writ has been filed on Sirhan's behalf and is before the California Supreme Court at the time of this writing. Sirhan's family and legal representatives are asking the court to hold an evidentiary hearing, based on newly discovered evidence.

As this article will show, justice in this case has yet to be served. This author is aware that an extraordinary claim requires extraordinary evidence. Tireless researchers such as Bill Turner, Jon Christian, Greg Stone, Philip Melanson, Ted Charach, Rose Lynn Mangan and Sirhan's own family have discovered much over the intervening years. Mangan in particular has come up with evidence that should properly cause any court to doubt the legitimacy of the case against Sirhan. This article owes much to her guidance through the snaking paths of contradictory

evidence, and her assistance has been both generous and exacting.

In the case of Watergate, Deep Throat advised Bob Woodward to "follow the money." If Deep Throat had anything to say about this case, it would be "follow the bullets." Nothing is more important in a murder conviction than establishing that a certain person, by

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From the Chairman's Desk:

In this issue, Lisa Pease begins an important two part investigation into the Robert Kennedy case. *Probe* considers this to be one of its best investigative pieces ever and we hope everyone reads and digests the truly monumental deception that Lisa exposes here. Sirhan's lawyer, Larry Teeter, now has a writ in the California court system to get an evidentiary hearing to reopen this case. Some of the material referenced in Lisa's article will be presented in court if that request succeeds. Next issue's piece will center on who the true suspects might have been, how they were ignored, and what the nature of the conspiracy probably was.

The Review Board is exponentially increasing the size of its releases and we bring you up to date on that plus other new developments at the ARRB. The new Cuba and Vietnam releases garnered a lot of media attention. We discuss them and print some of the Vietnam documents for your inspection. John Newman and Peter Dale Scott look pretty good in retrospect. Noam Chomsky has a lot to explain. We wonder what he'll dream up to avoid the implications of this new evidence.

In our newest Media Watch, we go over some more of the sarcasm the *Los Angeles Times* has heaped on Kennedy researchers and point out one of its current purveyors. We then go into the history of that newspaper and show what rank hypocrisy this is especially in relation to the Chandler family. Through some new document releases we also show how the *Times* has a covert role it doesn't want you to know about in suppressing the truth about the JFK case.

If you thought you knew all about the latest pseudo-scandal Monicagate, you're probably wrong. We did some digging on this, and with some help from Daniel Brandt and others, we managed to find out how some of the players in the manufacture of that mess left a paper trail that leads back to the CIA and the Kennedy assassination (both the cover-up and of his character). Unfortunately, the end result of this ridiculousness may be the demise of the special prosecutor's office, which would be a real disaster for us.

Steve Jones continues to uncover the covert history and connections of Ruth and Michael Paine, those suspicious pals of the Oswalds. This time he pulls back the curtain on the Paines and George De Mohrenschildt. Also, we get another peek at a possible path from the Paines to the Eastern Establishment, this time to Allen Dulles. In our view, the ARRB has to get these two on the record before they close down.

Finally, we decided to print some letters in this issue. We thought they were important enough for our readers to view and we also felt that some good information could be garnered from the exchange. Another rarity: Peter Kerns lyric about Dallas on 11/22/63. It is piercing.

Jim

What is CTKA?

Citizens for Truth about the Kennedy Assassination was organized as a result of the April 1993 Chicago Midwest Symposium on Assassinations. At the end of that conference, it was generally decided that the time had come to create a political action group, which would urge the executive branch of our government to reopen the unsolved assassinations of the 1960s—i.e., the murders of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King. CTKA endeavors to ensure that the Review Board fulfill its mandate to release *all the remaining records* pertaining to the JFK assassination; to amend the current Freedom of Information Act to render future covert actions more difficult to hide; and to urge the American people to discover the truth about their history.

If you are not already a member of CTKA, please consider supporting our efforts with a subscription to *PROBE* or a donation to help cover the hidden costs of running a not-for-profit organization.

Thanks to all of you who are already CTKA supporters. Let's continue to work together to get the truth out about our collective past.

Monicagate: Clinton in the Starr Chamber

By Jim DiEugenio

People are asking how Monicagate compares with Watergate. . . . back then, a president was brought down for using scary police-state tactics. . . . in an effort to destroy his political enemies. This time. . . a president's political enemies are using scary police-state tactics to destroy him. — The New Republic 2/16/98

It is interesting that the same media network that helped manufacture (no other verb will do) Watergate also helped create Monicagate. Kate Graham's *Washington Post* broke Monicagate on January 21st and their sister publication *Newsweek*, which was provided access to the Tripp/Lewinsky surreptitious phone tapes, has boosted it along ever since. As *Probe* has pointed out (Vol. 3 #2), Watergate was a much misunderstood scandal that was never presented clearly and accurately to the public. The main reason for that was the media followed the early, distorted stories by Bob Woodward and Carl Bernstein who were egged along by Ben Bradlee at the *Post*.

The problem with Monicagate though, is that, unlike Watergate, it is not well disguised and the public seems to understand it too well. The more they learn about it, the more popular Clinton gets (79% approval ratings); and the less popular Independent Counsel Kenneth Starr gets (53% disapproval ratings). If Starr keeps it up, Clinton's approval ratings may set records, if they haven't already.

No scandal in recent years has demonstrated the giant "disconnect" effect between what matters inside the Beltway, and what most people really care about everywhere else in America. This is something even the neoconservative *New Republic* had to acknowledge when Charles Lane wrote that while Monicagate was gripping D.C., the reaction in the rest of the country could be characterized as "I wish this whole thing would go away." (2/16/98).

That's sort of the way *Probe* feels about this latest pseudo-scandal which the increasingly tabloid mainstream media has found so bracing. But there are elements in this pot-boiler that we should note, not so much for the acts themselves but because Monicagate serves as a good prism for what politics has become in America today. And historically speaking, through that prism we can see markers that, like Seymour Hersh's book, indicate the trail that led to this debasement.

One of the first things that should be noted is how fast the story came to dominate the news. Whereas Ben Bradlee had to pound Watergate incessantly to get it to dominate the national agenda (which it failed to do for months), within 48 hours Monica Lewinsky was virtually everywhere. This occurred so fast and completely that Lewinsky quickly fell out of favor with the tabloids and was either minimized or dropped, the reason being that she was being eaten alive by the mainstream media which out-tabloided the tabloids. This was dramatized by Ted Koppel, the red-headed darling who "serious media critics" like to hold up as an icon. Six years ago Koppel had to disguise a report about Gennifer Flowers as an "inquiry" into whether or not he should be doing shows about such things as a president's infidelity. Today, Koppel introduces a show about Monicagate by mus-ing whether "oral sex does or does not constitute adultery." (*The Nation* 2/16/98) NBC's *Meet the Press* has Internet gossip columnist Matt Drudge on to get his "take" on the pseudo-scandal. Then, to top the perversity, when the media sees that most of the public is not out-

raged, they do what the *New York Times* did on February 1st, they wring their hands over the fact that unlike the Puritans in Arthur Miller's *The Crucible* we don't demand that Clinton and Lewinsky be taken out and hanged.

If the weight of a scandal can be measured by the depth of its commentary or the seriousness of the people it attracts, this one is made up of fly paper. But, like the buzz about Hersh's fallacious, tabloidy book, it does tell us something about how the debasement of the media has led to the tabloidization of politics. Hersh's book intentionally existed in a political vacuum. One of his aims was to strip JFK of any political context or belief, glorify or neuter his enemies, and play up his reported female dalliances to the absolute hilt and beyond. Therefore the book was predesigned for Tabloid Television. In fact, when Hersh was asked why some of the stories he reported in 1997 were never aired in 1963, he responded that there weren't enough tabloid TV programs then. (Hersh appeared serious when he said this and he actually seemed to think the lack was a bad thing.)

When Monicagate first broke, it blew major and troubling stories off the front page, i.e. the Pope's historic visit to Cuba and the economic meltdown in Indonesia. It was presented as a serious story in a strictly legalistic manner: Did Clinton and his good friend Vernon Jordan advise a young White House intern to lie under oath? And, improperly suborned, did Monica Lewinsky sign a false affidavit? Immediately played by people like Howard Stern and Rush Limbaugh, the story then spread to cable television, and then it hopped into the daily mainstream media cycle. The White House seemed to be caught napping and for about a week Clinton laid on the ropes and took punches. Led by cries from the *Post*'s George Will, some pundits were even calling for impeachment.

Then Hillary Clinton rode out of the castle gates on horseback. About one week after the pseudo-scandal broke, Mrs. Clinton arranged a spate of TV appearances to dominate a news cycle herself. And on January 27th, on NBC's *Today* show, she proclaimed the following:

For anybody willing to find it, and write about it, and explain it, is this vast rightwing conspiracy that has been conspiring against my husband since the day he announced for President. A few journalists have kind of caught on to it and explained it, but it has not yet been fully revealed to the public. And actually, you know, in a bizarre sort of way, this may do it.

Of course, the mainstream media wouldn't do it. As *Probe* has pointed out, since Oliver Stone's *JFK* and the advent of the Internet, they have gone into a denial mode on the issue of conspiracy. And in the strictest legal sense, the Linda Tripp/Monica Lewinsky/Ken Starr caper is not a conspiracy in the sense that the political murders of the sixties were. But there are some interesting connections and echoes that the media has predictably ignored. Researchers Peter Dale Scott and Daniel Brandt were among the first to surface some of them.

Linda Tripp, Lewinsky's false friend, had illegally taped phone calls with her and then proposed for her attorney a sting operation: she would be wired for sound in a bar and get her friend to repeat some of the sexual anecdotes Tripp had elicited from her on the phone. When her lawyer, Kirby Behre, rejected the idea Tripp fired him and went to Starr. Starr liked the idea and got the FBI to wire Tripp.

Tripp and her new attorney have tried to pass her off as a disinterested civil servant in this whole affair. This reminds me of the pose that James McCord struck during Watergate. A 19-year CIA veteran involved in top security matters, this fast friend of Richard Helms was passing himself off as a Bible-thumping concerned citizen and devoted father. Linda Tripp had been married to an Army officer for years and worked at various Army installations including Fort Bragg for over a decade. According to the *New York Times* (2/26/98) Tripp worked "for highly classified Army intelligence and commando units in the 1980's."

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Monicagate

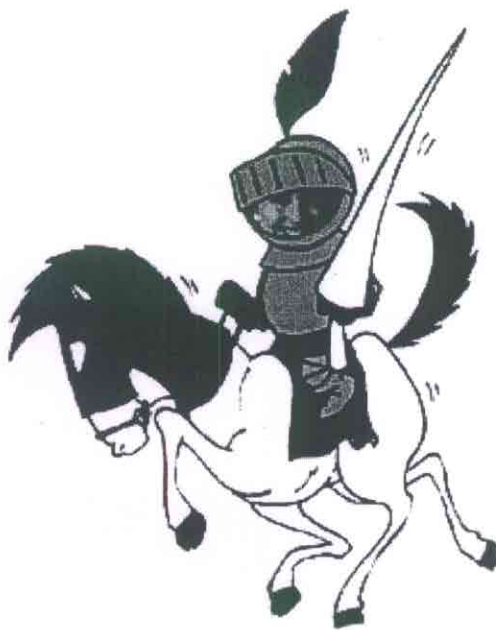
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This included serving as an aide to the top secret Delta Force operation which helps run covert action for the Army. The *Times* quoted her as saying once under oath "I've worked on the covert side of the Department of Defense." In 1991-92 Tripp worked in the Bush White House. The Clinton staff decided to hold her over in 1993-94, and she then worked for White House Counsel Bernie Nussbaum. Tripp once testified to Congress about what she thought were questionable circumstances in the Vince Foster case. In fact she delivered lunch to a despondent Foster the day he died (*The Consortium* 3/2/98). It is also interesting to note that Tripp was a friend of FBI agent Gary Aldrich who wrote a best-selling book on the Clinton White House called *Unlimited Access*. On a recent cable television show, Aldrich was asked how often he had talked to Tripp while they were both in the White House. He eventually responded: about a hundred times.

Along with the Foster case and the Aldrich alliance, Tripp figured in another anti-Clinton episode, i.e. the Kathleen Willey affair. As Robert Parry has related, when Paula Jones' lawyers were seeking antecedents for Clinton's allegedly propositioning her back in Arkansas, they were coming up with very little. Then Kathleen Willey's life took a downturn. Willey and her husband had been prominent Virginians who had supported Clinton in 1992. But by 1993, the pair were deeply in debt and falling downward. Kathleen visited with the president and sought a White House job. On the day she visited Clinton, 11/29/93, her husband took his own life. Four years later, still hounded by debts, she decided to go public with a story that during her 1993 meeting with Clinton, he had made a pass at her. Willey told her story to Michael Isikoff the *Washington Post/Newsweek* writer who was their point man on the Paula Jones case. Isikoff then asked for a corroborating witness. Willey gave her the name of one Julie Steele who Willey said she had told about the matter at the time. While Isikoff was driving to Steele's house, Willey called her and asked her to lie for her to back up the story. Steele initially did. But later she told the *New York Times*, "I didn't know a thing about this. I never heard that she had been groped by the president until the guy from *Newsweek* was on his way to my house" (1/31/98). With her witness gone and the story floundering, Linda Tripp filled the breach. She stepped forward as the "corroborating witness" to the Willey incident.

When Tripp moved out of her White House job, she found another one at the Pentagon. This one pays her \$88,000 a year to arrange visits by businessmen to various forts. But when Aldrich's book came out, she decided she could write a book also. Her literary agent on this project was one Lucianne Goldberg. It was Goldberg who encouraged Tripp to secretly tape her calls to Lewinsky, not just for her book proposal but to help in the Jones lawsuit against Clinton. Both women had been subpoenaed in that case. Goldberg had approached conservative publishing house Regnery, which had published *Unlimited Access*, with a book proposal. According to the *Los Angeles Times*, the asking price was not cheap: a half a million. One chapter was to be entitled, "The President's Women". (1/29/98)

One of the things I left out of my two part article on Hersh was that Goldberg was Kitty Kelley's agent on her book about Jackie Kennedy which was used often in the Collier-Horowitz biography I discussed. Goldberg was also the agent for the late Leo Damore when he wrote his Ted Kennedy attack book, *Senatorial Privilege*, about the Chappaquiddick tragedy. She also represents former LAPD detective Mark Fuhrman who is now writing about the death of Martha Moxley who was supposedly killed with a golf club belonging to the brother of Ethel Kennedy (*Los Angeles Times* 2/15/98).



But this is only the beginning of the intrigue surrounding Goldberg. As both Scott and Brandt pointed out, Goldberg was an undercover operator for the Nixon campaign during Watergate. She disguised herself as a writer and infiltrated the McGovern campaign doing what she does now—looking for dirt. (It was Goldberg who spread the now debunked story that Clinton's semen was on a Lewinsky dress). Anthony Lukas in *Nightmare* reported that the Nixon people "were looking for really dirty stuff" with Goldberg. One of her colleagues in that operation was Seymour Friedin who was reported by Jack Anderson to be a CIA agent. When Anderson exposed him, Friedin didn't deny it. "I gave my word to Dick Helms" he said. (V. A. Petrusenko, *Dangerous Game* p. 53) In fact, Goldberg told the McGovern campaign that she worked for NANA, the North American Newspaper Alliance. According to the *San Francisco Chronicle*, the address she listed for NANA then is the same as her current address in Manhattan (1/23/98). NANA is of course the outfit that CIA asset Priscilla Johnson worked for when she filed her early stories on Lee Harvey Oswald. Virginia Prewett, a CIA asset of David Phillips, also worked for NANA. Prewett's husband Henry was a CIA officer and Virginia strongly criticized JFK for his opposition to raids into Cuba by Phillips' favorite Cuban exile group, Alpha 66.

But as Brandt has pointed out, Goldberg did not actually work for NANA, but for a subservice of NANA called Women's News Service. It was her husband Sidney who was actually with NANA. Sidney is a long time newspaper man who once worked for the *Washington Post*. In 1975, at the time of the Church Committee's explosive revelations about CIA assassination plots, he and NANA sponsored a book entitled *The Gun* by Henry Bloomgarden. This book billed itself as the chronicle of the "Rifle that Killed John F. Kennedy". In other words, Oswald did it with the Carcano which, contrary to the bulk of the evidence, was actually a pretty good weapon. Bloomgarden credits Goldberg for fostering the book from its first eight-page outline format. Goldberg's godfathering of this book makes sense since Sidney was a close friend of none other than Victor Lasky. Lasky, of course, is

the godfather of the anti-Kennedy biography. He wrote the original hit piece *JFK: The Man and the Myth* back in 1963. He followed that up with a similar smear of Bobby Kennedy published in the year of his death, 1968. He earlier collaborated with Ralph DeToledano (author of another anti-RFK book) on *Seeds of Treason*, a hysterical screed on the Alger Hiss case that swallowed every word that the unbelievable Whittaker Chambers ever uttered. As I revealed in my piece on Hersh, DeToledano was a former OSS agent. Lasky's syndicated newspaper column was published by NANA. It was Lasky who introduced Lucianne Goldberg to Murray Chotiner, Nixon's dirty tricks master who hired her to go undercover.

The late, unlamented Lasky was a former public relations executive for Radio Liberty, a CIA propaganda apparatus almost as big as Radio Free Europe. NANA syndicated his column for 18 years. In the Reagan years, Lasky was reportedly close to CIA Director Bill Casey.

In October of 1997, an anonymous female caller got in contact with the Rutherford Institute, the rightwing foundation that is financing the Jones lawsuit. They dropped Lewinsky's name. Rutherford Director John Whitehead denies that the caller was Tripp, which strongly indicates that it was Goldberg. On January 17th, when Clinton was deposed by the Jones lawyers, he was reportedly surprised when they asked questions about Lewinsky. Yet, the day before, after the FBI had cornered Lewinsky and tried to get her to wear a wire in taping Clinton and Jordan, Tripp had rushed away from the scene to meet with Jones' legal team and brief them thoroughly on all the details wrung by the non-cooperative Lewinsky. (*Washington Post* 2/14/98)

There is one final figure in all this who needs to be addressed. As with many of these types of operations, there is usually some large Eastern Establishment member looming in the background. This time though, it is not Allen Dulles or David Rockefeller. This time it is Richard Mellon Scaife. Scaife is a product of two fortunes, one small, one large. His father was a Pittsburgh blueblood who married into the fabulously wealthy Mellon family. The Mellons are close to Dick Helms, and he vacationed at their European villa on more than one occasion. Like Helms, Scaife's father Alan had served in the OSS during the war. Richard Scaife was recruited by the Agency in the seventies to take over Forum World Features, a European, CIA-connected news service formerly funded by another CIA-Eastern Establishment figure, Jock Whitney (*Probe* Vol. 3 #3). The CIA later encouraged Scaife to finance a think tank founded by one of its former agents from Forum, Brian Crozier.

This last act occurred at around the time that the Agency was seeking revenge on the mythical Liberal Establishment and anyone else who had sided with Frank Church and his investigation into CIA covert and illegal actions. In fact as CIA Counsel Mitch Rogovin said about Otis Pike, Church's fellow investigator in the House:

Pike will pay for this, you wait and see. . . . We will destroy him for this. I'm serious. There will be political retaliation. Any political ambitions in New York [Pike's home state] that Pike had are through. We will destroy him for this. (*Pike Report* p. 7.)

And they did. Pike eventually became a newspaper man after he was defeated for reelection. Scaife had no love for Church either. He once said of him that the senator was "getting mail from the Soviet

Union while he was a member of the Senate." (*The Nation*, 2/23/98) The CIA and its allies helped construct a system of fundraising organizations and think tanks that targeted certain of the liberal senators of the late seventies like Church himself, who was also defeated for reelection at the time. In the eighties, and the coming of Ronald Reagan, this movement went into high gear and Scaife was a big part of financing the whole conservative think tank movement that now controls so much of the Washington agenda. At that time, Scaife also helped fund Gen. William Westmoreland's libel suit against CBS which detailed his questionable management of the Vietnam War. In fact, Linda Tripp's current attorney Jim Moody, (reportedly working for free,) worked on the Westmoreland suit. Goldberg said she likes Moody because "He's not a Clintonista."

Scaife is so conservative that, to him, Clinton must seem like the second coming of the Bobby Kennedy of 1968. If he was a CIA officer, he'd be James Angleton. Since Clinton was elected, Scaife has spent millions to discredit and/or topple him. He hired reporter Chris Ruddy from the *New York Post* and financed his endless investigation into the Vince Foster death. These reports were then recycled through the California based, Western Journalism Review. This is another Scaife-funded group and he took out full page ads in the *Los Angeles Times* (\$54,000 per ad) urging readers to send away for them. Scaife has poured over half a million into the *American Spectator* in order to finance investigations into Arkansas to find out how many times Clinton cheated on his wife while governor. Scaife has also set out a carrot at the end of the rainbow for Kenneth Starr. He has endowed a chair at Pepperdine University in Malibu at the

School of Public Policy which awaits Starr once his office closes down. Scaife gave a total of 1.1 million to set up this specific office. He has given Pepperdine a total of 12 million. One of the reasons Scaife is so flush is that the Mellons recently sold their oil company, Gulf, to the Rockefellers' oil company, Exxon.

But there is one other aspect of this network that needed to be set in place for it all to work so well. When Oliver Stone released *JFK* back in 1991, many writers, like Mark Lane, publicly called for a renewal of the special prosecutor law and the appointment of one in the John Kennedy case. In fact, at the Dallas ASK Conference in 1992, I made a brief speech promoting this idea. *Probe* then wrote and reported about that specific issue (*Probe* Vol. 1 #4, Vol. 1 #5). As our Statement of Purpose in our very first issue, we listed the attainment of this goal as one of our prime goals. In 1992 there was a huge controversy over the renewal of the law because the GOP had been burned so badly by Lawrence Walsh's Iran/Contra investigation. But in 1992, there was a subtle but enormously important change made in the appointment process. Chief Justice William Rehnquist removed George MacKinnon as head of the three judge panel which appoints independent counsels. He replaced him with David Sentelle, a rightwing ideologue, and a close political pal of Senator Jesse Helms. Sentelle was close to the rightwing judicial organization the Federalist Society which helped restrict much of Walsh's investigation. Ken Starr was a member of this group. Starr is also a friend of Alfred Regnery, owner of Regnery Publishing, where Goldberg was angling to get Tripp a contract. Sentelle engineered the removal of Robert Fiske as the Whitewater indepen-

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Media Watch: The Hidden History of the *Los Angeles Times*

By Jim DiEugenio

Milicent Cranor got in contact with us after our last issue to point out an error in our article "The Review Board's Public Comments". We wrote there that the *Los Angeles Times* did not cover the ARRB hearing in Los Angeles in September of 1996. Milicent sent us the *Times*' coverage on that event plus the coverage of the Gerald Ford document release relating to his alteration of the Kennedy autopsy for the Warren Commission. After receiving Milicent's downloaded articles, I saw how I missed the *Times*' coverage in both cases. In the first instance the banner on the story did not even reveal that the Board had been in Los Angeles! It headlined a newly released document from the FBI about the possible role the KGB felt Lyndon Johnson had played in the Kennedy murder. Not until the fifth paragraph did the story relate any information about the hearing. The story did not name any of the witnesses who appeared, save one, nor name any of the Board members. In the case of the Ford documents (*Probe* Vol. 4#6), the *Times* story appeared on page 20, and the banner was also quite telling: "Ford Calls his Revision in JFK Assassination Report Minor". In other words, the headline gave prominence to Ford's spin on what he had done 33 years ago, not to the contemporaneous actual evidence of his handwritten notes.

But there is even more. On September 18, 1996 the *Times* ran an accompanying column that appeared with its ARRB "coverage". It was a column written by Patt Morrison entitled "Rumors of Plots Thicken". Some of her column must be excerpted for the reader to get its full effect. Morrison began:

This was a hearing about JFK assassination documents, and I knew what kind of hearing it was going to be as soon as I saw the man with the death grip on his umbrella. The weatherman had predicted 80 and clear, but those meteorological forecasts and satellite cloud pictures all came from one source—the government.

And then the woman sitting behind me leaned forward and pointed to a tall man sitting off to one side. . . . She whispered: "Is that G. Gordon Liddy down there in the corner?" I looked. "No, ma'am. That's Jerry Sellinger. He's a sound engineer at KCET-TV. But you know, now that you mention it, I have never seen Jerry and Gordon Liddy together?"

Coincidence?

Later Morrison adds:

Whoa, get this: Not long before the assassination, Lee Harvey Oswald was living in CLINTON, Louisiana! And not two weeks ago, I was in Terni—the same Italian city where Oswald's mail order Mannlicher-Carcano rifle was manufactured. . . . Mere irony?

Morrison is one more flack commentator on the establishment's anti-conspiracy, "no one ever planned a crime" bandwagon. She makes this ultra-clear a bit later:

The problem with the slippery slope of conspiracy theorizing is that the high ground is one step away from the bottom, which is inhabited by folks who stretch out like buzzard bait along the edge of that highway in Nevada, hoping to be abducted by aliens.

Morrison is a doubly featured journalist in Los Angeles. She writes for the *Times* and also has a regular spot on television. She is so eager to smear serious Kennedy researchers that she can write that Oswald "lived" in Clinton and leave out the significance of his visit there: that he was seen by a host of witnesses with both Clay Shaw and David Ferrie. Also, as George Michael Evica has pointed out, it is not at all clear that the supposed Carcano of Oswald's was manufactured in Terni (*And We Are all Mortal* pp.27-61).

The television show that Morrison does is on the local PBS outlet, KCET. Called *Life and Times*, it is a sort of mini-McLaughlin Group where L.A. pundits get to talk about local events in the news of the week. Ray Marcus saw the show that aired the week after the Board hearing. One of the commentators, a conservative George Will type, referred to the Board hearing as a "footnote to a footnote" in history. Imagine that: President Kennedy getting his brains blown out under highly suspicious circumstances is an event to be consigned to the back of the history books right below a page reference. The search for the truth about the circumstances is somewhere behind that.

Morrison is what the media tries to pass off as a liberal today. To accentuate that image, and apparently to give herself some kind of flair, she wears funny hats and large black glasses. In all the years I have been cognizant of her, I have never heard her make a memorable statement or provide any information that changed the way I looked at things or even perked my curiosity about a subject. In the sixties, liberals did this all the time. Her commentary is so bland that the net subconscious effect must be: if this is a liberal, why would anyone join?

Not that she's alone. Both at the *Times* and in the wider mass media there seems to be a desire to make what passes for the left rather non-distinctive. Consider that two other liberals featured by the *Times*—Alexander Cockburn and Bob Scheer—are both anti-conspiracy types and anti-Kennedy in their politics. Also, consider what passes for the left on many political talk shows: Morton Kondracke, Eleanor Clift, Tom Braden etc. When one considers this rather uniform unappetizing quality, the thought does occur that one of the aims of the media elite is to control the actual spectrum of voices and by doing so control the agenda of what gets mentioned and what stays taboo. This is not new. During the Progressive Era, Jock Whitney and Willard Straight agreed to finance *The New Republic*. They knew that editors Herb Croly, and especially Walter Lippmann, would back Woodrow Wilson's entry into World War I and provide coverage favorable to England to ease that entry (see Carroll Quigley's *Tragedy and Hope* pp. 938-940). Future intelligence asset Lippmann became a friend of both Bill Donovan and Allen Dulles founders, respectively, of the OSS and CIA. More important to our argument, he also became the establishment idea of what a Cold War liberal should be: interventionist, anti-Communist, and imperialist. In fact, people like Kondracke still hold him up as the icon liberals should emulate. The unstated corollary being

that if Lippmann is the responsible standard then anything outside of him must be perceived as what? Radical? Or, even worse—a conspiracy buff. Hence, we get people like Morrison.

As most major newspapers do, the *Times* is always eager to set the ends of any debate over a controversial issue. When the O. J. Simpson case broke, the *Times*' coverage—by the third day after the crime—was skewed against Simpson. They, and other major media, have done what they could to rehabilitate Mark Fuhrman. For instance, on February 15th, the *Times* ran a photo feature on the ex-cop's upcoming book on the Martha Moxley case. This book will inevitably explore any possible role the Kennedy family had in her death, which is unsolved. The desire to center any debate extends to cultural issues also. According to FAIR, when the *Times* began its Column Right feature, they deliberately sought out a conservative woman to be part of it. (This turned out to be millionairess Arianna Huffington). Not long ago, when the Spanish language daily *La Opinion* began to pose a circulation threat, the *Times* stepped in and bought a large stake in that paper. Now the *Times* is in position to extend their reach over a fast upcoming minority group which could contain some "fringe thinkers".

But to downplay or ridicule "conspiracy thinking", Morrison and others have to ignore their employers, the owners of the *Los Angeles Times*. As David Halberstam relates in *The Powers that Be*, the *Times* has been owned by the Chandler family since 1886. Harry Chandler was the second generation patriarch who ran the paper. He was a rabid GOP businessman type, almost a caricature. Chandler was instrumental in the maneuvering to kill mass transit in L.A. (the invaluable Red Line). He also engineered the plot to siphon water from the Owens Valley in central California while secretly buying land in north Los Angeles. Eventually this resulted in a spectacular real estate windfall. Today that area is called the San Fernando Valley, home of 1.5 million Los Angelenos. (This grand conspiracy is the basis for Roman Polanski's 1974 film *Chinatown* with John Huston as the Chandler character.)

Harry Chandler also engaged in an early scheme to limit political debate. He and some of his Hollywood friends, like Irving Thalberg, did all they could to scuttle the candidacy of Upton Sinclair in the California gubernatorial election of 1934. Chandler lent out the *Times* GOP kingmaker Kyle Palmer to organize the making of grotesque propaganda newsreels to frighten the public away from Sinclair. Chandler and Palmer then picked Richard Nixon as a real comer and endorsed his red-baiting tactics against Jerry Voorhis and Helen Douglas. This helped pave the way for Joe McCarthy and the second Red Scare. That was a real debate limiter.

As time has gone on and the latest patriarch has taken over, Otis Chandler has forged an alliance with the Graham family, owners of the *Washington Post*. In fact the *Times* runs a joint news service with the *Post*. Otis Chandler speaks warmly of Kate Graham and the *Times* occasionally hires people from the *Post*, like David Laventhol, to work its corporate structure side.

Last year there was a minor power struggle inside the *Times*. Shelby Coffey was replaced as one of the top editors. Leo Wolinsky, who led the *Times* hit team on Gary Webb's CIA and drugs stories (*Probe* Vol. 4 #1), was promoted to City Editor. Michael Parks replaced Coffey. Ironically, Parks once covered the Jim Garrison investigation for the *Baltimore Sun*. As the reader saw from our last issue, the *Times*' coverage of

Chandler also engineered the plot to siphon water from the Owens Valley in central California while secretly buying land in north Los Angeles. Eventually this resulted in a spectacular real estate windfall. Today that area is called the San Fernando Valley, home of 1.5 million Los Angelenos. (This grand conspiracy is the basis for Roman Polanski's 1974 film *Chinatown* with John Huston as the Chandler character.)

the Kennedy case, to put it mildly, leaves something to be desired. But the current situation is part of a continuum. For example, in an editorial published on July 14, 1967, the paper blasted Jim Garrison's "fantastic allegations and weird evidence" and backed Walter Sheridan's disgraceful NBC special on the DA.

Some research plus recently declassified documents shed some light on what was going on behind the scenes at the newspaper. In the first days after the Garrison probe was publicized, Jack Nelson, the *Times*' Atlanta based southern correspondent, took over the early lead on the story. In an interview for the April 1967 issue of *New Orleans Magazine*, Nelson revealed the source of much of his information for his stories: former FBI agent and Hoover crony Aaron Kohn. Nelson confided to journalist Eugene Sheehan that he thought Garrison had concocted a "hoax", was "exploiting all the doubts about the [Warren] commission" and related how surprised Kohn was that Garrison would let himself get caught in a "bush league play when he wants to be a big leaguer." Nelson then added his own personal take about the possibility of conspiracy in the JFK case: "You know how these things go. Every time somebody dies, this kind of thing feeds on itself." Really. I wonder if there will be conspiracy theories over Nelson's death. Nelson would later go on to become the *Times*' Washington bureau chief. According to media critic Jerry Policoff, in early 1977 Nelson wrote the first critical article about Richard Sprague when he took over as Chief Counsel for the House Select Committee on Assassinations. This led to the stampede to oust the Philadelphia DA and the eventual appointment of the much inferior Robert Blakey.

While Nelson was writing his Garrison stories from Atlanta, reporter Jerry Cohen took over the Garrison assignment in California. In a memo dated March 20, 1968, Garrison investigator Steve Jaffe wrote up an interview he had with suspect Loran Hall. Hall was highly active in the anti-Castro Cuban exile community throughout the southeast and was reported (apparently falsely) to have been at the Dallas home of Sylvia Odio with Oswald two months prior to the assassination. Naturally, Garrison was eager to talk to Hall. Jaffe asked Hall why he was so reluctant to go to New Orleans. Hall replied that the night before his extradition hearing was held he was visited by Cohen and Lawrence Schiller. They told him that:

he would be charged for contempt of court or perjury and thrown in jail for five years if he went to New Orleans. They told him that "Garrison is some kind of a nut" and urged him not to go to New Orleans under any circumstances.

That Cohen should be teaming with Schiller tells us something in itself. Schiller's overt activities to preserve the "Oswald did it" myth are abundantly evident. But the newly declassified record reveals at least 45 pages of FBI reports filed by Schiller in which he would be giving the Bureau information on Garrison and other Warren Commission critics. For instance, in a report filed on 3/22/67, he reveals to the Bureau a confidential informant of both Garrison and Mark Lane. In January of 1968, there is a report stating that Schiller made it clear that the story he and Cohen would file for the *Times* would be a negative one. He said any help the Bureau could offer "would be useful to him in showing that Garrison does not have a case against Hall" and was "grasping at straws."

A few days later, Cohen accompanied Hall on a visit to another Garrison informant, Carol Adyellot. She refused to let either man in

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Letters to the Editor

Since Jim DiEugenio and Lisa Pease took over the editing of this magazine back in the summer of 1995, we have not run any correspondence from readers. This has been a deliberate policy decision made for a variety of reasons. We decided to make an exception for this issue.

Dear Mr. DiEugenio:

I would like to take this opportunity to respond to the article entitled, "The Review Board's Public Comments (Part II)," that appeared in *Probe* Vol. 5 No. 2 January/February, 1998. Balanced and fair journalism called out for the Review Board to have been given an opportunity to respond to the statements made about the members in the *Probe* article. Unfortunately, the Board was not afforded that opportunity.

First, the statutory mission of the Board under the JFK Act is to release records related to the assassination of President John F. Kennedy (as opposed to reaching any substantive conclusions about who killed the President) and that is the sole measure by which it should be judged. By this measure, the Board has done an outstanding job. Publication of this *Probe* issue comes at a time when the Board has once again demonstrated its effectiveness by processing 5,000 additional records in January for public release, more than any other previous month. The Board has taken a firm stance against the CIA, the FBI, and other federal agencies in dealing with important issues related to the release of records. Similarly, the Board and the staff have been aggressive in locating additional records both within and outside of government.

Second, in all of the closed meetings, no Board member has ever argued that something should not be released because it did or did not support any theory of the assassination. The Board has scrupulously opened all information without regard to any particular belief about the assassination. For the Board's work of declassifying records, theories are not relevant. Hence the Board members have put aside their own personal opinions and have done a professional and objective job. Moreover, in hiring the staff, the Board never once imposed a litmus test or even asked what staff member opinions are relative to the assassination.

Third, apparently *Probe* does not want to measure the Board by the results of its work but chose instead to make judgments based on a form of "political correctness" of Board members' individual opinions. Your point

seems to be that if the views of individual Board members do not conform with *Probe's* views, then these views are "politically incorrect" and should not be articulated. The irony is that it is the members of this Board who are responsible for the release of so many records that you argue support your theory that there was a conspiracy. For example, you cite the importance of releasing Gerald Ford's edits to the Warren Commission's draft of the final report that dealt with President Kennedy's non-fatal wound. The release of this document alone demonstrates that the personal opinions of Board members, whatever they may be, have had absolutely no influence on the Board doing its job: releasing records. Let's let the released records speak rather than criticize the very people who are making them available.

Fourth, contrary to what is stated in the *Probe* article, Board members do not "collect two full paychecks for working what is essentially a part-time job." In fact, Board members are compensated solely for the time that they are attending Board meetings in Washington D.C., or traveling somewhere else on Board business, such as the public hearing in Los Angeles. Since becoming a federal judge, Chairman Tunheim receives no compensation for his time or work.

Probe subscribers should be assured that Review Board members have consistently approached their task based on the facts and the law. As members of a Board created by a law to further openness in government, they have been more open than anyone could reasonably have expected. Their work demonstrates that there are no hidden agendas and that they are dedicated to making the record surrounding the assassination of President Kennedy as complete as possible and available to the American public. It is regrettable that *Probe* failed to acknowledge the Board's contributions and the numbers of released documents that allow *Probe* subscribers the opportunity they deserve to research a fuller historical record.

Sincerely,
Thomas E. Samoluk,
Deputy Director
Assassination Records Review Board



Jim DiEugenio replies:
If Tom has not noticed all the articles we have devoted specifically to the formation,

obstruction, problems, successes, and releases of the Board, he hasn't been reading *Probe* thoroughly. Since we started, way back there in 1994, we have devoted more space to the Review Board, not just than any other mainstream publication, but any other research community publication. The margin is not even close. In fact, if just a few major media outlets were doing what we are doing, the drums would be beating to start up a new investigation at the end of the year. Also, Samoluk and Director Jeremy Gunn would be famous.

We are fully aware of what the legal ramifications of the JFK Act are. We don't expect any board member or worker to pass any litmus test. We also didn't expect affirmative action in the selection process i.e. one "Mob did it" member, a Garrison backer, an "LBJ/Texas Connection" member etc. All we expected, and we think we deserved, was a judicial pose of neutrality while the process was ongoing. In the article, I specifically praised the conduct of John Tunheim as exemplary in this regard. We think we were entitled to four other Tunheims i.e. people who are letting the declassified record speak for itself without imposing their own spin on the documents.

Also, in his third point, Samoluk makes a statement that I would dispute in a minor yet important way. It is not really "the members of this Board" who are responsible for the release of these records. It is Oliver Stone's film which embarrassed Congress so much that they put together the Board to facilitate the release of these records.

We tried to differentiate in the article and in my "Letter from the Chairman" the stance of Tunheim, and the extraordinary work of the staff from these unfortunate public comments of the other four. The staff of the board, and former director David Marwell, all deserve many kudos for their extraordinary work in uncovering documents that were meant to remain hidden forever. I also know from experience that many of these people have put in hours beyond the call of duty trying to get every last piece of paper they can before the shutdown date tolls. But the point is this: the *Los Angeles Times* reaches over one million people. How many people will journey to the Archives to inspect the new documents? How many people will read Noel Twyman's new book (printed in a run of only five thousand copies) in which he conclusively proves—with four documents and three photographs—that only two spent hulls were found on the sixth floor of the Texas School Book Depository, not three. That the Warren Commission then falsified documents to show three were found, not two, to preserve their phony case against Oswald. This explodes the single bullet theory

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Friends In High Places

By Steve Jones

In previous articles researcher Carol Hewett has convincingly demonstrated that Ruth and Michael Paine had a much closer relationship to Lee Harvey Oswald than was ever previously realized. It is now very clear why the Warren Commission never asked the Paines any probing questions about their background and associates or why they were never called to testify before the House Select Committee on Assassinations. If these investigative bodies had paid serious attention to the Paines it would have led them to where they didn't want to go—the intelligence community and the Eastern Establishment power structure. This article will explore connections that the Paines had to people within that powerful nexus.

Of the various acquaintances of the Paines who had intelligence connections none was more conspicuous than George De Mohrenschildt. Born of Russian nobility shortly before the revolution, De Mohrenschildt is now known, without a doubt, to have been a CIA asset and perhaps a contract employee as well. The CIA's Dallas bureau chief J. Walton Moore was a frequent dinner guest at his home. Shortly before his 1977 suicide, De Mohrenschildt admitted to author Edward J. Epstein that Moore had asked him to befriend Oswald after the young ex-Marine returned from the Soviet Union.¹ De Mohrenschildt carried out his assignment so well that Oswald once referred to the man who was more than twice his age as "my best friend."

As De Mohrenschildt was preparing to leave the country for Haiti in the early spring of 1963 it appears that he was passing on his "babysitting" assignment to Ruth and Michael Paine. It was arranged for the Paines to meet the Oswalds at a party hosted by Mobil Oil engineer Everett Glover on February 22, 1963. According to the official story, Ruth Paine never met De Mohrenschildt until that evening, and she never had contact with him again.²

But the evidence indicates otherwise. Ruth herself reluctantly admitted to Jim Garrison during her 1968 Grand Jury testimony that she and her husband were dinner guests at the De Mohrenschildt home in 1966 where they discussed, among other things, a copy of the backyard photo which was found amongst De Mohrenschildt's possessions after the assassination.³ Why would De Mohrenschildt invite a couple to dinner whom he had only met "briefly" (the word used by Ruth in her

Warren Commission testimony). Normally people invite as dinner guests those whom they have regular contact with, such as friends or co-workers. In fact, Michael wasn't even at the Glover party. Though he was invited, he did not attend due to a cold. So supposedly it was only Ruth who had "briefly" met De Mohrenschildt. George De Mohrenschildt stated in his 1976 manuscript *I'm A Patsy, I'm A Patsy* that he discussed this photograph only with close friends.⁴ Not only were Ruth Paine and

Until Adamson's groundbreaking research little was known about De Mohrenschildt's brother Dimitri Von Mohrenschildt (George had changed his own last name) who was an even bigger player in intelligence circles than George. Von Mohrenschildt worked with Allen's nephew, Ohio State professor Foster R. Dulles, during the 1940's.

George De Mohrenschildt friends, but they were also related to each other. California researcher Bruce Adamson has completed a family genealogy of Ruth's father William Avery Hyde and has discovered that Ruth and the Russian aristocrat turned CIA asset were distantly related by marriage.⁵

Until Adamson's groundbreaking research little was known about De Mohrenschildt's brother Dimitri Von Mohrenschildt (George had changed his own last name) who was an even bigger player in intelligence circles than George. Von Mohrenschildt worked with Allen's nephew, Ohio State professor Foster R. Dulles, during the 1940's. Foster was the son of Secretary of State John Foster Dulles. There is documented correspondence between Dimitri Von Mohrenschildt and Allen Dulles dating as far back as 1953, and Dimitri was involved with Radio Free Europe, the CIA sponsored propaganda vehicle which broadcast anti-communist reports to Eastern European nations behind the Iron Curtain.⁶

However, since Von Mohrenschildt as-

sisted the OSS with translations during World War II it is possible that the two had contact well before 1953. Von Mohrenschildt was also the co-editor of a monthly journal titled *Russian Review* which appears to have been subsidized by the CIA during the 1950's and 60's. Allen Dulles was an occasional contributor to this very important vehicle for Cold War propaganda. Von Mohrenschildt's co-editor was a man named William Chamberlain. Bruce Adamson has carefully read personal letters between Chamberlain and Allen Dulles and has commented that Chamberlain appeared to act as a go-between with Allen Dulles during the Warren Commission investigation to do damage control on the intelligence connections of George and Dimitri.

There exist almost fifty personal letters between Dulles and Chamberlain. The two developed a friendship in the 1940's that lasted until Dulles' death in 1969. On April 30, 1964 Chamberlain writes to Dulles, "I miss very much your stimulating and informative talks at the annual meetings of the Radio Liberty Committee. I wonder if it might be possible to see you during a forthcoming visit to Washington. I shall be at the Statler-Hilton May 11-15 with mid-day as arrival and departure times." One week later Dulles responds, "I shall be away on May 14 but expect to be in Washington on the 13th and hope you will give me a call."⁷ Allen Dulles never publicly disclosed that he was meeting with a close friend of the brother of Oswald's "best friend" only several weeks after George De Mohrenschildt's testimony before the Warren Commission on April 21-22, 1964.

There is yet another Radio Free Europe connection. An FBI document dated December 1963 states that the FBI had interviewed a couple in the Philadelphia area who were friends of the Paines. Frederick Osborn, Jr. and his wife Nancy vouched for the Paine's religiosity, good character, and innocence in having anything to do with the assassination of President Kennedy.⁸ At the time Osborn was a 48 year old executive at Smith Kline pharmaceutical company. How long and in exactly what capacity he knew the Paines is uncertain, but he and his wife were among the first "friends" of the Paines to be interviewed by the FBI after the assassination.

As it turns out, Fred's father was Frederick Osborn Sr. who was an associate of Allen Dulles. Osborn graduated from Princeton in

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Sirhan Case

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means of a certain gun and certain bullets, caused the death of another. The chain of evidence is critical in any such case. As will be shown, the chain of evidence here resembles not a chain at all, but a patchwork quilt made from squares of dubious origin. Hitler once wrote that the bigger the lie, the more likely people are to believe it, since few people can imagine telling so gross a lie. It is perhaps the size and nature of the lies in this case that have made the fictitious version of the event seem more plausible than the real one.

There is no quick way to tell the incredible story of this case. It defies abbreviated summation. Those who wish to learn the truth must first find within themselves the requisite patience and interest necessary to discover it.

June 5, 1968

Not long after midnight, on the morning of June 5, 1968, Senator Robert F. Kennedy finished up his victory speech at the historic Ambassador Hotel on Wilshire Boulevard in Los Angeles. He had just won the California primary in his effort to secure the Democratic nomination to be that party's presidential candidate in November. As Kennedy was about to leave the stage, a fateful event occurred. LA Rams tackle Roosevelt Grier, who had been working with Kennedy's California campaign, would tell the LAPD:

Well, first of all, we were up on the stage, and they said they was going off to the right of the stage, and at the last minute ... Bill Barry decided to change and go a different direction because people had found out which way the senator was going to go, and we had to go downstairs to another ballroom where people were waiting. This was a press gathering here, and so Bill Barry and someone else took the senator down and I was lifting Mrs. Kennedy down from the stairs and we started walking....¹

As Kennedy left the podium, he walked down a ramp and entered a pair of swinging doors, heading east. Between the stage and the press area was the kitchen pantry, where food for guests at the Ambassador was prepared.

Maitre d' Karl Uecker gripped Kennedy's right wrist with his left hand. Ace Guard Service employee Thane Eugene Cesar joined Kennedy as he went through the double doors into the pantry, touching his right elbow. Bill Barry, an ex-FBI man who was ostensibly serving as Kennedy's bodyguard had fallen behind Kennedy as he entered the pantry.

As they headed east through the room, Kennedy stopped every few feet to shake the hands of hotel workers. The last hand he shook was that of busboy Juan Romero. Uecker pulled Kennedy as he moved forward. The tiny kitchen held, by official count, 77 people (including Sirhan and the shooting victims) who were possible witnesses to what happened next.

Uecker related that with Kennedy still in hand, he felt someone sliding in between himself and the steam table about two feet away from where he stood. Busboy Juan Romero and waiter Martin Patrusky saw Sirhan approach Kennedy, as did Lisa Urso, a San Diego high school student. Urso saw Sirhan push

It is due to the success of this grand illusion that to date, there has never been a serious official investigation of the strange facts surrounding this case. It is the most politically incorrect of all cases. So many people saw Sirhan firing, and Kennedy fell just a short distance away. How could the truth be other than what it seemed?

his way past her towards the Senator. She thought he was going to shake his hand, then saw a movement that made her stop in her tracks in frightened anticipation. Vincent DiPierro, a waiter who had observed Sirhan standing and talking to a pretty girl in a white, polka dotted dress earlier that night, heard someone yell "Grab him" a split second before the shots were fired. Somebody reported Sirhan saying, "Kennedy, you son of a bitch," and then firing at Kennedy with his hand outstretched.

Uecker felt Kennedy slip from his grasp as he fell to the ground. Screams were heard as bystanders Paul Schrade, William Weisel, Ira Goldstein, Erwin Stroll and Elizabeth Evans were hit by flying bullets. Kennedy suffered gunshot wounds in three different places, with a fourth bullet passing through his coat without entering the skin.

Uecker immediately grabbed Sirhan's hand and forced it down onto the steam table. A swarm of men descended upon Sirhan, surrounding him, holding the gun. Decathlon champion Rafer Johnson, Grier, George Plimpton and others formed a barricade around Sirhan, one holding his head, another with a finger in the trigger to prevent addi-

tional shots, another grabbing Sirhan in a crushing bear hug.

Uecker and DiPierro reported initially hearing two shots, followed by a flurry. DiPierro told the LAPD, "I saw the first two go off. I saw them actually." Several witnesses reported hearing one or two shots, and then a pause. Then all hell broke loose. Witnesses not within eyesight of what was happening thought they were hearing balloons popping or firecrackers. Los Angeles photographer Boris Yaro, in a phone interview with Robert Morrow, recounted his memory of the event:

There was either one or two shots fired. O.K. And then, boom, boom, boom, boom, boom. There was a pregnant pause between those two because my initial impression was some jackass has set off firecrackers in here; because I got hit in the face with debris....And then it hit me. Oh, my God, it's happened again.²

Sirhan was eventually subdued, and taken into police custody.

The police created a unit—originally named "Special Operations Senator," and renamed a week later "Special Unit Senator"—to investigate the circumstances surrounding the assassination. The unit put together the evidence that became the basis of the prosecution's case against Sirhan.

Sirhan's defense team stipulated to his guilt. The trial of Sirhan Bishara Sirhan was a trial solely for the purpose of determining his sentence, not whether or not he really was guilty of the crime. Sirhan himself, to the belief not only of his defense team but to the belief of the prosecution as well, truly could not remember the incidents of that night. His defense only offered that he had not been in control of his senses at the time of the killing. Not surprisingly, given such a defense, Sirhan was sentenced to death, a sentence which was commuted by the abolishment of the death penalty in California. The illusion was complete. A deranged lone gunman had killed another Kennedy. Most people, even those fairly knowledgeable about the John Kennedy assassination, assumed that this time, the truth was self-evident.

It is due to the success of this grand illusion that to date, there has never been a serious official investigation of the strange facts surrounding this case. It is the most politically incorrect of all cases. So many people saw Sirhan firing, and Kennedy fell just a short distance away. How could the truth be other than what it seemed? Could that many people have misrepresented the case to us, including Sirhan's own defense team? Could officials now serving at the higher levels of our state government have really been accessories after the fact to a deliberate cover-up?

Ironically, as this article will show, it was

the efforts of those who—by any means necessary—strove most to prove Sirhan guilty, who created the evidence that may yet serve to set him free.

Police, FBI and press photographers swarmed into the pantry, each recording in their own way what had transpired that night. The photos told a story that was opposite what the police and the District Attorney's office was telling. There were too many bullets to be accounted for. To limit the record to the maximum number of bullets Sirhan's gun could have fired, eight, the official account of what transpired had to be stretched in some extraordinary—and ultimately dishonest—ways.

The Great Waldo Pepper Bullets

The trajectory study conducted by the Los Angeles Police Department was so superficial for a case of this enormous magnitude and complexity as to be embarrassing to the professional reputation of that Department. — Paul Schrade

One of the most ridiculed aspects of the John Kennedy assassination is the preposterous claim that one bullet created seven wounds. In that case, we are asked to believe that a bullet entered Kennedy's back at a downward angle, exited from his neck (at an upward angle), turned around and went back down into Connally's back, exited Connally's chest, entered and exited (and shattered) Connally's wrist to land, in near pristine condition, in his thigh, only to work its way out and to end up, undiscovered until by accident, on a cot in the hall of the hospital. This bullet, known among researchers by its Warren Commission exhibit number, CE399, has been called, appropriately, the "magic bullet." Science had been changed. No longer did bullets fly in straight paths; they imitated instead the paths of stunt pilot barnstormers such as the Great Waldo Pepper of movie fame.

The Robert Kennedy assassination requires not just one but *several* magic bullets to reduce the bullet count to eight. Without even getting into the evidence that there were more bullets than Sirhan's gun could hold, let's focus first on the route those eight supposedly took, according to the official LAPD summary.

As you will recall, five people were shot besides Kennedy, one of whom was shot twice; Kennedy himself was shot four times. Doesn't that add up to ten bullets? Not if the LAPD could come up with some magic ones.

The bullet that pierced Kennedy's coat without entering him took a path of roughly 80 degrees upwards. The bullet was moving upwards in a back to front path (as were all of Kennedy's wound paths). But the LAPD figures this must be the bullet that hit Paul

Schrade. Had Schrade been facing Kennedy, he would still not be tall enough to receive a bullet near the top of his head from that angle. But he was *not* standing in front of Kennedy. He was *behind* him by all eyewitness accounts, and as shown by the relative positions where the two fell after being hit.

For Sirhan alone to have made all the shots, we are asked to believe that one of the bullets that entered Kennedy's coat just below the armpit exited up and out of the coat just below the seam on top of his shoulders, and then pulled a U-turn in midair to hit Schrade in the head. Schrade has been one of the most persistent in calling for a new investigation of

Police, FBI and press photographers swarmed into the pantry, each recording in their own way what had transpired that night. The photos told a story that was opposite what the police and the District Attorney's office was telling. There were too many bullets to be accounted for. To limit the record to the maximum number of bullets Sirhan's gun could have fired, eight, the official account of what transpired had to be stretched in some extraordinary — and ultimately dishonest — ways.

this case for precisely this reason. He *knows* the report is incorrect, and if it's incorrect, there had to be at least one more gun firing in the pantry.

Ira Goldstein had been shot twice, although one shot merely entered and exited his pant leg without entering his body. He was less fortunate on a separate shot, which entered his left rear buttock. But since there were no bullets to spare, according to the LAPD's strict adherence to the eight-bullet scenario, the pant-leg bullet was made to do double duty. According to the LAPD, after passing through his pants, the bullet struck the cement floor and ricocheted up into Erwin Stroll's left leg. The only bullet that seemed to take a plausible path was the one that hit Weisel in the left abdomen.

One of the big problems the LAPD had with the crime scene was the number of bullet holes in the ceiling tiles. Based on wit-

nesses' recollections, there were too many holes to account for. There are photos of the LAPD running strings through bullet holes in the ceiling to establish trajectories. Somehow, these had to be accounted for.

Elizabeth Evans had bent over to retrieve a shoe she had momentarily lost. Suddenly she felt something had hit her forehead. Medical reports confirm that the bullet entered her forehead below the hairline and traveled "upward", fitting the scenario she remembers. But because the LAPD needed to account for some of the bullet holes in the ceiling, they decided that a bullet from Sirhan's gun had been fired at the ceiling, entered a ceiling tile, bounced off something beyond the ceiling tile, reentered the room through a different ceiling tile, and struck Evans in the forehead. This bullet must have pulled more of a hairpin turn than a U-turn, if the LAPD's version and the medical reports are to be merged.

This left still one unaccounted for hole in the ceiling. Or rather, at least one. We don't know how many holes there were because the tiles were destroyed. But the LAPD knew that there were more than two holes in the ceiling. One of the bullets that entered Kennedy passed straight through on a near vertical path, parallel to the one that entered the coat, but not the body, of Kennedy (the one that supposedly terminated its path in Schrade's head). This bullet supposedly passed through Kennedy and continued on upwards into the ceiling. Since Kennedy was facing Sirhan, and the bullet entered back to front, that would aim the bullet into the ceiling nearly directly above Sirhan's head, according to witness placements of Kennedy and Sirhan. And indeed, there was a tile removed from that very spot. But Sirhan's arm is not the many feet long it would have taken to reach around Kennedy to shoot him from behind, while standing several feet in front of the Senator.

More than Eight Bullets = Two (or More) Guns = Conspiracy

As we have seen, the official police reports strove to present a plausible scenario for where each bullet went. And even if one accepts the accounts above as legitimate, despite the important difficulties in those trajectories, the problem is bigger still. There is a substantial amount of evidence to show that *more* than eight bullets had been fired in the pantry that night. And if there were more than eight bullets, Sirhan was not a deranged, lone gunman, but somehow part of a conspiracy which has yet to be officially acknowledged.

Evidence of additional bullets surfaced

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nearly immediately. On June 5, an AP photo was published showing two police officers pointing at something in the center frame of the swinging doors that led into the pantry. The caption read, "Bullet found near Kennedy shooting scene". In 1975, Vincent Bugliosi, who was then working with Schrade to get the case reopened, tracked down the two police officers depicted in the photograph. To that time their identity had been unknown. Bugliosi identified the two officers as Sgt. Charles Wright and Sgt. Robert Rozzi. Both Wright and Rozzi were sure that what they observed was not only a bullet hole, but a hole containing a bullet.

If the hole contained a bullet, then it would have been the ninth bullet, since seven bullets had been recovered from victim wounds and the eighth was to have disappeared into the ceiling (necessary to account for acknowledged holes in the ceiling tiles). So any additional bullet presented a serious problem for those wishing to state there was no conspiracy.

In a declaration filed with the courts, Bugliosi stated:

Sgt. Rozzi had told me and he told me unequivocally that it was a bullet in the hole and when I told him that Sgt. Rozzi had informed me that he was pretty sure that the bullet was removed from the hole, Sgt. Wright replied "There is no pretty sure about it. It definitely was removed from the hole, but I do not know who did it."

Shortly after the assassination, the LAPD removed the doorjamb and ceiling panels in the Ambassador Hotel and booked them into evidence. One has to wonder why someone would tear off a doorframe or book a ceiling panel into evidence if it contained no evidence of bullets.

Investigative reporter Jonn Christian found a *Chicago Tribune* article authored by Robert Weidrich. Weidrich had evidently been in the pantry as the doorjamb was being removed, for his account contained the following information:

On a low table lay an 8-foot strip of molding, torn by police from the center post of the double doors leading from the ballroom. These were the doors through which Sen. Kennedy had walked....Now the molding bore the scars of a crime laboratory technician's probe as it had removed two .22-caliber bullets that had gone wild.⁴

Philip Melanson contacted Weidrich in December of 1988. To that point Weidrich had not been aware of the controversy surrounding the number of bullets in the pantry. He

told Melanson that the police in the room had been "amazingly cooperative", answering his questions and allowing him access. At that point, neither the police nor any reporters present could have known how significant additional bullet holes would be.

Amongst a great deal of additional evidence that will not be discussed here, perhaps the strongest piece supporting the contentions of Rozzi and Wright came from the FBI. The FBI had taken their own photos of the pantry after the assassination. Three photos in particular have been particularly important to this discussion, photos E-1, E-2, and E-3. The official FBI report of these photos labels them as follows:

E-1 View taken inside kitchen serving area showing doorway area leading into kitchen from the stage area. In lower right corner from the photo shows two bullet holes which are circled. The portion of the panel missing also reportedly contained a bullet.

E-2 A close up view of the two bullet holes of area described above.

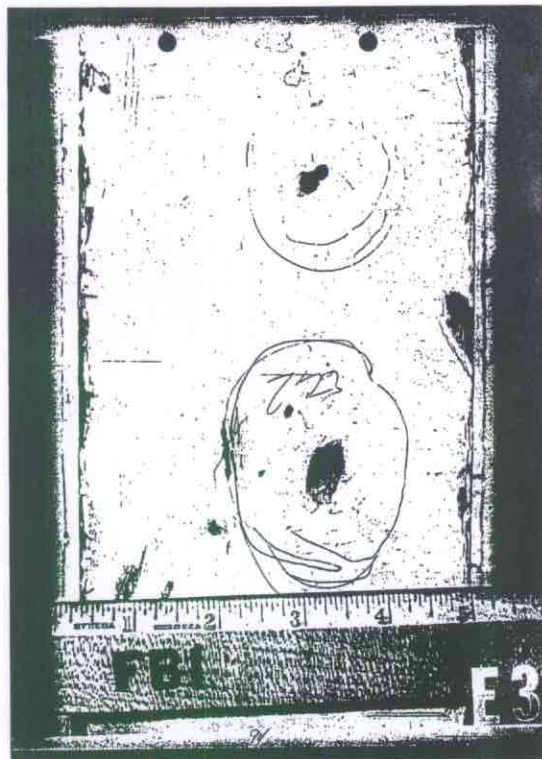
E-3 Close up view of two bullet holes which is located in center door frame inside kitchen serving area and looking towards direction of back of stage area.

Bullets do not create bullet holes in wood frames behind victims, exit those holes in the reverse direction, and then circle around to enter victims from the front! There is no way to account for these holes using the existing victim wounds. Two bullet holes in the doorframe would make 10 bullets overall at a minimum.

This particular point so worried the County of Los Angeles that in 1977, Investigator Robert Jackson, writing for Chief Administrative Officer Harry L. Hufford, asked the FBI for any clarification they might offer regarding these photos. The full text of this interesting letter is included here:

Dear Sir:

In the course of an inquiry by the Los Angeles County Board of Supervisors into certain aspects of the physical evidence at the Senator Robert F. Kennedy assassination, questions have arisen con-



FBI Photo E3

cerning certain FBI photographs. These photographs, purportedly taken by Special Agent Greiner and numbered E-1, E-2, E-3 and E-4, are captioned "bullet holes".

If these were, in fact, bullet holes, it could be inferred that more than one gun was fired in the pantry during the assassination. Mr. Allard Lowenstein, Ambassador to the United Nations, among others, has maintained that a possibility exists that another assassin was present. Mr. Lowenstein and other critics of the official version have referred to the above photographs as representing the official opinion of the FBI inasmuch as the captions are unequivocal in stating "bullet holes".

If the captions had said possible, probable, or apparent bullet holes, one could assume that no precise examination had taken place at the time the photographs were taken. However, the captions would lead one to believe that a determination had been made by someone with the requisite knowledge and skills.

The dilemma we are faced with is that the photograph captions are being used as evidence of the official FBI position in the absence of any other official stated position.

If more bullets were fired within the pantry than Sirhan Sirhan's gun was capable of holding; we should certainly find out who else was firing. If, in fact, the FBI has no evidence that the questioned holes were bullet holes, we should know that so

that the air may be cleared.

It is therefore requested that the official position of the FBI regarding these bullet holes be relayed to this office.

Thank you for your cooperation.³

To date, no record of any formal reply to this appears to have surfaced. In addition, new corroboration for this evidence came in 1975, when Vincent Bugliosi tracked down Martin Patrusky, a waiter at the Ambassador and an eyewitness to the shooting. Patrusky gave Bugliosi a signed statement describing all the events he could recall that related to the assassination and its aftermath. He recounted being at the hotel when a few days after the assassination, the LAPD arrived to do a reconstruction of the crime. Patrusky wrote, "Sometime during the incident, one of the officers pointed to two circled holes on the center divider of the swinging doors and told us that they had dug two bullets out of the center divide."⁶

One final witness whose credibility is hard to shake is FBI agent William Bailey, who stated in an affidavit that he and several other agents of the FBI noted at least two small caliber bullet holes in the center divider. He added, in refutation to the hilarious claim that these holes were made by food carts, "There was no question in any of our minds as to the fact that they were bullet holes and were not caused by food carts or other equipment in the preparation room."

Inexplicably, not only has the LAPD denied that there were additional bullet holes in the pantry, they destroyed the evidence that could have proven their claims true! On June 27, 1969, a destruction order was issued for the ceiling panels and doorjamb which had been removed from the Ambassador and booked into evidence.⁷ Given that the AP photograph was circulated on June 5, 1968, it seems beyond the realm of plausibility that such an order could have been given in ignorance of the suspicions that would surely surround the doorjamb and ceiling panel evidence.

Ten bullets (and likely more) would indicate that at least two guns were being fired in the pantry that night, and that a conspiracy had been at work. But if more guns were firing, why didn't anyone report this? Or did they?

Multiple Gun Sightings

Contrary to popular belief, there were witnesses who indicated that more than one gun had been present in the pantry that night. Consider the following statements:

"It sounded as if there was more than one gun being used at that point." — Booker Griffin to the

LAPD, 7/25/68.

"After the shots, I saw to my left a guard holding a revolver." — Statement attributed to Richard Lubic in a manuscript analyzed in the LAPD files.

"But the security guard had a gun and I think he went like this [drawing a gun] or he put it in a holster or something..." — Lisa Urso to Dr. Phil Melanson.

"I'm pretty doggone sure he [a security guard] fired his gun." — Don Schulman to the DA's office in 1971, reiterating his earlier comments to a reporter on 6/5/68.

"TV reports....suspect shot at guard, guard shot

"I'm pretty doggone sure he [a security guard] fired his gun." — Don Schulman to LADA

"My God, he had a gun and we let him go by." — Joseph Klein to LAPD referring to another man while Sirhan was being subdued.

"We had reports from two of the eyewitnesses that there were two assailants involved." — Larry Scheer, KTLA live broadcast of 6/5/68.

suspect in the leg." — Intelligence Division log entry from 6/5/68, LAPD.

"Two or three seconds after Kennedy entered the kitchen, he heard 8 or 9 shots in quick succession. (He thought there had been two guns.)" — LAPD interview of Roy Mills, 8/9/68.

"The guy with the gun could have left. No one seemed to pay any attention." — Darnell Johnson to LAPD, 7/24/68.

"My God, he had a gun and we let him go by." — Joseph Klein, referring to a man leaving the pantry in the hurry while Sirhan was being subdued, to LAPD, 7/3/68.

"We had reports from two of the eyewitnesses that there were two assailants involved." — Larry Scheer, KTLA live broadcast footage from 6/5/68.

This is by no means intended to represent a comprehensive list of such statements, but is included here to show that the LAPD had no reason to assume from the start that Sirhan was the only person firing in the pantry that night.

There were Ace Security Guards in the room that night. One of them, Thane Eugene

Cesar, told the LAPD the morning of June 5th that when he saw a gun in an extended arm, he reached for his own gun. Incredibly, no one from LAPD asked to see Cesar's gun, or even inquired as to what kind of gun he had on him! If it was *not* standard procedure, then someone should have followed up with Cesar as to just why he did have a gun that night. If it was standard procedure for guards to carry guns, then the LAPD should at least have questioned each of the guards about their guns, and perhaps should have confiscated and tested them. Cesar once told Ted Charach, "there were three of us [guards who] had their guns out [when the shooting began]."⁸

Those who have wished to refute the evidence of conspiracy in this case just choose to ignore statements such as those shown here. People were just confused, or mistaken, and even if Cesar had his gun out, there is no evidence that he fired. Those people should remember, however, that absence of evidence is not evidence of absence, and it would have been prudent for the LAPD to thoroughly investigate these claims if only to refute them. Cesar, for example, claimed to have a .38 on him. But the police never asked to see the gun, never fired any test shots, never followed up on the evidence of too many bullets that necessitated the presence of at least one additional gun.

The perplexing lack of curiosity is amplified by the fact that at least for the next several days, LAPD officers were far from sure that Sirhan was acting alone. In fact, even before Sirhan was taken to the Rampart Station, an APB had been put out on two very different suspects: a man in a gold sweater and a girl in a polka-dot dress.

Multiple Original Suspects

Immediately after the shooting, 20-year old "Youth for Kennedy" volunteer Sandy Serrano saw something disturbing, and reported it immediately to both the press and the police. A recent BBC special included the video of the live interview of Sandy Serrano from this night. She was very credible, very sure of what she had heard. She told Sander Vanocur of NBC about a wild encounter she had just had. At 2:35 a.m. on June 5th, and several additional times that morning, she repeated this story to the LAPD. Earlier in the night, she had seen a young woman in a white dress with black or dark blue polka dots walk up the back stairway of the Ambassador hotel, accompanied by two men—one in a white shirt and a gold sweater, the other looking dirty and out of place, "boracho,"⁹ under 5'5", with bushy dark hair. Shortly after hearing what she as-

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sumed were backfires from a car, the woman and one of the men came back down the stairs, in an excited fashion, talking loudly. She described the encounter in this way:

She practically stepped on me, and she said, "We've shot him. We've shot him." Then I said, "Who did you shoot?" And she said, "We shot Senator Kennedy." And I says, "Oh, sure." She came running down the stairs, very fast, and then the boy in the gold sweater came running down after her, and I walked down the stairs."¹⁰

Serrano's description of the third man in this group, the one who had gone up but had not come back down, bore a strong resemblance to Sirhan.

An older couple who spoke to the first policeman to arrive at the scene provided confirmation of Serrano's story. Sergeant Paul Sharaga had only been a block away from the hotel when the call came that shots had been fired at the Ambassador Hotel. Sgt. Sharaga recounted this event to author Dan Moldea as follows:

I arrived at the hotel, and there was mass confusion. I got up on the parking lot, and there were people running in all directions.

Right away, an older Jewish couple ran up to me, and they were hysterical. I asked them, "What happened?" The woman said that they were coming out of the Ambassador Hotel by the Embassy Room, when a young couple in their late teens or early twenties, well dressed, came running past them. They were in a state of glee. They were very happy, shouting, "We shot him! We shot him!" The older woman asked, "Who did you shoot?" The girl said, "Kennedy, we shot him! We killed him!"

...This put this old Jewish woman into hysterics. She was still in hysterics at the time I talked to her. The one thing I learned during my many years in the police department is that remarks that are made spontaneously are seldom colored by people's imagination. These were spontaneous remarks from this couple. As far as I was concerned, that was the most valid description available."¹¹

Sharaga put out APBs on both the male and female suspects. The female was described in the APB as follows:

Prior to the shooting, suspect observed with a female cauc., 23/27, 5-6, wearing a white violet dress, ¾ inch sleeves, with small black polka dots, dark shoes, bouffant type hair. This female not identified or in custody.¹²

An early entry in the LAPD's log of radio dispatches contains the entry of the male suspect just before 12:30 a.m.:

description of a suspect in the shooting at 3400 Wilshire Boulevard, male Caucasian, 20 to 22, 6' to 6'2", built thin—blond curly hair, wearing brown pants and a light brown shirt, direction taken unknown at this time.

Sirhan was short, dark-haired, and wearing a light blue shirt and blue pants. The police were already looking for two other suspects besides Sirhan within minutes of the shooting. A third suspect is referred to in the following LAPD broadcast log. Note how the talk of multiple suspects becomes a cause for concern. (The number 0034 refers to the time, 12:34 A.M.)

In the final analysis, we will find that not one of the bullets recovered from the pantry victims was ever legitimately matched to Sirhan's gun. There is even reason to doubt the gun currently recorded as Sirhan's gun was the one he fired that night! And if we follow the evidence, we will reach the point where we must seriously question the case for Sirhan's guilt, even if there was a conspiracy.

114 to 33, ... Is the suspect in custody or what's the story?...

0034

He left there approximately five minutes ago. He was taken into plus — in custody in a police car, and there was another suspect being held within the building, and I sent Nunley into —

114 to 70 Boy, one suspect in custody. One suspect inside the building. Is there a supervisor up at the station? ...

0113

2L30, 2L30, come in.

2L30, go.

2L30, the description we have is a male Latin, 25-26, 5-5, bush hair, dark eyes, light build, wearing a blue jacket and blue levis and blue tennis shoes. Do you have anything to add?

2L30, that's not the description that I put out.

2L30, the description I put out was a male Caucasian—

0114

—20 to 22, approximately 6' to 6'2, sandy blond

curly hair, and wearing brown pants and a light tan shirt.

Rampart Base Station to Tac 1 units, we now have a base station set up in the watch commander's office, Rampart Station, KMA 367.

2L10, go.

2L30 Roger. 2L30, would you suggest I contact Rampart Detectives and find if this suspect is in custody?...

Affirmative 21-1 Attn units in the vicinity of the Ambassador hotel, Sups descrip is a male, cauc, 20/22, 6' to 6'2 Sandy blond curly hair Brn pants Lt. tan shirt. end of description

2L30 to control come in

2L30 go ahead

2L30 Code 2 on that Bus

affirmative...

0143...

2L30 the 2nd suspect came from a witness who was pushed over by this suspect. Witness and his wife we have name and address

0144

The Juv officers who were collecting witnesses initially have a sheet of paper with the name and address and phone number of this witness.

What proximity to the shooting were these people

Staff 9 Staff 9 Come into Control 1

—to 2L30 in what proximity where these 2 witnesses [sic]

2L30 they where adjacent to the room [sic]

2L30 Disregard that Broadcast, we got Rafer Johnson and Jesse Unruh who were right next to him and they only have one man and don't want them to get anything started on a big conspiracy. This could be somebody that was

0145

— getting out of the way so they wouldn't get shot. But the people that where [sic] right next to Kennedy say there was just one man....

2L30 to control disregard my broadcast. A description M/C 20-22 6' to 6'2 this is apparently [sic] not a correct description. Disregard and cancel.¹³ [Emphasis added.]

That others were being considered seriously by the LAPD as suspects in the original shooting is not surprising. What is surprising is how quickly they were willing to dismiss these suspects; a curious bias displayed overtly, on the record, and just over an hour after the shooting. Had this been the first political assassination of a Presidential figure by the name of Kennedy in this country, such an attitude, while surprising, may have been normal. But after all the questions raised in the aftermath of President John F. Kennedy's assassination, such a cavalier dismissal of the

evidence of additional suspects becomes more serious. As Los Angeles Chief of Detectives Robert Houghton reported in his book about the case, it wasn't as if no one was making the connection:

Inspector [John] Powers had instructed Communications Division at 1:44 a.m. to cancel its broadcasts of Sharaga's "second suspect" the male Caucasian with blond curly hair, after satisfying himself that it was a false lead....

Thoughts of accomplices were much on the minds of both [Captain Hugh] Brown and Powers. Had the man they were holding really been alone? Could it possibly be a foreign conspiracy? Could it be the first in a series of assassinations planned in the midst of national election campaigns in order to paralyze the entire nation? Or was this perhaps the second? Just two months had gone by since Dr. Martin Luther King, Jr., was murdered. As yet, there was no suspect in that killing. Could it possibly be the third? Dallas, Memphis, Los Angeles?¹⁴

Houghton fails to explain how Brown was able to "satisfy himself" that the APB should be cancelled when he harbored such dark thoughts and when an hour was hardly long enough to get to the bottom of a conspiracy. But this would become the *modus operandi* of many at Special Unit Senator, the LAPD task force created to investigate the circumstances of the assassination. While one public official after another proclaimed that they "didn't want another Dallas", they avoided, denied, and as we will see lied and even destroyed evidence, creating in effect a second "Dallas".

The evidence in the pantry presents many problems. There were too many bullet holes than could be accounted for by one gun. At least one other gun was present in the pantry, and possibly more as well. Suspicious characters fled the scene, one laughing, "We killed him."

In the final analysis, we will find that not one of the bullets recovered from the pantry victims was ever legitimately matched to Sirhan's gun. There is even reason to doubt the gun currently recorded as Sirhan's gun was the one he fired that night! And if we follow the evidence, we will reach the point where we must seriously question the case for Sirhan's guilt, even if there was a conspiracy.

This begins to sound like a rip-off of an *X-Files* episode. Yet it is no fiction; it is the bizarre reality presented by the official records of the case.

The Problem of Distance

One of the most problematic pieces of evidence for the case against Sirhan's having fired the shots that killed Kennedy is his distance from Kennedy. Autopsy evidence showed that all four bullets that entered Kennedy's body

and clothes were fired at a distance no greater than six inches, and that the fatal head shot was fired at a distance of no greater than two inches. Yet all the eyewitness testimony puts Sirhan's gun muzzle at a range of from one and a half to three feet from Kennedy. Sirhan would have had to be standing considerably closer to have been able to position the gun close enough to Kennedy's head to have produced the stippling patterns found during the autopsy.

The LAPD had a list of the "five best" witnesses who were in a position to see both

"[T]here was a distance of at least one and one-half feet between the muzzle of Sirhan's gun and Senator Kennedy's head. The revolver was directly in front of my nose. After Sirhan's second shot, I pushed his hand that held the revolver down, and pushed him onto the steam table. There is no way that the shots described in the autopsy could have come from Sirhan's gun. When I told this to the authorities, they told me that I was wrong. But I repeat now what I told them then: Sirhan never got close enough for a point-blank shot." — Karl Uecker

Sirhan and Kennedy. These were (in alphabetical order): Frank Burns, Martin Patrusky, Jesus Perez, Juan Romero, and Karl Uecker. Others close by who had an opinion on the distance included Richard Aubrey, Vincent DiPierro, Pete Hamill, Richard Lubic, Edward Minasian, Valerie Schulte, Lisa Urso, and Boris Yaro.

Phil Melanson questioned Frank Burns about his recollection as to distance in 1987. Burns told him that there were "several feet" between Sirhan and Kennedy. Burns did a mock recreation of the scene in his office, and positioned the gun about three to four feet from Kennedy's head.¹⁵ Martin Patrusky, in the signed statement he gave to Bugliosi, specified the distance between the gun muzzle and Kennedy at "approximately 3 feet."¹⁶ I have been unable to find a record of Perez's opinion on the distance.

Juan Romero reported the gun being "approximately one yard from the senator's head."¹⁷ Romero, incidentally, did not identify Sirhan as the gunman at the trial. Asked

if anyone in the courtroom resembled the killer, he said no. Asked specifically if the defendant, pointed out to him, was the assassin, he replied, "No, sir. I don't believe that's him."¹⁸ Uecker, considered by the prosecution to be their "star witness", was not asked to speak on the question of the distance at the trial. Uecker, however, gave a written statement later to Congressman Allard Lowenstein in 1975. At that point, Lowenstein was seriously considering calling for a reinvestigation of the case. In his statement, Uecker said:

[T]here was a distance of at least one and one-half feet between the muzzle of Sirhan's gun and Senator Kennedy's head. The revolver was directly in front of my nose. After Sirhan's second shot, I pushed his hand that held the revolver down, and pushed him onto the steam table. There is no way that the shots described in the autopsy could have come from Sirhan's gun. When I told this to the authorities, they told me that I was wrong. But I repeat now what I told them then: Sirhan never got close enough for a point-blank shot.¹⁹

Richard Aubrey heard the shots and saw a blue flame from the gun. He told the LAPD that Sirhan was six or seven feet ahead of Senator Kennedy.²⁰ Vincent DiPierro told the Grand Jury that Sirhan was four to six feet from Kennedy.²¹ Hamill put the gun at a distance of at least two feet from Kennedy; Minasian put the gun barrel about three feet away; Schulte put it six feet away, and Urso said the distance was "three to six feet".²² Boris Yaro has been the only witness to put the gun inside of one foot from Kennedy; however, Yaro was also looking through a camera viewfinder in a foreshortened sightline, and told the FBI that Sirhan and Kennedy were "little more than silhouettes."²³

Clearly, Sirhan was just not close enough to have fired the shots described by the wounds. In addition, even if Sirhan had been close enough, it's unlikely he would have been able to position his right hand at Kennedy's right ear and behind Kennedy's back to shoot upwards at angles near 70 degrees to the vertical, considering that Kennedy's body, if not his head as well, was reported to be facing Sirhan.

Solve this one for yourself. Place a friend in front of you and slightly to your left, as Kennedy was reported to be in relation to Sirhan. Now, with your right hand, reach around behind your friend's head with your right hand, as if you held a gun. Feel the awkward flexion required of your wrist to position yourself in such a manner. And even if your friend obligingly turns his or her head, you would still, from your position in front of and slightly to the right of your friend, need to reach around the right backside of your friend and fire upwards, and in a back-to-front

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direction, into the back bottom of your friend's armpit.

a farce of their scenario, the LAPD decided that the only way to prove their case was to make all the witnesses wrong, and their postulation right.

If somebody says one inch and somebody else says two inches, that's a discrepancy. But the jury didn't think it was significant and neither did I.

Property Report, Items 26 & 27

[illegible]

The Delayed Autopsy Report

People who get this far in the case inevitably ask, how could Sirhan's defense team not have brought this discrepancy into evidence? According to Robert Kaiser, a *LIFE* magazine reporter who was serving as an investigator for the defense in this case, the official autopsy report was not made available to the defense until after Sirhan's trial had commenced on January 7th, 1969. The first mention of the autopsy report from the defense appears in a memo dated February 22, 1969 that Kaiser wrote to Sirhan's lead attorney, Grant Cooper, indicating that the report showed the gun was fired from a distance of one to two inches. In a sworn statement that accompanies Sirhan's current writ, Kaiser states that he usually reported anything he found within a day or two of discovery, so it seems unlikely that the defense team had the report much sooner than a couple of days preceding the date on Kaiser's memo. Kennedy had died on June 6, 1968, and the autopsy had been performed immediately upon his death.²⁴ In the SUS card index, a card labeled only "Medical" reports: "Coroners protocol - Final Summary: 10 pages received 11-27-68."

What could possibly have kept the autopsy report from being delivered for nearly six months? Was it held back to keep the defense from figuring out that Kennedy was shot at a distance that could not be reconciled with the consistent reports as to Sirhan's position relative to Kennedy's?

The autopsy report discusses the three wounds in Kennedy. The wound numbers are not meant to correspond to the order of entry of the bullets, which could not be determined. Wound #1 was to the head, the actual fatal wound. The bullet that entered fragmented into a couple of large and many tiny pieces. Two wound tracks were visible in the X-rays. Wounds #2 and #3 were fired from near the back of Kennedy's armpit and traveled upward at angles of respectively 59 and 67-70 degrees to the vertical, moving back to front. Wound #2 was described as a "through and through" wound. Wound #3 was caused by a bullet moving in a nearly parallel path, but the bullet did not exit the skin, lodging near the 6th cervical vertebrae, just about where the neck meets the back. All three bullets traveled back

to front, right to left, and upwards. There was a fourth bullet that passed through the outside of his coat without entering his skin, also traveling the same path. This, recall, was the bullet that was to have entered Paul Schrader's head. The killer would have nearly had to be touching Kennedy from behind his right side to have fired any of these shots. Powder tests were conducted by LAPD Criminalist DeWayne Wolfer, and by Coroner Noguchi. Both concluded that the firing distance, based on comparable patterns produced by test firings, was approximately one inch.

By now, most people would be convinced that it was not possible for Sirhan to have been the sole gunman. Dan Moldea, who until recently seemed to be calling for a new investigation, wrote in his book on the case that he feels Kennedy must have somehow been in the correct position for Sirhan to have made all the shots, and that the eyewitnesses all just missed that crucial moment. As bizarre a deduction as that is, let's follow that for a moment and see where it takes us. Were that true, one would expect, at a minimum, to find some evidence that the neck bullet found in Kennedy from Wound #3, and the bullet fragments from the fatal bullet in the head, could be matched to Sirhan's gun. Most people who have heard passing news about the case over time assume this has been done. Most people are in for a surprise.

On the Trail of the Evidence

On the morning of the autopsy, June 6, 1968, bullets and bullet fragments were removed from Kennedy's body. The neck bullet had not been removed immediately because it was not life threatening. The surgeons had focused on removing bullet fragments from the head. The autopsy report states that *fragments were recovered* from Kennedy's head. Wolfer's log, however, reports receiving a "bullet" from Kennedy's head, and even indicates that color photographs were taken of this "bullet". In the autopsy report, a 6 x 3 x 2 millimeter fragment was found in Kennedy's head, but no mention is made as to this fragment's recovery. Slides are taken, and fragments are in evidence, but nowhere in the autopsy report does it state who took the fragments or who booked them into evidence.

In the summary section of the report, under the heading "Bullet Recovery" for Wound #1, you will find only "see text." But within the text of the section regarding Wound #1, there is no mention of the recovery of fragments, although many fragments were seen and described. Fragments *were* recovered and are in evidence, but there is no record in the report of whom the fragments were given to or when. Yet under both the summary and

A deformed bullet (later identified as .22 caliber) is recovered at the terminus of the wound path just described at 8:40 A.M., June 6, 1968. There is a unilateral, transverse deformation, the contour of which is indicated on an accompanying diagram. The initials, TN, and the numbers 31 are placed on the base of the bullet for future identification. The usual evidence envelope is prepared. The bullet, so marked and so enclosed as evidence, is given to Sergeant W. Jordan, No. 7167, Rampart Detectives, Los Angeles Police Department, at 8:49 A.M. this

date for further studies.

Clearly, the autopsists were being careful, marking the evidence appropriate and tracking where it went. So why wasn't this done with the head bullet? This author has no satisfactory answer for that question.

In the evidence log, there is also something odd about the way the fatal bullet fragments were booked. On one page (pictured on the opposite page), items 13-27 are listed. But where entry number 24 should be, something odd happens. The handwriting changes drastically, the numbers 24 and 25 are mysteriously skipped, and the number of the item booked immediately after item 23 is number

continued on page 22

[illegible]

The Review Board Releases JFK Vietnam Documents

By Jim DiEugenio

When the Assassination Records and Review Board announced its first releases back in the summer of 1995, some people were disappointed at the rather small amount of documents (16) announced. John Newman, who was privy to much of the behind the scenes maneuvering, called certain people and told them not to worry. Those early releases would basically serve as test runs. The Board was feeling out the intelligence community at this early stage, trying to get a feel for what they would object to and actually anticipating what those objections would be (see *Probe* Vol. 2 #5). As our readers recall, the FBI did object and fought the Board on the degree of freedom the ARRB should have in uncensoring all redacted information in proposed releases. The overall strategy was to ask for as much as possible in freeing up redacted material, then get as much as they could at the bargaining table. With a relatively favorable precedent set, the releases would pyramid in size each month.

Considering the fact that President Clinton took no active role in settling the early dispute, the Board's plan seems to have worked out fairly well. If Clinton would have taken a stronger part at the beginning, the ARRB probably would not have had to play it safe early and perhaps would not have needed to request another year to complete its job. But considering that large debilitating factor, the Board is making a strong attempt as it begins to head into its final months to complete its mandate of declassifying all government documents pertaining to the JFK assassination. The number of released documents has been steadily increasing from double to triple and now to quadruple digits. As we went to press, the last four announced releases—for October through January—were all well over 2,500 documents per month, a far cry from the original paltry 16. The January release is the biggest haul to date: 3,762 documents. We also understand from sources inside the Board that this pace will either stay steady or perhaps even increase to around 5,000 documents per month.

Another feature of the new release pattern is that the number of points of origin are multiplying. The early releases tended to be either FBI, CIA, or Secret Service documents. In the last few months, a number of Army, Joint Chiefs of Staff, Ford Library, State Department, and National Security Agency documents have all entered the mix. In an interview with Deputy Director Tom Samoluk, he stated that the search for more NSA documents is ongoing and he expects the pace from that agency to pick up. (In one of the early NSA releases, there is an account of John McCloy while in Europe expressing "serious doubts of the credibility of the [Warren Commission] investigation." McCloy told two European friends that there may have been two people involved in the assassination.) In regards to the House Select Committee, Samoluk stated that releasing all HSCA documents is a high priority and that of the scores of audio tape interviews done by that Committee, less than 30 are outstanding pending review by a third agency.

Also, the Board of late has been trying to release material themed around some specific kind of topic to make it more easily accessible for the press to write about. For instance, on August 12th, the ARRB sent out a press release announcing it had acquired the original Associated Press wire copy from the November 22nd to November 26th

time period. This was donated by former AP reporter Richard Barnes who worked out of the San Francisco Bureau at the time. On November 20th, the ARRB announced that it had recovered the notes and other professional effects of Dallas Police Captain Will Fritz. Fritz reportedly sat in on most of the interrogations of Lee Harvey Oswald while he was in custody from November 22nd until his death on November 24th. Fritz died in 1984 and the Board noted that the materials (including photos) had been turned over to them by a donor who wished to remain nameless. These two acquisitions show that the Board is actively seeking out private collections, an important part of their original mandate.

But the two "themed" releases that garnered the most press coverage were those dealing with two prominent parts of President Kennedy's foreign policy, namely Cuba and Vietnam. In August, the National Security Agency released transcripts of intercepted conversations showing that Fidel Castro was quite worried that Lyndon Johnson would use Kennedy's murder as a pretext to invade Cuba. Castro thought that Oswald was an American intelligence operative who was manipulated to serve as a pawn in a plot by American militarists which would be laid at the foot of the Cuban dictator himself. Consequently, he put his island's defenses on a high military alert in case an invasion was forthcoming.

But the big batch of Cuba-related documents came in November. On November 14th, the Board put out a "media advisory" alerting the press to the fact that on November 18th, "approximately 1,500 pages of military records from the 1962-64 period that relate to U.S. policy toward Cuba... will be available at the National Archives and Records Administration in College Park, Maryland." This group of documents was collected from both the Pentagon and the papers of then Counsel to the Army, Joe Califano. The documents reveal some of the schemes proposed by both the Army and the Joint Chiefs of Staff to disrupt and possibly overthrow Castro's regime. Some included simulating the sinking of a U.S. ship in Guantanamo Bay, staging the downing of an American warplane, or "demonstrate convincingly that a Cuban aircraft has attacked and shot down a chartered civil airliner", and even blaming Castro if something went wrong with John Glenn's 1962 space flight. There is no evidence that any of these ideas ever got into operation, but they do show two things. First, the Pentagon as well as the CIA was in an "action-oriented" mode concerning Cuba. One of the documents, signed by Joint Chiefs Chairman Lyman Lemnitzer, reads as follows:

In view of the increasing military and subversive threat to the United States and the nations of the Western Hemisphere posed by the communist regime in Cuba, the Joint Chiefs of Staff recommend that a national policy of early military intervention in Cuba be adopted by the United States.

Secondly, like extremists in the Agency (for example, William Harvey) there seems to be a split between what the interventionists wanted to do, and what Kennedy's policy shaped up as. By 1963, JFK had settled on a "carrot and stick" approach i.e. low-intensity guerrilla raids coupled with back channel negotiations through people like William Attwood and television reporter Lisa Howard. What emerges

from these documents is a much more militant, belligerent approach which Kennedy was apparently hesitant to unleash.

This document release generated another wave of stories carried by the wire services—Associated Press, Reuters—and also a *Nightline* television spot on December 29, 1997 featuring Professor Ernest May (*The Kennedy Tapes*) and Alexander Haig, who was then on the staff of the Army and part of the covert effort against Cuba. Haig basically expressed the extremist attitude when he said that the Kennedy effort was wrongheaded:

...because if we've learned anything from history it is that you cannot accomplish major policy objectives through covert action. It's sort of a cop out. It's where a president wants to go to bed at night telling himself he's done something tough and get up every morning and still be loved by the people because he hasn't disturbed their tranquility. And that was the whole charade of our dealings with Castro during that time.

Haig later went on to toss out the hoary cliché that Kennedy may have been killed as a result of Castro's retaliation for the covert actions. Apparently Haig missed the earlier NSA release on Castro's fear of being set up for invasion by the assassination.

On December 22nd, another large release of documents was announced. This one was "800 pages of previously classified military records from 1963-64 that relate to U.S. policy on Vietnam." The Board's press release stated that "The mandate of the Review Board is to make the record surrounding the assassination of President Kennedy as complete as possible" so the ARRB "has been aggressive in its pursuit of records on U.S. foreign policy that put the assassination into its historical context."

These documents do that. Even the media could not disguise what they appear to indicate. The *New York Times* headlined its story with "Kennedy Had a Plan for Early Exit in Vietnam." The *Philadelphia Inquirer* story was bannered "Papers support theory that Kennedy had plans for a Vietnam pullout." The AP was only a tad weaker: "New Documents Hint That JFK Wanted U.S. out of Vietnam." On page after page of these documents, at every upper level of the Pentagon, everyone seems aware that Kennedy's withdrawal program will begin in December of 1963 with a pullout of 1,000 men and that this would be the beginning of an eventual complete withdrawal by 1965. Contrary to Noam Chomsky's interpretation, there is not a word of the plan hinging on any kind of American "victory" and there is no contingency plan mentioned to reinstate troops if the victory is not in sight. In fact, on one of the documents, a 5/6/63 meeting of the Pacific command, General Earle Wheeler stated "that proposals for overt action invited a negative PRESIDENTIAL decision." [Capitalization in original.] And contrary to Seymour Hersh's spin, President Ngo Dinh Diem seems reluctant to see "a reduction of U.S. advisors at this time." It seems clear, that as John Newman has written, Kennedy was trying to "Vietnamize" the war just as he told Walter Cronkite in their famous 9/2/63 interview. What seems equally clear from the release—so clear the even the *New York Times* had to admit it—was the apparent change that took place almost immediately after the assassi-

nation. On November 26th, President Johnson, through National Security Action Memorandum 273, ordered "intensified operations against North Vietnam," both overt and covert, covering "the full spectrum of sabotage, psychological and raiding activity." And the intensification specifically mentioned countries bordering Vietnam, namely Laos and Cambodia. From the pre-11/22/63 documents, these appeared to be off limits as staging sights for Kennedy. Interestingly, but predictably, no account I saw mentioned how this thesis had been the keystone of Oliver Stone's film back in 1991.

The Review Board staff has also undergone some changes as its life begins to wind down. On October 6th, Executive Director David Marwell left his position in order to become Director of Collections at the United States Holocaust Memorial Museum. Marwell had previously been Director of the Berlin Document Center and former Chief of Investigative Research in the Office of Special Investigations at the Justice Department (commonly referred to as the "Nazi-hunting" unit). So this position appears to return him to his previous area of expertise and interest. Marwell proved to be an able administrator who, starting from scratch in an unprecedented field, built a small agency into what is now the most proficient declassification body in America. He also deserves kudos for outlining the cautious strategy outlined at the beginning of this article which now appears to be bearing fruit. He also pushed for the one year extension, pursued private donors, and was always accessible to the press. Finally, in his dealings with official bodies, as far as we can see, he

pushed the boundaries of the JFK Act as far as he thought possible. General Counsel Jeremy Gunn will perform double duty as he moves into Marwell's vacated position. Tom Samoluk returns with a promotion to Deputy Director. Eileen Sullivan assumes many of Samoluk's old duties in press and public relations. Gunn is still pressing the medical evidence as far as he can. Recent interviews include FBI agents James Sibert and Francis O'Neill and X-ray technician Floyd Riebe.

Speaking of Marwell's not backing away from what he perceived as his obligations, New Orleans DA Harry Connick is back. Since 1995, Connick has done what he could to obstruct the Board from getting the original five drawer file cabinet left behind by Jim Garrison and still in Connick's domain. *Probe* has been covering this ongoing dispute in detail since then. Marwell went to court to get the originals of these documents and he won a lower court decision which Connick appealed. On October 14th, a three judge panel ruled that Connick must abide by the lower court order and turn over the originals. But through his lawyer, Bill Wessel, Connick said he will now appeal to the Supreme Court. The appeals court decision was fairly strong in the Board's favor. They called the ARRB's goal "patently meritorious" and pointed out specific strictures in the law which they felt applied to Connick. Of course, Connick could be planning on waiting out the term of the Board. But we have been assured that the affair will have a satisfactory ending. The Board already has copies of this material. It plans on depositing the copies, plus Garrison's grand jury transcripts, into the National Archives before it expires. ♦

On page after page of these documents, at every upper level of the Pentagon, everyone seems aware that Kennedy's withdrawal program will begin in December of 1963 with a pullout of 1,000 men and that this would be the beginning of an eventual complete withdrawal by 1965. Contrary to Noam Chomsky's interpretation, there is not a word of the plan hinging on any kind of American "victory" and there is no contingency plan mentioned to reinstate troops if the victory is not in sight.

Pre- and Post-Assassination Vietnam Documents

The documents on this page reflected President Kennedy's pre-assassination Vietnam agenda. The document on the opposite page shows the reversal of policy by the Johnson administration immediately after the assassination. The two could not be more different.

~~TOP SECRET~~ REPUBLIC OF VIETNAM 6 May 1963

Item 2 - Comprehensive Plan, Republic of Vietnam

c. Force Structure

(1) Relationship of reductions in U.S. strength with growth of GVN self-sufficiency. (Presented by COMUSMACV)

SUMMARY OF DISCUSSION:

1. GEN ADAMS made a presentation of U.S. units in RVN and comparable RVNAF units necessary to be trained to take over those missions now being accomplished by U.S. units. The cost of the transition was shown. The Phase-out of certain MACV units was depicted without a requirement for replacement by RVN type units. There were no significant problems with regard to the planned phase-out of U.S. air type units and replacement by RVNAF air units. However, a considerable problems was forecast with respect to the RVNAF capability to provide necessary technical support, maintenance and communications.

DECISIONS MADE AND ACTIONS TO BE TAKEN:

1. Draw up training plans for the RVNAF that will permit us to start an earlier withdrawal of U.S. personnel than proposed under the plan presented. (COMUSMACV)

d. Plan to withdraw 1000 U.S. military personnel from RVN by December 1963.

SUMMARY OF DISCUSSIONS:

1. See Item 2.C. (page 2-c-1) and Item 4. a. (page 4-a-2).

DECISION MADE AND ACTIONS TO BE TAKEN:

See decisions on Item 2.C. (page 2-c-1) and Item 4. a. (page 4-a-2)

~~TOP SECRET~~

b. The program currently in progress to train Vietnamese forces will be reviewed and accelerated as necessary to insure that all essential functions visualized to be required for the projected operational environment, to include those now performed by U.S. military units and personnel, can be assumed properly by the Vietnamese by the end of calendar year 1965. All planning will be directed towards preparing RVN forces for the withdrawal of all U.S. special assistance units and personnel by the end of calendar year 1965. The U.S. Comprehensive Plan, Vietnam will be revised to bring it into consonance with these objectives, and to reduce planned residual (post 1965) MAAG strengths to approximately pre-insurgency levels.

c. Execute the plan to withdraw 1,000 U.S. military personnel by the end of 1963 per your DTG 212201Z July, and as approved for planning by JCS DTG 062042Z September. Previous guidance on the public affairs annex is altered to the extent that the action will now be treated in low key, as the initial increment of U.S. forces whose presence is no longer required because (a) Vietnamese forces have been trained to assume the function involved; or (b) the function for which they came to Vietnam has been completed.

2. In order to measure progress achieved in meeting the operational and training goals outlined in 1a and 1b above, criteria, in the form of specific checkpoints, will be established now against which progress can be evaluated on a quarterly basis. Reports will be revised to reflect progress towards attainment of the checkpoints and goals. Evaluation of these reports will provide the basis for continued leverage on the GVN to maintain the required rate of progress. GP-1

The above is from the record of the 8th sec Def conference held in Hawaii where McNamara was meeting with top military brass at CINPAC HQ at Camp Smith. - Eds.

~~TOP SECRET SENSITIVE~~

ENCLOSURE D

Subject: Department of Defense Actions to Implement
NSAM No. 273, 26 November 1963

Background - After reviewing the recent discussions of South Vietnam which occurred in Honolulu and after discussing the matter further with Ambassador Lodge, the President directed that certain guidance be issued to various Government Agencies. This was promulgated in the form of National Security Action Memorandum No. 273, 26 November 1963. A substantial portion of the guidance contained there is applicable to the Department of Defense.

Discussion - Paragraphs 5 through 10 of NSAM 273 are those which call for action; each expresses or implies a requirement for measures to be taken by the Department of Defense jointly with one or more of the other Government Agencies. Below, paragraphs 5 through 10 are quoted verbatim, each being followed in turn by a description of action already taken or being taken by the Department of Defense.

Status - The following express the status of the various actions taken by the Department of Defense.

- Paragraph 5:

"5. We should concentrate our own efforts, and insofar as possible we should persuade the Government of South Vietnam to concentrate its efforts, on the critical situation in the Mekong Delta. This concentration should include not only military but political, economic, social, educational and informational effort. We should seek to turn the tide not only of battle, but of belief, and we should seek to increase not only the control of hamlets, but the productivity of this area, especially where the proceeds can be held for the advantage of anti-Communist forces."

Department of Defense Action:

- Concentration of effort in the Delta, increase in military tempo, arming of hamlet militia, and consolidation of the strategic hamlet program were directed following the McNamara/Taylor visit to Vietnam (paragraph 2a, JCD 2792, 5 Oct 63).

- Additionally, the above requirements were brought to the attention of the GVN by a personal letter from General Taylor to President Diem. The points therein remain valid (text contained in MACV 7847, 011040Z Oct).

- Training and arming of hamlet militia was reemphasized following the Honolulu Conference (paragraph 1a, JCS 3698, 26 Nov. 63).

- The need for increase in the military tempo and effectiveness of forces in the Delta was reiterated following the SECDEF/JCS Meeting on 2 Dec 63 (paragraphs 2a and 2b, JCS 3797, 2 Dec 63).

GROUP 1
EXCLUDED FROM AUTOMATIC DOWNGRADING
AND DECLASSIFICATION

~~TOP SECRET SENSITIVE~~

Enclosure D

Sirhan Case

continued from page 17

26. It looks like the numbers "26" and "27" have been added over previous numbers that were partially whited out. The back of the page reports the following:

Item #26, bullet fragments, were taken from the right mastoid area of vict's head, along with numerous bone fragments. These items were removed from the operating room by Dr. Wertlake; Good Samaritan pathologist, and taken into custody by Sgt. D. D. Varney 10833, from Dr. Wertlake. The items were taken to Rampart station and booked as evidence. Photos of the items were taken by Dept photographer Gaines, prior to removal from the hospital.

Item #27, received from Dr. Wertlake at 7:00 A.M. by Lt. Hogue. Taken to Rampart station and booked as evidence by Sgt. Varney.

It's clear that these items were originally recorded as items number 24 and 25. The actual evidence vials and tags still contain this original number listing, as shown in the photo (at right). Why was it changed? Why were the photos of "George Clayton" booked into evidence instead as items 24 and 25 (see page 17)? What was so important about these photos that it necessitated reordering the evidence log? Or was the purpose to hide the bullet evidence relating to the only fatal wound in the pantry?

But the story gets curiously. After entry number 37 in the evidence log, we find out where the bullet fragments spent the next several nights:

Items 26-34 inclusive were released to F.B.I. Special Agent E. Rhead Richards Jr. Credential #4560 on 6-5-68 3:00pm by Sgt. W. E. Brandt # 10004.

At this point, the bullet fragments labeled items numbers 24 and 25 but booked as 26 and 27 disappear from official records for a period of eight days. On June 13th, Wolfer's log reports the recovery of these fragments as follows:

9:30 a.m. - Received Items #24 and #25, bullets from Kennedy's head (Lodola, Patchett and Mac-Arthur).

On the following day, Wolfer's log reports a startling pair of entries:

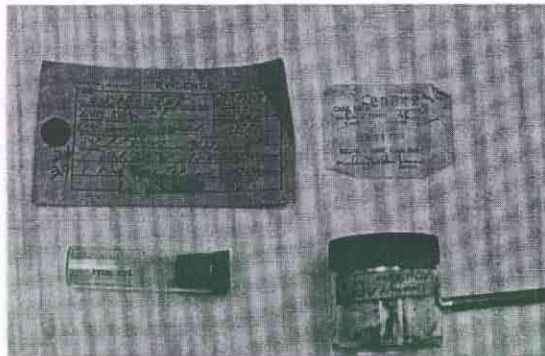
8:00 a.m. - Ballistic tests and *clean fatal bullets*. Ammunition and nitrate patterns.

1:00 p.m. - Photos taken in color of Kennedy's head bullet by Watson. [Emphasis added.]

The first entry begs this question: is it usual practice to "clean" evidence in a murder case? The second entry is interesting as well. Dinko Bozanich, in a 1974 memo to Joseph Busch, both of the DA's office, wrote:

Wolfer never had any photographic reproductions prepared of the evidence and test bullets used in his microscopic comparisons during the Sirhan investigations.

For whatever reason, the fatal bullet fragments were entered into evidence under one set of numbers, booked as evidence under new numbers, disappeared with an FBI agent for over a week, and then returned only to be cleaned and photographed, while officially no photographs were taken. What is going on here?



Items 24 & 25 (Recorded as Items 26 & 27)

And what of the neck bullet? That bullet, marked by Noguchi upon removal, is at the center of one of the most damning indications of deliberate fraud in this case. Before that episode can be understood, another event needs to be examined, one that occurred a year prior to the assassination.

Wolfer and Kirschke

In 1967, former Los Angeles Deputy District Attorney Jack Kirschke was charged with the murder of his wife and another man. At that trial, LAPD Criminalist DeWayne Wolfer showed the jury huge blow-ups of bullet comparisons, and told the jury that based on his own examination of the evidence, "No other gun in the world other than Jack Kirschke's could have killed his wife and her lover." Kirschke had alibis that put him on the road to Las Vegas at the time of the murders. Veteran Criminalist William H. Harper of Pasadena was called into the case by the defense to examine the evidence. The evidence showed that the bodies had been shot while in bed.

But the man's body was discovered on the floor. Wolfer tried to say that a post-mortem "settling" of the body fluids had caused the body to roll off the bed, a notion not supported by any known scientific phenomena. But on a more serious note, Harper found that the photographs Wolfer had introduced into evidence compared *one* land from a test bullet with *two* different land impressions 120 degrees apart on the fatal bullet. In other words, Wolfer had fudged the evidence and presented it to the jury as fact in order to obtain a conviction in a murder case.

In 1971, when Wolfer was promoted to head of the LAPD Scientific Investigation Division (SID) Crime Laboratory, Los Angeles attorney Barbara Warner Blehr submitted a formal request for a hearing on Wolfer's qualifications before the Civil Service Commission.

Blehr stated six basic precepts of criminology, and then examined three cases in which Wolfer had violated these basic precepts. The middle case was the Robert Kennedy assassination. Of the Kirschke case, Blehr wrote:

His testimony, combined with his very esoteric photographic manipulations label his work in this instance nothing but perjury.

Her words were uncanny; she could not possibly have known at that point in time that history was to repeat itself in the case of the Robert Kennedy assassination. But again, I'm ahead of the story.

Hero Harper

If this strange, twisted case has heroes, surely Harper is at the top of the list. Harper had contact with the Robert Kennedy case almost from the beginning. After his experience with Wolfer, Harper felt it his duty to inform Sirhan's defense lawyer Grant Cooper not to accept Wolfer's testimony at face value. Harper even warned the DA, Evelle Younger, to keep an eye on Wolfer's handling of the evidence. Younger was eager to build a career, however, upon the successful prosecution of Sirhan, and Cooper had his own troubles, a topic that will be dealt with in part two of this article. Cooper stipulated eagerly to anything that came out of Wolfer's mouth, regardless of whether or not it was supported by the evidence. Harper had enough doubts about Wolfer that in 1970, through Sirhan's lawyer, he obtained permission to examine the evidence.

Harper read much of the witness testimony, and the autopsy report, and reached his first conclusion. There had to be at least two firing positions to account for all the bullets

firing positions to account for all the bullets and all the wounds.

Harper took a Balliscan camera to the County Clerk's office so that he could photograph the bullets in evidence. He focused attention on the two least-mutilated bullets, the Kennedy neck bullet and the bullet removed from William Weisel. What he found stunned himself, and all who heard about his findings. In the sworn affidavit he executed outlining his findings, Harper stated:

My examinations disclosed no individual characteristics establishing that Exhibit 47 [the Kennedy neck bullet] and Exhibit 54 [the Weisel bullet] had been fired by the same gun. In fact, my examinations disclosed that bullet Exhibit 47 has a rifling angle of approximately 23 minutes (14%) greater than the rifling angle of bullet Exhibit 54. It is, therefore, my opinion that bullets 47 and 54 could not have been fired from the same gun.

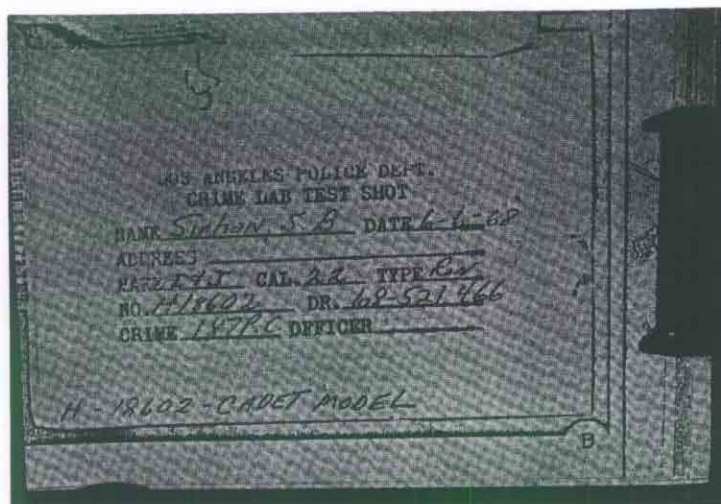
Harper's findings sent shockwaves, and may well have provided the impetus to the elevation of Wolfer to the head of the Crime Lab. Once Wolfer became the head of the Crime Lab, would not his word seem by the uninformed to carry more weight? Blehr and Harper failed in their efforts to overturn Wolfer's appointment. LAPD Chief Ed Davis hailed Wolfer as "the top expert in the country." Klaber and Melanson have a whole chapter of their book devoted to Wolfer, and wrote this about his qualifications:

At the time of the [Sirhan] trial, there was no specific major or grade point average required for the position of LAPD criminalist, and Wolfer's studies at USC seemed to relate tangentially at best to his chosen profession. As a zoology major he received more C's than all other grades combined, and he received five D's, including one in his major and two in chemistry. He also had a history of offering inflated credentials to bolster his perceived expertise, something that would come to haunt him in a few years.²³

But the fact that the bullets could not be matched to the gun or to each other was only a piece of what Harper found. He found another element when he started looking at the test bullets. They came out of an envelope with the wrong gun number on it. The Sirhan gun had a serial number of H53725. The serial number for the gun on the evidence envelope, however, read H18602. Harper used an analogy to demonstrate the significance of this problem:

"Let us ponder a simple analogy," Harper, 72, said recently. "Let's say that one day you become ill and your doctor sends you to a hospital for a biopsy test for cancer. The biopsy specimen is numbered H53725. The test is reported negative for cancer, and you go home. Then you get your bill—and you find out you're paying for a test with a different number, H18602.

"Hell's fire, you'd want to get tested again, wouldn't you?"²⁴



Evidence Envelope "B" with the Wrong Gun Number

Wolfer's Second Gun

Wolfer claimed that he had fired eight test bullets from Sirhan's weapon after the gun was recovered. One of the bullets was not recovered. Wolfer testified that he had given four of the remaining seven to the Grand Jury to examine, while retaining the three "better" bullets which had not at that point been recovered. The four that were given to the Grand Jury became Grand Jury item 5B. The three that remained, however, were stored in an evidence envelope that bore something troubling. The serial number of the gun indicated did not match that of the Sirhan gun. The Sirhan gun had a serial number of H53725. The test bullets evidence envelope, however, bore the serial number of H18602. Wolfer tried to pass this off as a simple mistake, claiming he had asked someone for the number for the Sirhan gun, and this was the number given to him. But this gun had belonged, according to the LAPD's records, to a Jake Williams. It does not make sense that someone would look up the record of the Sirhan gun and come up with Jake Williams's gun number by mistake. Wolfer claimed he stored these bullets in, depending on which version you want to believe, a plain envelope, a manila envelope, or a paper bindle. He claims that the bullets were stored in his desk drawer for some time, and that he recorded them later. If this is true, Wolfer's actions showed a remarkable disdain for the necessity of retaining an impeccable chain of possession for important evidence in a highly visible case of political assassination.

There is, of course, another possible ex-

planation. Wolfer had marked the envelope with the correct gun number, one that differed from the Sirhan gun. Wolfer had, after all, fired gun H18602 in relation to the Sirhan case. He admitted to using that gun to fire test shots to recreate stippling patterns in order to determine the distance of the gun from Kennedy. He also used the gun to conduct sound tests. Is it possible he fired bullets from that gun and put them in an evidence envelope instead of bullets fired from gun H53725? If that is the case, Wolfer's statement at Sirhan's 1969 trial that "no other gun in the world fired the evidence bullets" would indicate either that gun H18602 had been fired in the pantry(!), or that Wolfer's comparisons were simply not credible on any point.

Wolfer claims that he was not in possession of the gun H18602 until June 10, 1968. However, this is contradicted by Wolfer's own log. He claimed that he turned four test bullets and Sirhan's gun over to the Grand Jury on June 7, 1968. (The serial number of the gun turned over to the Grand Jury was, inexplicably and quite contrary to policy, not recorded. The gun was tagged as Grand Jury Exhibit 7. To date, there is no Grand Jury tag on the "Sirhan" gun currently in evidence, nor is there any gun tagged Grand Jury Exhibit 7 in evidence.)

It was the absence of Sirhan's gun, says Wolfer, that necessitated his using a second gun to perform the sound and powder pattern tests. Wolfer said, in a sworn deposition statement, that he conducted tests at Cal State Long Beach. But his log places the date of this event as June 8th, contradicting his assertion that he did not withdraw gun H18602 from

continued on page 24

Sirhan Case

continued from page 23

the LAPD until June 10th.

Blehr questioned Wolfer during a 1971 deposition about the possibility of his having used any other gun for the Long Beach tests. The exchange went as follows:

Q: How many guns did you use, other than H18602, and the Sirhan gun 53725, in your testing for sound, muzzle distance, whatever?

A: I believe this was the only gun that we used.

Q: What test exactly, did you use?

A: For the sound test - I am sorry, but that is for the sound test and the muzzle distance test. Those are the only two tests.

Q: Those were the only two tests that you ran?

A: No, I am sorry, I did run a test down at Long Beach State on the cc. Those were the three tests that I recall here today.

Q: And this gun, H18602, was used for all those tests?

A: I believe it was, to the best of my recollection here today, I am not sure.

ABC, not ACB

The four Grand Jury test bullets, the three withheld test bullets, and the Kennedy neck bullet were ultimately stored in evidence envelopes labeled respectively "A", "B", and "C". Envelopes are usually numbered in a logical sequence, and any reasonable person would expect that envelopes marked A, B and C would have been created and filled in a chronological order. But this presents a problem for those striving to believe Wolfer. Envelope A (the A is partially but recognizably visible), bearing the gun serial number of H53725, was dated June 5th. Envelope C is dated June 6, 1968. One would then logically expect envelope B to have been prepared sometime on the 5th or 6th, certainly not on, say the 10th. Envelope B is dated June 6th, which certainly makes sense.

But inexplicably, Envelope B bears the gun number H18602.

This presents a serious problem for those wishing to believe Wolfer. He claims he didn't have any contact with gun H18602 until June 10th. Yet envelope B, bearing that number, is dated June 6. We know the date could not have been in error, at least not for a later date, as the following envelope, marked C, was created on June 6th. In other words, Wolfer had to have had gun H18602 as early as June 6th, contradicting his own sworn assertions, and

casting doubt on his other sworn assertions.

It is easier to believe that Wolfer is wrong (or even lying) than to believe that on June 6th, someone had a premonition of the number of a gun that would not enter the case until four days later!

There is no simple excuse for the mishandling of evidence in such a case. The notion that Wolfer was simply sloppy just does not hold water. What criminalist worth his salt would not only make such mistakes, but go out of his way to leave no written or photographic record of the work he had done? Wolfer claimed to have performed all sorts of

tographs which clearly tell their own story, that evidence should be regarded with suspicion.²⁷

As we saw in the Kirschke case, Wolfer certainly understood the importance of photographic comparisons, blowing up a huge, but ultimately misleading (some would say dishonest) representation of a comparison, designed to lead the jury to the conclusion of guilt. Wolfer apparently realized that sooner or later his word would not be enough. His worst fears came to pass in 1974, when County Supervisor Baxter Ward held public hearings to present evidence that shattered Wolfer's presentation of the case.

Baxter Ward's 1974 Hearings

In 1974, Los Angeles County Supervisor Baxter Ward presented to the public a hearing on evidence from the Sirhan trial. By that time, Ted Charach with his film *The Second Gun* and William Harper with his 1970 findings had raised the specter of a second gun having been fired in the pantry that night. Ward conducted hearings that included the testimony of two highly respected ballistics experts: famous New York criminalistics professor Herbert Leon MacDonnell and California state crime lab veteran Lowell Bradford.

In his original 1970 affidavit, Harper had stated that he could not match either of the two most intact bullets, the Kennedy neck bullet (Exhibit 47), and the Weisel bullet (Exhibit 54) to each other, casting doubt on whether they had been fired from the same gun. MacDonnell had signed an affidavit in 1973 that presented the following as his professional conclusions:

1) The bullet removed from the late Senator Robert F. Kennedy, exhibit #47, and the bullet removed from Mr. Weisel, exhibit #54, could not have been fired from the same weapon.

2) The bullet removed from the late Senator Robert F. Kennedy, exhibit #47, was not fired from the Iver Johnson .22 Cadet #H53725, the revolver reportedly taken from Sirhan.

In 1974, MacDonnell was questioned about his findings, as was Bradford. Bradford explained to Ward at the hearings the significance of a problem raised by dissimilar cannelures.

Bradford: It appeared from these photographs [the photographs of the bullets taken by criminalist Harper] that there was one cannelure of the knurled type, and let me stop for just a moment and explain cannelures. A cannelure is defined as any circumferential groove around a bullet or cartridge case, and that refers then not only to the knurled types of grooves which are placed there by the manufacturer as you depicted in your earlier sketches, but it also includes the groove which is

These were the professional conclusions of Criminalist Herbert Leon MacDonnell:

1) The bullet removed from the late Senator Robert F. Kennedy, exhibit #47, and the bullet removed from Mr. Weisel, exhibit #54, could not have been fired from the same weapon.

2) The bullet removed from the late Senator Robert F. Kennedy, exhibit #47, was not fired from the Iver Johnson .22 Cadet #H53725, the revolver reportedly taken from Sirhan.

examinations and tests. But there are no extant records to support any of his assertions. In a case sure to receive extraordinary scrutiny, it is beyond belief that Wolfer just forgot to record his examinations, and suggests instead that perhaps his examinations were not producing the desired findings.

In *Shadow Play*, Klaber and Melanson quote from Sir Gerald Burrard's book *The Identification of Firearms and Forensic Ballistics* about the caution that should be accorded any criminalist's unsupported claims:

Mere assertions by some investigator, no matter how great his reputation as an expert, should be regarded with extreme caution.... The most ridiculous claims have been put forward on behalf of the comparison microscope, and there is a danger that the mere fact of its possession may endow a witness with all sorts of imaginary skill and knowledge, at least in the eyes of the jury and public.... If, therefore, the evidence is unsupported by pho-

placed there for the purpose of receiving a crimp by the cartridge case — and I'll limit myself to the knurl cannelures now....And I noticed that the photograph No. 47 portrays an image which appears to be that of one of these knurled cannelures, whereas 54 has an image which appears to portray two.

In addition to this evidence, Bradford went on to present his conclusions, or lack thereof, regarding matching the bullets to each other:

I could find no evidence of any specific identification marks of the type which would be necessary to identify one bullet as having been fired from the same weapon as the other.

The following exchange summarizes MacDonnell's findings regarding these two bullets:

MacDonnell: The only two that I have really had an opportunity to compare are 47 and 54, and I could not find sufficient agreement in individual characteristics to consider it a positive identification.

Ward: In the layman's consideration or evaluation, of what you've just said, are you suggesting then that the bullets were not fired from the same gun?

MacDonnell: I'm suggesting that they were not fired on the same gun, based upon the photographic evidence....I could not positively identify them as being fired in the same weapon.

MacDonnell, like Bradford, also noticed the differing number of cannelures. Ward and MacDonnell shared the following exchange on this matter:

Ward: To go back, the cannelures between 47 and 54 are different in number?

MacDonnell: That is correct.

Ward: Would that suggest they are from a different manufacturer?

MacDonnell: Yes.

Ward: Trial testimony, as I recall, in the Sirhan case indicated that all of the bullets used in the Sirhan gun came from the same manufacturer and also from the same batch of lead development. If you state that the cannelures are numbered differently, would this rule out the possibility of their being from the same manufacturer and same batch of lead?

MacDonnell: For all practical purposes, yes. However, I must qualify that by saying that it is reasonably common for the manufacturer to purchase projectiles from another manufacturer, but it is extremely unlikely that if, for example, Omark Industries did in fact purchase a single-caliber projectile from Federal, that just one or two in the Sirhan revolver happens to be the one that hit Kennedy, and the other ones are consistent with their normal manufacture. It is an astronomical improbability, but it is a probability.

Ward's motives in presenting these hearings was to urge a reexamination of the ballistic evidence by a panel of experts. Such proposals had been made in the past, but with the momentum gained by such strong statements from respected experts, and with Allard Lowenstein's persistent efforts, it became necessary to create just such a panel, which could either conclusively refute or support the findings to date. Dr. Robert J. Joling, then President of the American Academy of Forensic Science, called for the same, stating that "Only an independent, non-governmentally controlled body of experts can really be relied upon to let the arrows of truth come to rest wherever that may be."

The efforts of Ward et al. in conjunction with a suit filed by victim Paul Schrade finally came to fruition in September of 1975, when Superior Court presiding Judge Robert A. Wenke formally ordered a retesting of the firearms evidence.

Beyond the conflict of interest issues, even more serious problems were at hand. In the original court order, Wenke had asked the panel to examine not just the bullets, but the shell casings as well. Yet when the order was conveyed to the panel, the reference to shell casings had been curiously, and without explanation, deleted.

From the start, there was something odd at work with this panel. Joling's warnings concerning the importance of finding an impartial panel apparently went unheeded. One of the experts appointed, Alfred Biasotti of the state crime lab, had been on record as backing Wolfer's shenanigans in the Jack Kirschke case. Considering the panel was convened specifically to reexamine Wolfer's evidence in the Kennedy case, Biasotti's past record implied a conflict of interest. Attorney General Younger, the one who had claimed that the important distance problem between the gun and Kennedy was nothing more than a minor "discrepancy," picked another expert whose objectivity left something to be desired: Courtland Cunningham of the FBI. Cunningham had been one of the FBI men involved in the investigation of the John Kennedy assassination evidence. In that case, Cunningham tried to explain away the negative results of a paraffin test on Oswald's

cheek. While false positives could be expected, false negatives seemed odd. Cunningham created a test condition that produced false negatives; however, to do so, he used a scenario where the gun was cleaned between shots and handed to the shooter. Cunningham failed to explain how this situation approximated Oswald's "loner" act.²⁸

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This becomes a significant point because there has always been a problem surrounding the shell casings. SUS leader and chronicler Robert Houghton wrote about the importance of shell casings, describing them as:

used brass, each branded with the indentation mark of the firing pin, a brand as unique and infallible in matching spent shells to the guns which fired them as fingerprints are in identifying people.²⁹

How could such "infallible" evidence have been omitted in the new version of Wenke's court order? And was this omission a mistake, or a deliberate act?

Lending credibility to the notion that the deletion of the reference to the shells was deliberate was the fact that Wolfer was given over 489 expended shell casings from the range where Sirhan allegedly spent June 4th, 1968, firing his gun. Wolfer's comment at the bottom of this evidence report, dated 7/8/68, reads: "None of the above shells were fired in the Iver Johnson 22 caliber revolver H53725". This was apparently such a serious problem that a week later, Sgt. McGann of the LAPD brought 37,815 more shell casings from the range into evidence. The comment on this report reads: "I was unable to find any shell casings which were fired from the weapon taken from arrestee Sirhan Sirhan (Iver Johnson, 22 caliber revolver #H-53725)."

In the daily log of the Commander of Detectives for the Bureau of Investigations, the August 27, 1968 entry displays concern at this failure:

One hole that has been overlooked that should be checked was discovered in this reading. The FBI, within a day or two after the Kennedy assassination, sent agents to the Pistol Range in San Gabriel and they gathered some 40,000 shell casings which were forwarded back to the FBI Crime Lab. They threw up their hands, and at our request, the brass was sent back to us. Wolfer reports he examined all of these casings and could not connect any of them to Sirhan's gun. This means that if Sirhan shot several hundred rounds at the San Gabriel range, either he took the brass with him or some-

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one else picked it up. *Neither of these conclusions appears at this time to make sense.* More investigation is needed. There is a possibility that Wolfer really did not examine all of this brass (this should be checked) or that the FBI still has brass in Washington (this should be checked.) [Emphasis added.]

Apparently this was checked, and SUS continued to come up empty, for Wolfer's failure to match any shells to the gun is reported in a footnote in Houghton's 1970 book *Special Unit Senator*.³⁰

Despite the presence of a few experts with questionable independence, their findings were in the end, at best, inconclusive, and as supportive to the notion that the bullets from the victims were not fired from the Sirhan gun as to the notion that they were. While several of the experts said it was their belief that the bullets did indeed come from the Sirhan gun, not one of them was willing to say the evidence proved such.

One thing the panel uncovered, however, was significant. Wolfer misrepresented to the Panel surprise evidence in the form of a long hidden photograph that became the panel's Special Exhibit 10. And for all the panel found regarding this exhibit, the truth is worse yet. For in this little item lay the heart of the case against Sirhan. And it contained a two-tiered deception.

Special Exhibit 10

LAPD files contain these statements in regards to the RFK case: "Comparison photographs are not taken in Los Angeles Police Department cases," and "There were no photomicrographs taken for comparison purposes." But the LAPD files also contain the following:

Confidential Addenda
to the
Lowenstein Inquiry

This separate addenda contains confidential information relative to the questions submitted by Allard Lowenstein. The information has not been revealed prior to this report and may conflict with previous statements made by the Chief of Police and other officials.

Serious consideration should be given to the release of this information.

There exists a photograph of the Kennedy bullet and a test bullet taken through a comparison microscope showing one Land comparison.

It is not intended to be a bullet striation identification comparison because the lighting and details of the bullet are not displayed in the proper posi-

tion.

The photograph is an overall photo not shot for striation detail. [Emphasis in the original.]

The photograph is of a groove made by a Land in the barrel of the gun; the principal area of the photo is referred to as "one Land width." The area on either side of this Land width depicts a partial groove marking.

The fuzzy area on the left side of the photo is due to a deficiency in the optics of the microscope. This defect has existed since the Department first received the microscope and efforts to correct the defect have been unsuccessful.

The defect was a subject in the Kirschke case. The photograph shows identical Land widths between the Kennedy and test bullet. It also shows a comparison area between the shoulders of the Land widths. This comparison area is located approximately in the center of the shoulders.

The existence of this photograph is believed to be unknown by anyone outside of this Department. It should be rebuttal evidence were this case ever to be retried. However, the release of this information at this time would be susceptible to criticism because lay people would in all probability have difficulty deciphering this photograph. The issue as to its not being revealed at an earlier time may further make its authenticity suspect, particularly to the avid, exact assassination buff.

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Using the same defective equipment Wolfer had used to manipulate evidence in the Kirschke case, a secret photo had been prepared in the RFK case. This photomicrograph purported to show a comparison of the Kennedy neck bullet compared to one of the original test bullets fired from the Sirhan gun. But the 1975 panelists found that Wolfer's photograph was not a comparison against a

test bullet, but rather, against another victim bullet, the Goldstein bullet. To prove their point, they made their own photographic comparison, carefully lining up and photographing the same sections of both bullets. So someone was pulling yet another fraud in this case by concocting evidence in the hopes of convincing a panel of experts that a test bullet from Sirhan's gun matched a bullet from Kennedy himself.

But the finding that the photo did not depict the bullet described was only half of the deception. In the film *The Parallax View*, a film whose subject seems loosely patterned after the Robert Kennedy assassination, the main character is seeking an alias under which to operate. He uses a fake alias, but when that is discovered, he gives yet another alias, telling the person checking him out that he used the fake identity to hide the fact that he had committed indecent acts in public. His friend had told him to do this so that, after checking his first alias carefully, anyone would be less careful checking out the second, figuring he had nothing more to hide.

This same logic appears to have been at work in the 1975 Panel's identification of the bullets in the photomicrograph. Having discovered one level of deception, not one of the experts sought to examine the evidence further. And by stopping there, the Panel could make the assertion that whether or not the bullets matched each other, at least they had both come from the same gun, which would discredit the notion that Kennedy was shot by a different gun than had been used against the other victims.

Lynn Mangan, however, at Sirhan's request, looked deeper. Mangan had become close friends with William Harper. He so trusted her that he left her all his files. Harper had become a lightning rod to people within the LAPD looking to expose the fraudulent goings on with regards to the evidence in this case. He had many contacts in the Pasadena Crime Lab, and once he went public with his affidavit in 1971, people began leaking information to him. He had told Mangan many times, and in no uncertain terms, that the 1975 panel had been "a fix." "They switched the guns," he told her. "They switched the bullets." Not many people are aware that Harper himself used to be a member of the OSS, the WWII intelligence apparatus that became, after the war, the CIA. Harper had maintained contact with some people over the years, and his information always checked out. So in 1994, when Mangan, after a long absence, reentered the case as Sirhan's official investigator, along with Sirhan's ever-faithful brother, Adel, she paid special attention to the evidence from the 1975 panel.

What they found exposed the second layer

of deception.

Patrick Garland had written a detailed inventory of all the evidence to be examined. He noted which bullets bore which markings. The Kennedy neck bullet, #47, bore the markings "DWTN" on its base. The Goldstein bullet, #52, bore only a "6".

The original bullet #47, however, should have had "TN31" on its base. And bullet #52 should have had only an "X".

Someone had switched the bullets, and then created the photographs. The chain of evidence had been completely broken, and there is no way to know what two bullets the panel had evaluated.

Mangan also obtained first-hand proof of evidence tampering. Examine the two bullets in the photo at right. Mangan visited the California State Archives to examine the evidence from the Sirhan case. On the right side of the photograph is the bullet that was in evidence as People's #47, the Kennedy neck bullet, on March 11, 1994, the date of her visit. Mangan knew just by looking at it that the bullet could not be the correct one. She called Lowell Bradford and demanded he come to the Archives with her. He could not believe that just by looking at a bullet she could tell that it was incorrect.

But he did not understand Mangan, her eye for detail, and her voluminous knowledge of the minutiae of the case. Mangan recalled distinctly the description of the bullet, which indicated a deformity not present on the bullet in evidence.

Bradford finally relented at Mangan's insistence, and accompanied her to the Archives. The bullet at left in the photo above shows the bullet that was in evidence as People's #47 on August 3, 1994. Lest someone think the bullets were simply photographed from different angles, Mangan and Bradford labored to position the bullet in a way that would most resemble the bullet in Mangan's photo from her earlier visit. But the deformity caused the bullet to consistently roll to the same position, and they concluded that this could not be the same bullet.

Mangan asked Bradford to examine the all-important markings on the base of the bullet. Bradford found that grease had been applied

to the bullet, making identification impossible. Such grease can rapidly disintegrate details, and Bradford complained to the State Archivist, insisting that the bullet be cleaned.

Shortly after this episode, Mangan states that the Archives barred her access to the evidence in the case.

There is a great deal more evidence that cannot possibly be fit into this article that shows not just occasional problems, but a pattern of substitution of evidence in this case. Mangan has discovered several evidence envelopes that were clearly forged after the fact, as they bear Sirhan's name at a time when it was not yet known, and they bear a murder charge at a time when Kennedy was still alive, and when other contemporaneous envelopes



The Kennedy Neck Bullet at the California State Archives on Two Different Dates

bore the correct charge for attempted murder. These items are the subject of the Writ that is in court now, awaiting a chance for a genuine hearing.

There is just one other item I wish to deal with in this article, and that is the gun in evidence, H53725. Throughout this article I have referred to it as the "Sirhan gun." But is it? As with so much else in this case, that conclusion no longer seems certain.

Which Gun Was It?

A little known fact, brought out at the trial but hardly discussed since, is that at some point during the struggle in the Pantry, the gun was temporarily out of Sirhan's hand. Uecker had been slamming Sirhan's hand against the steam table in an effort to get him to drop the gun. Bill Barry told the LAPD later that morning:

I took the gun away from him and put the gun on the counter. The susp. grabbed the gun and then Rayford [sic] Johnson and Roosevelt Grier helped me subdue the susp. again.

Supporting Barry's original statement to the LAPD was pantry witness Jack Gallivan:

Then I turned to where Bill [Barry] was and he had the suspect pinned against the steam tables and disarmed him, with the weapon sitting on the steam table, not far from where the suspect was.³¹

At the trial, Barry told a slightly different version of events:

A [Barry]: At this time this individual with the gun fell on this table.

Q: [David Fitts]: And the gun fell out of his right hand?

A: Yes.³²

Barry also added, "I am not sure who took the gun at this juncture. There were many hands grabbing it."³³ One of those hands apparently belonged to Boris Yaro, who claims to have been momentarily in possession of it:

... the two guys went for him, and I moved; and they hit him; and pushed him kind of spread eagle on the counter; and they were trying to slam the gun loose; and the gun came loose; and I took it ... And I picked it up and I'm thinking the son of a bitch doesn't have any knurls on the grip. This gun is still warm

... And I'm thinking this. And all of a sudden, wham, and the gun goes over my shoulder. Somebody pulled it out of my hand. As it turned out, it was apparently Rosy Grier. But the first thing I said when I came to and into [sic] our office, where I'm on a dead run, and I hollered at Bill Thomas who is now the editor of the Los Angeles Times, and I said, "My finger prints are on that gun!"³⁴

Grier too remembered the gun being out of Sirhan's hand:

I saw the gun in his hand at first and then it seemed that the gun was lying on the table....and I looked back again and it was in his hand and that is when I went for him.³⁵

How the gun ended up back in Sirhan's hand is not clear. And whether the gun that ended up in his hand is the same gun that was taken from it cannot truly be proven. That's not to say it wasn't, but there is room for question.

But the weirdness doesn't end there.

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CBS and the RFK Case

By Lisa Pease

Late last year, it looked like the RFK case had finally gotten a big break. Two newsmen—Philip Shimkin, a CBS producer in New York, and Robert Buechler, of CBS News in San Francisco—had written to Sirhan Sirhan in prison, asking for an interview based on his recent and new claim of innocence at his last parole hearing. Sirhan forwarded CBS's letter to his trusted researcher, to whom he has granted limited power of attorney, Rose Lynn Mangan. Mangan called up CBS and asked them to put in writing their intentions. They responded with little information, writing only that they wanted an interview with Sirhan to discuss developments in his case for a possible segment on Bryant Gumbel's show *Public Eye*. Mangan told them that prison rules generally do not allow for on-camera interviews of prisoners, but that the two men could come to see Sirhan as visitors, and sent them the requisite forms.

The two went to see Sirhan in the company of Mangan, Sirhan's brother Adel, and Sirhan's current lawyer Larry Teeter. During the conversation, the two CBS men suggested staging a "chance encounter" with Sirhan where they could "happen" upon him in the yard outside, and film him through the fence. A genuine chance encounter with a prisoner in a public area is not prohibited. But Mangan smelled a rat, and asked Teeter to follow up with the Department of Corrections, saying that she would only recommend that Sirhan give an interview if CBS obtained written permission from the Warden. Teeter wrote to the Department of Corrections, informing them of the proposed plan (without mentioning CBS or the people involved by name), and asked the Department for guidance. A Senior Staff Counsel responded, saying that while the media "may interview randomly encountered inmates in general population areas," the Department "vigorously objects to any plans to circumvent the Department's media policy i.e., by prearranging to have a specific inmate present at a particular place and time." In response to the query of what punishment might be enacted in the event of such an accident, the Department responded that "Enforcement of these policies include [sic] disciplinary action against the inmate and statewide exclusion of the media or legal personnel involved." In other words, had Sirhan agreed to go ahead with this plot, he might have been cut off from his lawyer, his brother, his researcher and the very media people he was hoping to reach.

Why would CBS propose such a scheme? Was this approach genuinely based in a serious interest in the case, or was some other motivation at work? Shimkin and Buechler had shown particular interest in some of Mangan's latest research, but when she showed it to them they immediately strove to find fault with it, hardly the kind of objective approach for which the group had been hoping. The CBS men suggested hiring their own expert to examine the findings in Mangan's research. Mangan said that she would want to be present at the examination. This suggestion caused the men to suggest that would be tantamount to having Mangan run the show. As the evidence is extremely complex, Mangan wanted to be present herself to make sure that were there any questions, she would be available to answer and explain, rather than have someone guess and misinterpret what she had presented. When the CBS men flatly refused this offer, Mangan, who for years has felt that nothing would be a greater boon to this case than some serious publicity, balked, and told them "Give me back my papers." The men went into shock, not dreaming she could be serious. They told her that the very papers they had earlier ridiculed were critical to the show's success, and that they would not do a segment if she withdrew the papers at this time. "Give me back my papers," Mangan repeated. She also suggested that CBS hire three experts, not just one. She suggested as an additional two both Cyril Wecht and Henry Lee, forensic experts whom she felt would do their best to deal honestly with the evidence. Using only one expert left the door open for a rigged situation, or suspicions of such. The men refused to assent to any of these suggestions, and drove off visibly perturbed by what had transpired. The Sirhan brothers, Teeter, and Mangan herself were predictably disappointed. Perhaps they would have been less so had they remembered the broadcast CBS did on the Sirhan case back in 1975.

In 1975, in the wake of the Church and Pike committee investigations of the CIA, CBS produced a four-part series called *The American Assassins*, hosted by Dan Rather. The first two shows dealt with the John F. Kennedy assassination, the third dealt with the Martin Luther King assassination, and the fourth dealt with both the Robert Kennedy assassination and the 1972 attempt on the life of George Wallace. In the first three episodes, CBS presented a reasonable account of some of the major problems with the official stories in the

JFK and MLK cases, even going so far as to call for new official investigations of these crimes. They did quite the reverse, however, in the RFK case. They ended that segment with the following statement:

One day, at least this case may be stamped completely closed in the minds of most reasonable Americans.

Such an amazingly brash implication that those who continued to believe there was a conspiracy were not "reasonable Americans" begs a question. Was CBS really ready to eat those words and do a fair treatment of the case? Such a turnaround would be a watershed event in media history.

Given that the intelligence agencies of our government, and the CIA in particular, have long been suspects in each of the major assassinations of the sixties, one needs to consider whether there is perhaps something more at work here than meets the eye. CBS has had a long and close working relationship with the CIA. In Carl Bernstein's landmark article, titled "The CIA and the Media" (*Rolling Stone Magazine*, 10/20/77), he reported that:

CBS was unquestionably the CIA's most valuable broadcasting asset. CBS President William Paley and Allen Dulles enjoyed an easy working and social relationship. Over the years, the network provided cover for CIA employees, including at least one well-known foreign correspondent and several stringers....Once a year during the 1950s and early 1960s, CBS correspondents joined the CIA hierarchs for private dinners and briefings.

Bernstein reported that in 1976, CBS News president Richard Salant, who had also been president when the above-mentioned 1975 special was made, asked for an in-house investigation of his network's ties with the CIA. Curiously, Bernstein reported, "Salant's report makes no mention of some of his own dealing with the Agency, which continued into the 1970s." Bernstein, found, for example, that

In 1964 and 1965, Salant served on a supersecret CIA task force which explored methods of beaming American propaganda broadcasts to the People's Republic of China. The other members of the four-man study team were Zbigniew Brzezinski, then a professor at Columbia University; William Griffith, then professor of political science at Massachusetts Institute of Technology; and John Hayes, then vice-president of the Washington Post Company for radio-TV. The principal government officials associated with the project were Cord Meyer of the CIA; McGeorge Bundy, then special assis-

tant to the president for national security; Leonard Marks, then director of USIA; and Bill Moyers, then special assistant to President Lyndon Johnson and now a CBS correspondent.

Another famous CBS correspondent accused of having CIA ties was Walter Cronkite. Daniel Schorr wrote of this episode in his book *Clearing the Air*:

[T]he luncheon that Paley held in his private dining room on the thirty-fifth floor on February 4, 1976, for George Bush, the new CIA director, did not go as he had hoped. What was to be a sociable welcome for the son of the late Senator Prescott Bush, warmly remembered as an early CBS board member, turned, after dessert, into an argument about CIA agents posing as reporters. It was started by Walter Cronkite, angry because he had been identified by a former television newsmen, Sam Jaffe, as having appeared on an alleged White House list of journalists who had purportedly worked for the CIA. To remove the stain on him and on journalism, Cronkite demanded that Bush disclose the list of news people who actually had been CIA agents."

On February 8 of this year, a CBS *Sixty Minutes* segment dealt with the case of the tabloid paper *The Globe* versus a man named by author and former CIA man Robert Morrow as "the assassin" of Robert F. Kennedy. I will not name this man here, as I have reason to believe Morrow's claims to be false and wish no more trouble for this man. This man is suing *The Globe* to clear his family's name, claiming libel in their report on a book by Robert Morrow.

In his book *The Senator Must Die*, former CIA agent Morrow recounted a story, pieced together through some evidence, some unnamed sources, and apparently some false information given to Morrow. He implicated a young man who was wearing a gold sweater and carrying a camera around his neck at the Ambassador Hotel the night Senator Kennedy was killed. Morrow claimed in his book that this man was the assassin, and that his camera was really a secret CIA weapon. The man sued Morrow not long ago, and won a judgment that included the destruction of all extant copies of the book.

The Globe portrayed their report as a "neutral report" of Morrow's book, stating that they were really reiterating Morrow's claims, not stating their own. The lawyers of the man implicated stated that they feel *The Globe* was singling this man out and adding to what Morrow had claimed by showing a front-page photo with an arrow pointing at the man accused.

So far, ABC, NBC, CBS and other media organizations have sided with *The Globe*, claiming first amendment protections against speech. CBS could not find any high-level media executive that was willing to speak out

against *The Globe* in this case, and turned to the *Washington Post* media critic Howard Kurtz instead. Kurtz came down strongly against the *Globe*, stating we should now allow our laws to protect the worst of media excesses. But the major media players fear that any time you draw a line, you do so at the peril of future reporting.

This case raises serious questions that deserved a better hearing than this heavily unbalanced CBS program. CBS gave the accused man, his family, his lawyer, his investigator, and Howard Kurtz the bulk of the segment to attack *The Globe*, while only a small amount of time was provided to any defense of *The Globe's* position.

The timing of the case itself is also of interest. Right now, this case is being argued before the California State Supreme Court, the very place where Sirhan's writ is now filed. The CBS segment included a judge's rant

against *The Globe's* failure to investigate whether there was "a scintilla of evidence" to support any of the "outlandish" claims in Morrow's book. That this case should precede Sirhan's case is unfortunate at best, as the case may well be made to serve a dual purpose of discrediting the whole notion of conspiracy in the RFK assassination. The John Kennedy assassination has long been plagued with false revelations, which when exposed, are then touted as if to say that see, only crazy people who believe the most outlandish of stories would believe there was a conspiracy. Perhaps this was CBS's intended subtext in airing this segment.

In case you were wondering, CBS gave no time at all to any discussion of the real evidence of conspiracy in Sirhan's case, or to his efforts to win a new trial based on that evidence. But then, that should come as no surprise to most reasonable Americans. ☛

The Parade

Camera ready.
Slowly sweeping. Fading in.
Lens guzzling sun.
Succulent brightness leaving the haunting to stay.
Left-over lunch bones
Of spooks spotting spooks chasing spooks passing by.
Cut-outs dancing circles around
A drive down Elm in cowboy town.

Movie-dust, movie smoke
Misted extras in polaroid diagonal silhouette.
Shots cut across all heads.
Save one: They cut. (Cut into explosion.)
Free-horror bounding around
A drive down Elm in cowboy town.

Murmur and happy trance fast dead with a bang.
Plain murder. Blood. Blow back gore.
Classified. Eyes only. Liquid affairs.
Under the blood-halo of a butchered head.
Following the panicked splattered parade covering the ground
On a drive down Elm in cowboy town.

by Peter Kerns

Friends in High Places

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1910 two years after John Foster Dulles and four years before Allen Dulles. In Frederick's personal papers at Princeton there are several letters between him and both Allen and John Foster Dulles. Frederick Osborn's establishment connections rival those of John J. McCloy. Osborn was a partner in the powerful banking firm of G.M. Murphy and Company in 1933 at the time of the firm's involvement in the little known unsuccessful coup attempt against FDR.⁹ He served as a trustee of the Carnegie corporation; Princeton University; the American Museum of Natural History; the Rockefeller Institute for Medical Research; the International House (as mentioned by Donald Gibson in the Jan/Feb 1998 *Probe*); the Woodrow Wilson Foundation; the Population Council; and served as a U.S. representative on the United Nations Atomic Energy Commission. During World War II, with no prior military experience, he was made a Brigadier General in charge of the information and education division of the U. S. Army. In this capacity he was in charge of newspapers, radio programs, motion picture production, and correspondence schools. He was eventually promoted to Major General before leaving the military in 1945.¹⁰

After the war Osborn and Allen Dulles co-founded an organization called Crusade For Freedom which was an early CIA propaganda effort similar to Radio Free Europe.¹¹ In 1962 the Crusade For Freedom merged with Radio Free Europe. Osborn served as the Crusade For Freedom's first president. Henry Luce, the founder of *Time* and *LIFE* magazine, was also a member.¹²

During his reign at *Time-LIFE*, Luce's publications often acted as a propaganda tool for the intelligence apparatus. On one occasion in 1962 Luce and his wife Claire Boothe Luce sponsored a boat of Cuban exiles who attempted to raid Cuba.¹³ *Time* and *LIFE* often ran articles highly critical of Kennedy's Cuban policy and his lack of support for the Cuban exile community. It was *LIFE* that purchased the original film of the assassination from Abraham Zapruder on November 23, 1963. *LIFE* made sure that the film was hidden from public view for 12 years while proclaiming in its December 6, 1963 issue that "the 8mm film shows the President turning his body far around to the right as he waves to someone in the crowd. His throat is exposed toward the sniper's nest just before he clutches it." Anyone who has seen the Zapruder film knows that Kennedy never turned

his body toward the Texas School Book Depository.

Luce's lover Mary Bancroft, whom he shared with Allen Dulles, is another Paine connection to the corridors of power. As discussed by Carol Hewett in the Nov./Dec. 1997 issue of *Probe*, Michael Paine's mother, Ruth Forbes Paine, was a long time close friend of Bancroft.

Warren Commission apologists would have you the reader believe that these connections of Ruth and Michael Paine are simply more in a long list of Kennedy assassination coincidences. But a reasonable person would logically conclude that there is something more going on here. The fact that the Paines associated with people in the intelligence community is not proof that they themselves were agents or assets, but it sure is enough to make people suspicious, especially since they have consistently lied about or downplayed their connections to people in the intelligence community. When one combines the above evidence with the fact that Ruth's sister, Sylvia Hoke, worked as a psychologist for the CIA and that her father was most likely used by the CIA as an "executive agent" who used his business connections to gather intelligence¹⁴ it becomes readily apparent why Ruth was so uneasy about New Orleans District Attorney Jim Garrison's probing into her family background. And it becomes clear why the government needed to pass the Paines off to the public as merely pious Quakers who were act-

ing as Good Samaritans by housing and feeding Oswald's wife and children. ♦

Notes

1. Oswald, *The CIA, and the Warren Commission: The Unanswered Questions*, p. 50, Peter Kross, Kross Research and Publications, 1997.
2. Ruth Paine Warren Commission testimony, Vol. IX, page 396.
3. Ruth Paine testimony before the Orleans Parish Grand Jury, April 18, 1968.
4. "The Paines Know", Carol Hewett, *Probe*, Nov./Dec. 1997.
5. *Oswald's Closest Friend: The George De Mohrenschildt Story*, Vol. VI, Bruce Adamson, 1997.
6. Ibid.
7. *Oswald's Closest Friend: The George De Mohrenschildt Story*, Vol. IV, Bruce Adamson, 1997.
8. Unnumbered FBI document dated 12/4/63.
9. *The Plot To Seize The White House*, by Jules Archer, Hawthorn Books Inc., N.Y., 1973, pp.11-13.
10. Alumni File of Frederick Osborn, Sr. Class of 1910, courtesy of Princeton University.
11. Incorporation papers of Crusade For Freedom, October 25, 1950, courtesy of New York State Archives, Albany, N.Y.
12. Letter from Frederick Osborn, Sr. to Allen Dulles, October 4, 1950.
13. *The Last Investigation*, by Gaeton Fonzi, Thunder's Mouth Press, N.Y., 1993, pp.53-54.
14. "William Avery Hyde," by Barbara LaMonica, *The Fourth Decade*, Nov. 1997.

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even more thoroughly than the Ford documents. In the face of this kind of evidence—produced by its own efforts—asking the board to be neutral in their public comments is a rather mild request.

Finally, we are glad that the board members are only being compensated on a part time basis. When the JFK Act was being debated, the talk in the committees was that the board members were to be paid full time salaries, as then editor Dennis Effle reported in an early issue of *Probe*.

Dear Sir or Madam:

I saw the piece by Jim DiEugenio in *Probe*, November/December, 1997, bearing the sub-head "Tony, How Could You?" How could I, DiEugenio wanted to know, write what I did about Marilyn Monroe's relations with the

Kennedy brothers? I'll tell you how—by spending three years doing intensive research and conducting some 650 interviews. Donald Spoto, whom DiEugenio recommends to his readers, dealt with the matter by ignoring such interviews. He also assailed my journalistic integrity as well as my conclusions. I sued him and his publisher for libel, successfully. Spoto made a published apology. Let's go where the evidence leads us, not where our bias leads us.

Sincerely,
Anthony Summers

DiEugenio replies:

I have absolutely no problem stating that I am biased against Robert Slatzer, James Haspiel, Geraldo Rivera, Judith Exner, Timothy Leary, David Horowitz, Peter Collier, Priscilla McMillan, Ralph DeToledano, Ovid DeMaris, Norman Mailer, Bernie Spindel, Jeanne Carmen, Dan Moldea, Walter Sheridan and Liz Smith, all of whom Summers' uses or

supports to varying degree in the paperback version of his book on Monroe. I amply explained why I felt so about most of them in that long two part article. If a critic demonstrates why a witness has credibility problems, that is an honest function of review. This impacts on the placement of the sub-head which begins Summers complaint. I would have thought, due to its proximity, that most readers would have related it to my amazement that Summers accepted people like Slatzer with little or no reservations, not to the general subject matter of the book.

It is interesting in this regard that in Seymour Hersh's recent hatchet job on John Kennedy he sources an article by Summers on Judith Exner as being, along with pieces by Kitty Kelley and Liz Smith, "The most important published works on her" (p. 468). I have not read the article, which appeared in England, but it came after the Kitty Kelley version in which Exner now proclaimed herself the go-between for Giancana and JFK in the plots to kill Castro. Summers piece is suggestively entitled "Kennedy, the Mafia, and Me." I can't help but wonder if I missed yet another installment of this never-ending saga.

As for Summers numerous interviews and long research, everyone knows that this is not an automatic criterion of value. Kenneth Starr has gone on for three years now, spent 30 million dollars and put people in jail who didn't tell him what he wanted to hear. After all this he came up with... Monica Lewinsky. On the other hand, Sylvia Meagher and Phil Melanson interviewed very few people between them. Yet *Accessories After the Fact* and *Spy Saga* are two extremely valuable books.

It is unfortunate for both Spoto and Summers that the former made some unjustified comments about the latter. Spoto's book stands on its own; he didn't need to take a shot at Summers. And its not just me who feels that way about the matter. When the recent Cusack/Hersh/Monroe business erupted last year, *Newsweek* used Spoto's book as the touchstone of seriousness about Monroe and JFK. Gary Wills in *New York Review of Books* did the same. The more serious people in the Monroe research community, like Greg Schreiner—who I mentioned in my article—also believe Spoto's book to be the best in the field.

But I leave the matter up to the interested reader. He can pick up all four biographies: Spoto's, Tony's, Slatzer's, and Haspiel's (Liz Smith's annointed authority). He can then decide which book is really about Marilyn Monroe the person and which is about Monroe the image. For those interested solely in her death, I refer them to the following pages: Spoto pp. 522-593, Summers pp. 348-406,

Slatzer pp. 260-330, or Haspiel pp. 199-202. The last presents a "not necessarily imaginary scenario" featuring Bobby Kennedy punching Monroe to the floor, he and Peter Lawford forcing her down on a bed, Bobby trying to snuff her with a pillow, and Lawford cleaning up later to make it look like a suicide. But while Lawford is doing so, Monroe wakes up. Lawford then calls for the ambulance and Monroe finally dies en route to the hospital. After reading this piece of posthumous character assassination—replete with dialogue—one should flip over to the back cover. There, you will read a rather effusive blurb praising Haspiel as "refreshingly sane and objective". It was written by Anthony Summers.

Unfortunately, Bobby Kennedy is in no position to sue for libel.

Probe's two part article entitled "The Posthumous Assassination of John F. Kennedy", recieved as much or more feedback than any article we have done. All of the phone calls and letters were thoughtful and appreciative. Vincent Salandria saw the following exchange between Martin Schotz and Jim DiEugenio and thought that it merited printing as a follow-up to the piece. Marty's letters have been abridged and edited for space reasons as have DiEugenio's.

December 25, 1997

Dear Jim:

...Below I want to spell out some thoughts on your work on the history of the assassination of Kennedy's character including, as you point out, the way in which this is woven into a total distortion of JFK's relationship to the CIA, Castro, the Cold War. As I said in my note, I consider your work here of the utmost critical importance, and I would like to see it get the widest distribution. However, I think there are problems in the way you present what you have uncovered and in the way you frame this very important work.

... the uncontaminated truth of the Kennedy assassination and the cover-up belong to some fundamental process of political reconstruction that is difficult to envision at this moment and that we should not trouble ourselves with trying to envision. Instead, sticking strictly to the truth, we should give the public access to this and let the chips fall where they may. Such a position is extremely unpopular, not the least on the left. . . . So I say at the outset that my approach stems from having abandoned any concern with how the truth affects people politically in the short run. On the other hand, it is unimaginable to me that any really positive politics can be built in this society on a process which would conceal

and lie about what happened to JFK. And because of this, we have a contribution to make.

If we begin with this truth, throwing aside all political sentimentality, we are immediately confronted with two facts. 1. CIA (military/intelligence community) at the highest levels organized and carried out the murder. 2. Robert F. Kennedy, the then Attorney General. . . almost immediately became an accessory after the fact. I mean this literally. RFK was guilty of complicity after the fact by cooperating in concealing the nature of the assassination, that makes him an accessory. What this means is that the entire government is involved at least after the fact. This includes Frank Church and the Church Committee... So just like the CIA has its limited hangouts, so do our liberals have their limited hangouts. So to embrace the Church Committee when it says it can find no evidence of JFK approving assassinations and seeing the character assassination as somehow coming out of this development is, for me, playing a game with your readers. The only thing you can use from any government source are admissions against interest and you even then have to be careful. . . because even then, these "admissions" are often limited hangouts which appear to be giving us information, but are really ways of framing issues narrowly so as to conceal a greater and more important truth. . . .

So, I think we should frame your work with the following, that the assassins of JFK would have an interest in concealing knowledge of their role in the murder (which I argue they do ultimately with their "pseudo-debate" and turning knowledge into belief), but that they would also try to attack the victim—attack his character, attack and distort what he stood for. Thus convincing the public that nothing serious happened, or better still, maybe it was all for the best, or as Thomas Powers wrote in the *New York Times*, to the effect, "maybe he had it coming."

With *History Will Not Absolve Us*, I could point any person who says they are interested in the assassination and test that seriousness by seeing if the person comes to the conclusion: "We know who did it. We know the role the establishment (left, right, and center) has had in covering up the crime and covering for itself." Now you can take that seriously interested person another step, by asking, "OK given this, what would we expect the establishment to try to do to the public's memory of JFK?" Let's take a look." And now your research comes. You just lay out the data. Who are these authors? What are their connections? How do they treat evidence? What are their sources? How are they treated by this press which has already joined the conspiracy

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after the fact to cover things up? You just lay it all out and leave it to the reader to connect the dots so that the picture emerges. Strip away anything that you don't know for sure, because you have plenty.

And this last point is critically important. I think it is a mistake to try and convince readers of anything. And in fact, I don't try to convince the reader of anything in *History Will Not Absolve Us*. I am indifferent to the conclusion the reader comes to, because I know that if they read that book and don't come to that conclusion, no act of persuasion on my part will do any good....The public has work to do. Our job is clearing away all the garbage in which our media clouds everything, so that they can do their work when and if they wish.

So you don't need the Church Committee which is an impossible mix of truth and bull. You don't need somebody telling somebody that Bobby said whatever about who killed his brother and that the family members were told. This is all gossip....because it doesn't convince a serious thinking reader of anything....that is no good. It can only lead to debate....Look back at Castro's speech the night after the assassination. He tells the people, "Look this was the situation, and this is what they are telling us. Look at this. Now what does this mean? Does this make any sense?" And the picture emerges immediately. The alternative is taking your valuable work and placing it in a quagmire of limited hangouts which risks fostering another pseudo-debate, this time over JFK's character....

Best Wishes,
Martin Schotz



1/10/98

Dear Marty:

....Concerning the points you brought up, let me take them up in order:

1.) When you discuss the Church Committee here and my use of it, you are writing this without having read the first part of the essay. Because what I wrote there goes to the heart of what you talk about: a darkness at the political heart of America. In my view, one of the reasons the Church Committee was so bitterly attacked was because it came to the honest conclusions that a.) They could not implicate JFK in any assassination authorization, and b.) Frank Church had termed the CIA a "rogue elephant" operation that sometimes operated without any controls.

If you put that together with their report

on the performance of the intelligence community in the investigation of the assassination of JFK, that comes out to a pretty strong implication of where to begin looking for who killed him. The Church Committee was *never* authorized to explore the assassination itself (a point I brought out in the first part of the essay). But this report, prepared by Gary Hart and Richard Schweiker and referred to as Book Five of their report, is one of the most blistering and candid criticisms of the FBI and CIA ever printed. No one can read it without coming to the conclusion that a.) Hoover deliberately botched the investigation and b.) The CIA may have been an active participant. Considering its mandate, the Church Committee was probably the best government investigation ever of the intelligence community. If it would not have been hindered by the press and by people like Kissinger, it would have

Look back at Castro's speech the night after the assassination. He tells the people, "Look this was the situation, and this is what they are telling us. Look at this. Now what does this mean? Does this make any sense?" And the picture emerges immediately. — Martin Schotz

been even better. I agree that one has to be careful about "admissions" in government reports, but the general admissions made by that Committee, as I mentioned in my piece, are in my view truthful ones. The declassified record, now being processed, will only take the generalities further and deeper. But the report is a good starting point for serious work.

My main point here was that when the Church Committee verified JFK's clean hands on assassinations, that was a shock to the system, because it bolstered the view that he was different from other pols, not only in degree, but in kind. That is why the long slope of character assassination had to begin, which I chronicle in both parts. This mode of operation corresponds to attacks on people like Richard Sprague, Garrison and Oliver Stone who try to get at the truth about the assassination itself. The symmetry is striking.

2.) Concerning your two points about RFK, i.e. the accessory after the fact charge and the Andy Harland story, let me take them up in order.

As far as the Warren Commission goes, I think it is a mistake to group RFK with Hoover

and Katzenbach and Helms and Angleton etc. In fact, this is what the other side wants us to do. I have never doubted that Jackie, O'Donnell and Powers, and RFK all knew that there was a conspiracy. This is bolstered by anecdotal evidence, official testimony and the declassified record. I can see no point at which RFK took any active role in the Commission's proceedings. So in my view to group him the rogues' gallery above is to be non-discriminating. For public consumption, he did what he felt he had to do, which is what Ted Kennedy did (as noted in the article). But I don't know what he would have done if he would have lived. Remember, this is the guy who reinvestigated the Alger Hiss case and came to the conclusion that the FBI never had the typewriter! If you know anything about that case, that is an astonishing admission by a government official, since as with the JFK case, just about the entire government was doing what it could to convict Hiss.

About the Andy Harland story. I talked to Harland at length. He is quite credible and he brings out an aspect of Peter Lawford's experience that no one else has. (They usually only use him for the Monroe business.) It seems that when Lawford was abandoned by both the "Rat Pack" and the Kennedys, only Jackie still remained in contact with him. I think that is important. According to John Newman, Jackie was very unstable and uneasy about Dallas, and many were worried about her going to the press and expressing these fears of conspiracy.

If you think Harland is a "gossip", I will be glad to give you his number and you can test him yourself. Also, the idea of Bobby suspecting a CIA conspiracy is also in Paris Flammonde's book. His contact with the Garrison investigation (probably Frank Mankiewicz) expressed this to Lane and Weisberg. Third, Mort Sahl also backs this up. Sahl is one of the very few (perhaps only) people to have close contact with both Garrison and the Kennedys. On numerous occasions, Bobby expressed extreme interest in what Garrison was digging up, all the way up to the time of his own assassination in 1968. In fact, Bobby used to pepper Sahl's wife with those types of questions when Mort was not around. On these grounds, I disagree with your characterization of Harland's story....

Sincerely,
Jim DiEugenio



January 17, 1998

Dear Jim:

Thank you very much for your letter....

At the moment I think we are talking past each other, because while your letter embel-

lishes what you say in your articles, I don't think you are taking on the issues that I am trying to raise with you....

When I look at the Kennedy assassination and its aftermath, I see a President who is murdered in a plot organized at the highest echelons of our intelligence apparatus. In response to this I see a process of cover-up involving all significant political elements in our society. As I said in my book, I see JFK as "a deKlerk without an ANC". JFK had become an important force for peace against the Cold War, so important that from the standpoint of our intelligence community, he had to be done away with....

What was the response to this in this country? It was silence on the part of the forces that were beheaded and an orchestrated debate by the powers that be and their media assets. As a result, the public was led into confusion, a confusion that it falsely believes is inevitable. In this process, the "good liberal" forces, of which RFK, Sorenson et. al. are a part, have participated wittingly or unwittingly in fostering that public confusion. In their heart of hearts, if Sorenson and Frank Church and RFK were to tell you why they were proceeding as such, they would probably say that it the only way. That to be honest with the public would risk fascism or civil war, that lying to the American people was the politically responsible thing to do. And let's not get away from this. They all knew. RFK had to know. He told Khrushchev! So I understand that to utter the truth about Kennedy's murder would be to shatter the existing politics in our society and begin over. But this is what I think needed to happen and needs to happen.

Is it axiomatic for me that if we are to see the development of the equivalent of "an ANC" ... we need a public that is thinking, a public that is able to discern the truth between the lines of the daily lies it is fed by our media....

So where do we begin? I say we begin by refusing to lie to each other and to the public.... I say to you, whatever good the Church Committee was doing, Church lied through his silence about what he knew about the President's murder.... Kennedy was making peace with Khrushchev. Now Church had to know this. But, like Sorenson, saying something like this is beyond him, because it means breaking with the Cold War mythology, turning against the coin of the realm, "delegitimizing" yourself, becoming a "non-person" like the dissidents became in the Soviet Union.

But by refusing to take on the Cold War, which was what JFK was taking on, all these liberal allies of JFK fail this martyred President and fall into the trap of the pseudo-de-

bate. You see how isolated JFK was in the Cuban Missile Crisis tapes. Even Fulbright was for invasion. He is just as isolated in death, because the "good liberal" politicians cannot see their way clear of breaking with the Cold War and understanding the importance of making peace with the Soviet Union. This refusal to acknowledge JFK's turning away from the Cold War is lying. It is a sin which must be exposed. Any approach to the case which does not include a clear statement on this question is also part of the lying and will lead only to confusion, pseudo-debate and pseudo-mystery....

All best wishes,
Martin Schotz

2/1/98

Dear Marty:

I did not know you were trying to fit my two part article into your "denial" pattern. I agree with you on that particular political-psychological point. After all, we excerpted your book. But I am not a psychologist or a philosopher. I think of myself as basically an historian, and not a narrative one but an analyst. That is I try to sift through as much good data as possible to detect patterns or trends and, from that evidence, I try to arrive at a general conclusion. In using that process I try to be a moral relativist. As Jean Renoir said in his great film *Rules of the Game*, "Everyone has their reasons." So coming from this intellectual framework, I distinguish shades of black and gray and white in the canvass. As far as I know, not even King or Malcolm publicly announced a high level military-CIA conspiracy to kill JFK. And that is about as good as leadership gets in this country. If they would have, they would have been assaulted by the media who would have immediately asked "What evidence do you have for that?" Inevitably, no matter what they would have said, it would not have been enough. And they would have ended up marginalized. It wouldn't have mattered. Perhaps Bobby was waiting to get into the White House so he could then pursue something with subpoena power. I am sure you have heard that Webb Hubbell has said that one of the things Clinton asked him to do when he came to Washington was look into the JFK case. It got derailed when Ken Starr went after him.

So I agree with you on one level and think yours is a valuable and interesting perspective. But me being what I am and you being a psychologist, I don't think in those kinds of terms all the time which is where the original misunderstanding came from.

Sincerely,
Jim DiEugenio

Los Angeles Times

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her home and referred to Hall as a member of "Assassins Inc." When she saw that Hall had purchased a new Cadillac, she asked him if the CIA had paid for it. When Hall backed away from the door and retreated to the car, Adyellot refused to tell Cohen if she would be a witness for Garrison. But when asked about the *Times'* slanted coverage of Garrison, Cohen admitted that the editorial policy at the paper was anti-Garrison.

On April 30, 1968 Jaffe wrote another memo to Garrison saying that Hall's trip to Sacramento to visit then Attorney General Ed Meese had been paid for by Cohen, i.e. the *Los Angeles Times*. When Shaw was acquitted in 1969, Cohen sent a friendly note to him with the front page of the paper bannered that verdict. The note acknowledged that, although the *Times'* circulation department was sending him "tear sheets", he wanted to send this particular issue personally. In the note, Cohen addressed Shaw as "Clay."

So here you have a reporter and newspaper at the advent of its coverage of a major story working with a veteran FBI employee and mouthpiece (Kohn), to paint Garrison's probe in the darkest terms, and the reporter (Nelson) already has a predisposition against conspiracies. Later, with Cohen, the paper seems to be a part of the kind of activity that the infamous Hugh Aynesworth originated in Dallas i.e. monitoring and attempting to control potential witnesses while cooperating with the FBI through veteran asset Schiller. Hall, of course, was a key witness who, at the time of the Garrison probe, complained of two attempts to kill him, one by injected poison and one by sabotaging the steering mechanism on his car. He was so worried at the time about his physical well-being that he gave a tape recording he made to *L.A. Free Press* publisher Art Kunkin, telling him that he only wanted Kunkin to listen to it in case "something happened to me." (That tape has since disappeared)

Ironically, when new *Los Angeles Times* editor Parks was still with the *Baltimore Sun*, he co-authored a rather thoughtful piece for the spring 1969 issue of *Columbia Journalism Review*. In it he seemed concerned about the clear bias of some reporters at Shaw's trial. Two he felt crossed the line from reporting to partisanship were Aynesworth and James Phelan. (At the time, Parks could not have known that both men were FBI informants, and that Aynesworth was a CIA applicant.) If Parks still holds to his view of objective reporting, his newspaper's most recent efforts on the JFK case signify that even top editors have to carry

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Monicagate

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dent consul and replaced him with Starr. He has also made sure that nearly every lawyer investigating any Clinton official comes from a strong GOP pedigree. For example, before he became independent consul, Starr considered writing a friend of the court brief in the Jones case. To close the circle, Jones defense was once advised by the Landmark Legal Foundation, another Scaife funded group. Tripp's lawyer, Moody, works for Landmark.

As the reader can see, whatever the media says about her, Hilary Clinton is one smart lady.

But we don't want to close on just that chord. There are two other points that should be made. *Probe* is no fan of Bill Clinton. We have criticized him for not taking a role in the ARRB-FBI disputes. We abhor his association with Suharto's bloody, thieving dictatorship. We refused to endorse him in the 1996 election. We also have no great love for Vernon Jordan who Starr thinks coached Lewinsky into lying to protect Clinton. Jordan is a former civil rights leader who came to Washington and promptly sold out. He now works for a giant lobbying firm as he serves on the boards of over a dozen giant corporations. But as much as we don't like the pair, going after someone for lying about his or her sex life is pretty ridiculous. As Lawrence Walsh pointed out in a recent issue of *New York Review of Books*, after 60 years of practice, he has never heard of this happening in a civil suit. In essence what Starr is doing is prosecuting private morality. And as in the Kenedy case, the public isn't interested. The reaction shows how absurdly political Sentelle has made the office of special prosecutor. (For a good examination of this, see David Grann's article on the Mike Espy case in the 2/2/98 issue of *The New Republic*.) It has gotten so out of control that now newspapers like the *Los Angeles Times* are predicting its demise (2/2/98). Even liberals like Anthony Lewis are joining reactionaries like Supreme Court Justice Antonin Scalia in calling for the elimination of the office. But neither the law, nor the office is at fault. The purposes to which Scaife, Sentelle, and Starr have bent it are what is deplorable. Starr wants to investigate and indict over perjury about infidelity; yet murder and treason in the Kennedy case are somehow off limits. To us, this is a perfect example of why only 19% of the public believes what the government says today (Kevin Phillips, *Arrogant Capital*). The media's performance in all this, is a demonstration why, according to a Pew Foundation study, even less of the public believes the press is doing a good job (15%).

A Senate committee is planning to hold hearings this summer on the independent counsel law. Unless renewed by Congress, the law expires next year. The underlying tragedy in all this is that if Starr's antics manage to kill the special prosecutor law, there will never be any hope of bringing any living conspirator to justice in the JFK case. All because of the money-grubbing schemes of Tripp and Goldberg. Not to mention the media, which gives them a platform instead of exposing them for what they are.

Sirhan Case

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After Sirhan was subdued, Rafer Johnson took the gun, and did not give it to the police. Instead, he went home and wrote the gun number in his diary.³⁶ Almost two hours after the incident, he took the gun to the police. The following is the very curious exchange recorded when Rafer handed the gun to Sgt. Michael J. McGann of Homicide, in the presence of Sgt. R. L. Calkins:

McGann: We have an Iver—

Calkins: Iver-Johnson—

McGann: Iver-Johnson Cadet, model 55-A

Calkins: More of these goddamn guns kill more people—

McGann: Model number 50—number 56-SA. The serial number is H53725....

Normally this would seem to be just a simple confusion, and were it not for the other evidence of deliberate deception in this case, frankly I would have dismissed this. But Harper had also told Mangan something he had learned as "fact" from one of his LAPD sources. And that was that Sirhan was firing blanks. That would go a long way towards explaining why almost no one recognized gun shots, and thought instead the noise was just balloons popping. Turner and Christian also came to the conclusion that Sirhan had to have been firing blanks, which are basically shells stuffed with paper that flash-burns, creating a visible flame that appears from the muzzle and a little shower of paper residue. Before I return to the model number issue, considering the following witness statements:

"It didn't sound like gun shots to me, and I've heard a lot of gun shots. It sounded like a cap pistol or somebody cracking a balloon." — Norbert Schly [spelling unknown], on a KTLA interview broadcast immediately after the assassination, 6/5/68

"I just saw this blue...like a flash, like maybe something from a firecracker...flash, like a little spark from a...it was just the flashes I saw. I thought somebody threw a firecracker right at him...." — Richard Aubrey to the LAPD, 6/5/68

"I — at that time I didn't recognize what it was, and I saw some paper flying. I don't even remember what it was, paper or white pieces of things." — Karl Uecker to the LAPD, 6/5/68

Richard Lubic...heard two shots "which sounded like shots from a starter pistol at a track meet." — Reported by Robert Blair Kaiser in *R.F.K. Must Die!*

"I thought it was a balloon. I heard the first pop and then I heard about three or four just right after another....I looked, and then the second shot, I saw smoke and saw like something from a—like a—the residue from a bullet or cap, looked like a cap gun throwing off residue." — Rafer Johnson (an Olympic Decathlon champion who would certainly recognize the sound of a blank being fired) to the LAPD, 6/5/68

It is a shame McGann couldn't have told us only one model number when he took the gun into evidence. Like so much of the evidence in this case, it may go down as an unsolvable mystery.

The gun in evidence today is an Iver-Johnson Cadet, Model 55-SA.

Iver Johnson Model 56-A, however, is a starter gun that fires blank cartridges. ♦

Notes

1. Robert A. Houghton with Theodore Taylor, *Special Unit Senator* (New York: Random House, 1970), p. 42
2. Robert Morrow, *The Senator Must Die* (Santa Monica: Roundtable Publishing, Inc., 1988), p. 279. Morrow was sued by a person he claims in this book was the real killer, using a special camera that was rigged to fire bullets (Morrow is himself an ex-CIA operative who claims to have known of such weapons). Morrow lost his suit. I viewed footage of the Ambassador from that night and found that Morrow's suspect did not even enter the pantry at the time of the shooting, but was clearly visible on the stage the Senator had left, with camera still in hand. As a result of this lawsuit, the judgment required Morrow to destroy all remaining copies of this book. I am including the quote here on the assumption that Morrow has accurately represented Yaro's comments to him in the transcript included in his book, and primarily because Yaro's statements correspond to the record of that of other witnesses at this moment.
3. Paul Schrade in a 1975 petition to the Superior Court of California.
4. Philip Melanson, *The Robert F. Kennedy Assassination* (New York: SPI Books, 1994) p. 55.
5. This letter, dated November 2, 1977, ap-

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Notebook

He Didn't get Far

On December 4th, on the NPR radio station KPCC in Pasadena, former Clinton crony and Justice Department official Webster Hubbell made a rather startling disclosure. He said that when he first went to Justice, President Clinton took him aside and told him to specifically look into a certain murder case: the assassination of President Kennedy. Ray Marcus was listening at the time and immediately called in to ask how far he got and what he found out. When Ray got through, the show's host said that, in the interim, Hubbell had already said that when he started to look into the case, he began having legal problems with the Whitewater matter. We can't help but wonder how many other presidents have asked their friends at Justice to find out what happened to their illustrious predecessor? We wonder if its out of curiosity or an interest in their own futures?

More Mud

Michael Beschloss is a "middle way" type historian who is fairly solid as far as he goes. But he also knows the limits of the establishment rules so in his book *Taking Charge* he has to take a swipe at Oliver Stone's presentation of LBJ's Vietnam policy. At about the time of the debut of Sy Hersh's abominable book on JFK, he also took a shot at President Kennedy in the *New York Times*. In talking about the ethics of presidential taping of conversations, Beschloss also noted the "underside" of Kennedy's administration and its use of the IRS to harass political enemies. Unfortunately for Beschloss, Mortimer Caplin, Commissioner of the IRS from 1961-64 read the column. Caplin wrote a letter to the *Times* (11/14/97) that skewered Beschloss' charge from his own personal experience, Kennedy's own policies, and from a Joint Senate-House report on taxation issued in 1975. We'll chalk this up to the outbreak of Hersh hysteria which now seems to be ebbing.

He's At It Again

With Noam Chomsky, the hysteria is eternal. Although he and his attendants like to portray him as an "isolated" voice on the left, we know of no such "isolated" voice who gets published so often. In a recent book of interviews entitled *Keeping the Rabble in Line*, Chomsky made some revealing statements about JFK and assassinations to his acolyte David Barsamian. On one page (p. 299), he made three false statements about Kennedy that went unchallenged by Barsamian. He said that Kennedy ordered the murder of Patrice Lumumba, plotted the death of Castro, and that he ordered a coup in Brazil. Even Chomsky had to correct his Freudian slip about Kennedy and Lumumba. As we have pointed out in the last two issues, there is no credible evidence (unless one believes Judith Exner and the like) about the second charge, and as many books point out, the coup in Brazil was planned and executed in 1964 (Bill Blum, *Killing Hope* p. 163). But even more revealing, he states that, in such covert CIA operations, there would not be a paper trail left. Yet, and again Barsamian does not point this out, elsewhere, Chomsky has stated that no high level plot against Kennedy existed precisely because he researched the record and could find no trace

indicating such a plot. Even more interestingly, he states that the CIA is very much under the control of the executive branch. Chomsky never talked to Victor Marchetti who told Jim DiEugenio in 1994 that, at high level executive meetings at Langley, Richard Helms would order no notes taken on critical matters. Afterwards, he would tell Marchetti not to tell the president about those unscripted matters. Chomsky and Barsamian must believe that ignorance is bliss. Or that Carter ordered the CIA to scuttle the October Surprise so he could lose the 1980 election.

Garrison Bio on the Way?

Joan Mellen is a professor at Temple University in Philadelphia. She teaches film and has written books on that subject plus a dual biography of Dashiell Hammett and Lillian Hellman. She reviews books for a number of big newspapers and is now at work on a full scale, cradle to grave biography of Jim Garrison. She started working on this in the latter part of 1997 and has already visited Garrison's family in New Orleans. Some good people have been helping her in the early stages: Vince Salandria, Ray Marcus, and Chris Sharrett. She is scheduled to be in Los Angeles this year and talk to Jim DiEugenio. If she succeeds, this book will fill a real void in the literature. And with Bill Davy's book on Clay Shaw and the Garrison investigation, the crucial area of New Orleans will be focused on even more intently.

Crack and Cigarettes: Same Marketing Strategy

The *Los Angeles Times* and other newspapers have been giving plenty of coverage to the politically correct exposure of the big tobacco conspiracy to knowingly addict the public to nicotine. On February 10th, the *Times* ran a story about the attempt of the tobacco companies to target black youths as their more upscale customers began to heed the health warnings about cigarettes and cancer. The story included the following quote from a congressman, "These documents make clear that the tobacco industry was targeting blacks, including black teenagers..." This is the same newspaper that did everything it could to discredit Gary Webb's series about the same targeting of minority groups with crack/cocaine in the 1980's by Ricky Ross and his contra suppliers (see *Probe* Vol. 4 #1). No one has noted the irony in the endorsement and the rejection. The underlying message seems to be that whereas the big tobacco executives had no morals, drug dealers and their CIA associated suppliers do.

Errata

In Jim DiEugenio's article on Sy Hersh (Vol. 5#1), he posed the question as to why the Kennedys did not sue over such charges. Reader Richard Matthesen called an esteemed law professor at USC about the subject. He said that libel laws are designed for the living. It is almost unheard of for relatives of a dead person to sue on that ground. In John Armstrong's article on the Tippit murder in our last issue, the ID number mentioned on Oswald's jacket, K-42, is the FBI ID number and not a laundry tag.

Sirhan Case

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- pears on the last microfilm reel of the SUS files from the California State Archives (SUS hereafter.) I have yet to find any official response in any of the files I have viewed. Philip Melanson discovered this letter and wrote about it *The Robert F. Kennedy Assassination* (pp. 46-47). He pursued this by writing the FBI in 1985. He received a response from Assistant Director William M. Baker, who stated, "Neither the photographic log nor the photographs were ever purported to be a ballistics report," an interesting non-denial of the evidence.
6. Turner and Christian, *The Assassination of Robert F. Kennedy* (New York: Thunder's Mouth Press, 1993), p. 350.
7. Turner and Christian, p. 178, citing LAPD Deputy Chief Daryl Gates in an August 22, 1975 NBC network interview.
8. From Ted Charach's video, *The Second Gun*.
9. LAPD Interview of Sandy Serrano, 4:00 a.m., June 5, 1968, p. 12. On p. 15 she explains that by "boracho" she didn't mean he was drunk, but that he "looked messy" and "he looked like he didn't belong there."
10. LAPD Interview of Sandy Serrano, 2:35 a.m., June 5, 1968, p. 27.
11. Dan Moldea, *The Killing of Robert F. Kennedy* (New York: W. W. Norton & Company, 1995), p. 40.
12. APB from SUS files. This one was dated 6/5/68, and was not cancelled until 6/21/68.
13. Telephone and Radio Transmissions Log (H-XIII), Radio transmission, reel 6 from the California State Archives SUS Files Microfilm Collection (SUS hereafter). The man who knocked over the people while running out of the room was Michael Wayne, a curious figure to be discussed in the second half of this article (to follow in the next issue of *Probe*).
14. Houghton, p. 32.
15. Melanson, *The Robert F. Kennedy Assassination*, p. 33.
16. Turner and Christian, Copy of Patrusky's signed statement, p. 350.
17. Klaber and Melanson, *Shadow Play: The*

- Murder of Robert F. Kennedy, the Trial of Sirhan Sirhan, and the Failure of American Justice* (New York: St. Martin's Press, 1997), p. 96.
18. *The New York Times* (2/15/69), p. 12.
19. Klaber and Melanson, p. 96.
20. LAPD Interview of Richard Aubrey, June 5, 1968, p. 16.
21. Melanson, p. 33.
22. Klaber and Melanson, p. 96.
23. LAPD case summary, p. 25.
24. As a side note to those who follow the John Kennedy assassination, it's interesting to find the reappearance of Pierre Finck, one of the autopsists in the John Kennedy assassination, as well as Russell Fisher. Fisher was the Maryland Coroner who made the preposterous claim that a bound, gagged, and weighted man found in the ocean was really a suicide victim, the sensitively positioned CIA officer William Paisley. Fisher's improbable verdict of suicide prevented what would have led to an uncomfortable examination that could have embarrassed the CIA. Fisher, in 1968, was part of the Clark Panel, a panel convened to examine the autopsy photographs from the John Kennedy assassination. The Clark panel had suspicious origins, and was timed to discredit the growing voices critical of the Warren Report, as well as the investigation of New Orleans District Attorney Jim Garrison. Both Finck and Fisher provided advice and assistance in the autopsy of Robert Kennedy.
25. Klaber and Melanson, p. 94.
26. *New York Post*, 5/21/75.
27. Klaber and Melanson, p. 102, citing Sir Gerald Burrard, *The Identification of Firearms and Forensic Ballistics* (New York: A.S. Barnes,

- 1962), pp. 154-155.
28. Warren Commission Hearings, Vol. III, p. 494.
29. Houghton, p. 266.
30. Houghton, p. 266.
31. Jack Gullivan's Testimony, *Sirhan Trial Transcript*, p. 3351.
32. Bill Barry's Testimony, *Sirhan Trial Transcript*, p. 3451.
33. *Ibid*.
34. Morrow, p. 279. No fingerprints of any kind were recovered from the gun, despite it having been held by Sirhan, Grier, Johnson, Barry, and others at the shooting range earlier that day.
35. Roosevelt Grier's Testimony, *Sirhan Trial Transcript*, p. 3310.
36. Mangan's record of a conversation she had with Rafer Johnson during a chance meeting. He told her he had the gun number, and gave her his unlisted number, saying if she called he would read to her the number. Mangan called many times after that, but Rafer's mother always answered, and always told her he was not available, but that she would take a message.

Los Angeles Times

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the burden of heavy institutional memories once they enter their new positions. Especially when the chief owner, Otis Chandler, owns over thirty percent of the stock in the paper's parent company, Times-Mirror (Nicolas Coleridge, *Paper Tigers* p. 158).

The above facts are all part of the story that Patt Morrison won't tell, while she misinforms you on what she *does* say about the Kennedy assassination. As we have seen, the *Times'* overt coverage has a covert side that stays hidden. As exemplified by Cohen, Nelson, and Morrison, what that means is that not only does the media not report the whole story, it does not reveal its secret role in molding that story. If it did, they would have to admit that, to a large degree, they *are* the story.

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