

LOS ANGELES COUNTY BOARD OF SUPERVISORS

In the Matter of:

PUBLIC RESPONSE TO APRIL 5, 1977 PRESENTATION
TO THE BOARD BY THOMAS KRANZ, SPECIAL COUNSEL
TO THE DISTRICT ATTORNEY'S OFFICE RE THE
ASSASSINATION OF SENATOR ROBERT F. KENNEDY.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Tuesday, May 17, 1977
2:00 P. M.

Hall of Administration

Los Angeles, California 90012

REPORTED BY: Patricia W. Watson
CERTIFICATE NO. :

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1 LOS ANGELES, CALIFORNIA; TUESDAY, MAY 17, 1977; 2 P. M.

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3
4 MR. EDELMAN: Now we have before us the special
5 item scheduled for 2:00.

6 And, Mr. Ward, would you like to be
7 recognized?

8 MR. WARD: Thank you.

9 I appreciate the opportunity to have us
10 hear these matters further.

11 Mr. Kranz, who was appointed by the
12 District Attorney two years ago at the request of Acting
13 District Attorney John Howard to investigate this issue,
14 submitted his report on April 5, and a number of persons
15 asked to comment in reply.

16 When we received the proposed speaker's
17 list it was difficult to determine in what order the person
18 should be placed.

19 I would like to acknowledge at the outset
20 that Miss Lillian Castellano has become in effect the almost
21 unofficial and nearly official historian of the assassination
22 of Senator Kennedy, because she has a great deal of
23 information catalogued, photographs, and so on, and in
24 connection with the bullet controversy, for example.

25 She has expended over \$600 of her own
26 funds to obtain prints, copies and enlargements of certain of
27 the pictures, many of which will be utilized here today by
28 speakers other than herself.

1 If we could just proceed. We must
2 acknowledge that because in an item dealing with an internal
3 County matter, we will be required to recess this hearing at
4 a point later this afternoon, and if it's agreeable with
5 Mr. Kranz and some of the other persons who might wish to
6 speak, we'll set another date for that -- second section --
7 and we'll announce that date a week from today.

8 Mr. Kranz has agreed to join us here to
9 respond, if that is necessary, to questions that might be put
10 to him by the speakers.

11 Paul Schrade, we'll ask that he join us.
12 And Doctor Joling, past president of the American Academy of
13 Forensic Sciences, presently an attorney practicing law in
14 the State of Wisconsin. And Mr. Allard Lowenstein, former
15 Congressman from New York, presently special assistant to
16 Andrew Young, the U.S. Ambassador to the United Nations.
17 Mr. Lowenstein is also a practicing attorney in New York.

18 If all three of them will join us at the
19 outset, it will be helpful.

20 Mr. Schrade was one of the persons who was
21 struck by a bullet in the pantry that night in 1968, and
22 subsequently he was the party who brought the matter to court.
23 The County of Los Angeles joined Mr. Schrade in his petition
24 to the court. It finally was taken up by Judge Wenke,
25 Presiding Judge, with the result that the order was issued
26 that the bullet controversy be examined by experts. Doctor
27 Joling was among the experts who participated in that inquiry.

28 Mr. Schrade, if you please would introduce

1 yourself, and the persons who are joining us here at the
2 outset.

3 And I understand that you have some
4 information to present, and perhaps also questions of
5 Mr. Kranz.

6 And if you would just take over, please.

7 UNIDENTIFIED VOICE: My name is Paul Schrade.
8 I am a citizen and a resident of Los Angeles --

9 MR. HAHN: We know you, Paul.

10 MR. SCHRADER: -- have been since 1947.

11 I am here today with Dr. Robert Joling,
12 who is the most recent past president of the American Academy
13 of Forensic Sciences, an organization of America's top
14 experts in firearms and other matters; and with Allard
15 Lowenstein, my attorney and very good friend, former
16 Congressman from New York, and now President Jimmy Carter's
17 nominee to be Ambassador to the U.N. Human Rights Commission,
18 and doing some work there.

19 He's here, of course, as a private
20 citizen and as my attorney.

21 We are here to review the report of
22 Tom Kranz on the 1975 investigation of some of the evidence
23 in the Robert Kennedy assassination.

24 I would like to note that this Board
25 unanimously voted to join me in my lawsuit in Superior Court
26 to reopen the investigation of the assassination of Robert
27 Kennedy. And you said in that motion to instruct the County
28 Counsel to join Mr. Schrade in this petition before the

0
1 Superior Court on Thursday, August 14 -- that was in 19
2 to have the Robert Kennedy assassination made available
3 reexamination of the following areas:

- 4 1. A refiring of the gun.
- 5 2. A microscopic spectrographic neutron
6 activation analysis comparison of the bullet fragments.
- 7 3. That exhibits, ballistics, be
8 rephotographed and examined by forensic experts and request
9 the District Attorney to intervene or seek a special master
10 in the Supreme Court as appropriate.

11 That motion was made by Supervisor Ward
12 and Supervisor Hahn and joined by the other Supervisors in
13 adopting it.

14 I would like to thank the County Board of
15 Supervisors for that very sensible and constructive action.
16 Most of that investigation was done, though not all of it.
17 The report on that investigation was completed a little over
18 a year ago and was recently submitted to the County Board of
19 Supervisors. And that is what we are here today to review,
20 and to offer other information that would be useful to the
21 County Board of Supervisors in preparing a new position.

22 I think if other agencies of law
23 enforcement and of government had been as cooperative and
24 constructive as this County Board of Supervisors, we would
25 have had a full and honest investigation of this case long
26 ago. We could have found answers to serious questions and
27 help restore public trust and confidence. We failed because
28 of a great deal of obstructionism and a continuing cover-up

1 witnesses, you have evidence that suggests how the Senator
2 reacted when he was first hit. The shoulder pad was lifted,
3 accounting for the bullet passing through.

4 Again, I have no evidence that it hit
5 Mr. Schrade, but we know Mr. Schrade was hit by one bullet.
6 And again we go back to the ballistics hearing of the last
7 of the fall of 1975: there has been no concrete evidence that
8 there was more than one gun firing more than eight bullets.

9 MR. EDELMAN: All right.

10 MR. SCHRADE: The Los Angeles Police Department
11 makes that definite in this report and also stuck with that
12 story.

13 MR. HAHN: Did the bullet hit you in the
14 forehead?

15 MR. SCHRADE: Right here (indicating).

16 MR. HAHN: Right here (indicating).

17 MR. SCHRADE: It hit me in the head and then
18 exited, most of it did; about a third of it stayed in there
19 and left an entrance wound and an exit wound.

20 Now, I would point out that the raising of
21 the arm did not put the bullet pathway in position to hit me
22 at all, because these photographs show the person acting
23 Kennedy here in both the horizontal and angle position and
24 upward position, and I don't see how that line of fire could
25 have ever entered my head when I was two, three feet behind
26 him and not in a position on that bullet.

27 And I just say to this Board of
28 Supervisors it is unbelievable that Kranz continues this kind

1 of a statement when there is no real evidence of this,
2 and when the police department does the same thing.

3 I just would like to make a couple of
4 other points, because that's a serious question still in my
5 mind. It's why I still have a personal injury suit filed in
6 court, and based upon what the County Board of Supervisors
7 does and what the other agencies are willing to do, will
8 continue with that suit. I can't do it alone.

9 The suit is filed against Sirhan and
10 any others who might have been involved.

11 I would like to just conclude by saying
12 that there has been no thorough and honest evaluation or
13 investigation of Sirhan's associates or his other activities.
14 There has been no thorough and honest investigation of the
15 contradiction that still stands in the Kranz Report and has
16 always been there; the contradiction between the testimony of
17 Noguchi and of the Police Lab that the gun that wounded and
18 killed Kennedy was Sirhan's gun, because their conclusion was
19 that that gun was at point-blank range.

20 No witness, either produced by Kranz or
21 any of the last four District Attorneys or the police
22 department have ever been able to come with a witness who saw
23 Sirhan's gun any closer than 18 inches to Kennedy. In fact,
24 most witnesses put it two or three feet away, and some as
25 much as five to six feet away.

26 Therefore, the powder burn conclusions of
27 Noguchi and of Wolfer and all those tests do not support that
28

1 that gun was at point-blank range, although that is what the
2 evidence that has been developed says.

3 There has neither been a thorough or
4 honest investigation of the bullet holes that have been
5 photographed by the Los Angeles Police Department, by the
6 FBI, in door frames and two sets of doorways, and that's
7 another area that requires investigation.

8 We carried on a partial investigation
9 sponsored by my motion in court and supported by this County
10 Board of Supervisors, and I would hope that the County Board
11 of Supervisors would listen to Doctor Joling and Allard
12 Lowenstein who will go into more of this in detail and provide
13 the kind of information that you need to make any decisions
14 that you might want to make in furthering the investigation
15 of the Robert Kennedy assassination. I ask you to do this
16 because of not only my lawsuit, but because for the need of
17 regaining public trust in agencies, all agencies of
18 government, because most people still doubt the conclusion
19 in the assassination of Robert Kennedy as well as John Kennedy
20 and Martin Luther King.

21 The County Board of Supervisors has taken
22 action, in the past, it has been very thoughtful, has been
23 constructive and useful to this community, and I hope that the
24 County Board will consider doing that again.

25 MR. KRANZ: Mr. Chairman, may I just briefly
26 respond?

27 Thank you.

28 First, I must state that my appointment as

1 special counsel was for a period of four months, and most
2 of the time was devoted to the ballistics hearing in
3 preparation for court hearings and interviews of witnesses
4 as such.

5 I did wish to continue the investigation
6 into Mr. Schrade's suggestions of some of Sirhan's
7 associates. However, I state for the record that the
8 Los Angeles Police Department and other investigating
9 agencies did an extraordinary job of investigating of all
10 possible conspiracy leads. This is the bulk of the
11 10-volume summary.

12 And I feel, and we can get into this if
13 you wish, that they have in many instances gone into
14 allegations, and there is no evidence to my mind of any
15 conspiracy.

16 Secondly, on the issue of this
17 discrepancy between the Noguchi autopsy, which is a correct
18 autopsy, and the so-called contradiction, the issue of
19 muzzle distance was never at issue at trial. The word
20 "point-blank" never arose at trial; the issue at trial was
21 the position of the Senator and the position of Sirhan and
22 the position of his gun. The eyewitnesses testifying is to
23 the turn of the Senator and several eyewitnesses stating
24 that they saw Sirhan approaching.

25 One witness that I have discovered -- and
26 actually just last night -- I have a statement from a
27 Miss Lisa Urso, a San Diego Kennedy worker, in the Los
28 Angeles Police Department reports that she stated that the

1 shots were fired point-blank range. She was never called to
2 trial or at the Grand Jury; why, I do not know.

3 But the word "point-blank" was never at
4 issue, and I think this is an unfortunate controversy that
5 arose subsequent to the trial because the issue was the
6 position of Mr. Kennedy and Sirhan, not the muzzle distance.

7 And to take the autopsy report is
8 without emphasizing that the position of the bodies was
9 important, and not the muzzle distance. That was at issue,
10 and that is leading down a false trail, which has caused
11 controversy in the past several years.

12 Finally, I have no opposition to any
13 continuing investigation of this tragedy. I feel that my own
14 opinion is that we have reached a point of diminishing
15 returns. I would certainly support any resolution of the
16 Board and the District Attorney's Office since this is a
17 capital crime, stands willing to continue its investigation
18 of murder because the statute of limitation never runs on a
19 murder.

20 MR. WARD: May I comment?

21 MR. EDELMAN: Certainly.

22 MR. WARD: Thank you.

23 Mr. Kranz, I must note for the record
24 that the issue of the muzzle distance really arose prior to
25 the trial, and not after as you indicate.

26 When Doctor Noguchi, the Coroner, finished
27 his testimony in June, the first or second week in June, as
28 he left in the hallway he was questioned by an assistant

1 district attorney who in effect asked Doctor Noguchi would
2 he consider altering his testimony. And Doctor Noguchi asked
3 why, and the deputy district attorney said because they had
4 no eyewitnesses about the gun as close as Doctor Noguchi's
5 medical findings indicated.

6 Doctor Noguchi said then he would not
7 alter his testimony, he would stand on it, because the
8 findings were medically correct, he felt.

9 So the District Attorney's Office was
10 aware of the issue which was raised the first or second week
11 in June, not following the trial a year later.

12 MR. KRANZ: That is correct. What I meant to
13 state was that the issue, the controversy over muzzle
14 distance did not become a point of controversy until after
15 the trial, because the facts of the conviction of Sirhan
16 dealt with linking up the approaching assailant and his gun
17 to that of Senator Kennedy and the eyewitnesses, every one of
18 them, Potrusei, DiPierro, Sholte, Burns, et cetera, all go
19 into where the Senator was facing and standing and where they
20 observed Sirhan. To my knowledge, none of the witnesses ever
21 put Sirhan point-blank next to Mr. Kennedy, but they were
22 specifically showing Sirhan rushing toward the Senator. And
23 no one ever disputed or contradicted that either in the Grand
24 Jury or at trial.

25 MR. WARD: Thank you.

26 Doctor Joling and Mr. Lowenstein --

27 UNIDENTIFIED VOICE: I would appreciate it if
28 I could give my presentation without any interruption, but, of

1 course, would be more than happy to answer any questions that
2 might follow.

3 MR. EDELMAN: All right.

4 UNIDENTIFIED VOICE: I am Dr. Robert J. Joling,
5 and my last name, for the record, is spelled J-o-l-i-n-g; and
6 I hope that correction is made henceforth in any further
7 reports.

8 I have been a trial lawyer for more than
9 25 years and a serious student and scholar in the forensic
10 sciences, which are those sciences used within the courtroom.
11 And as you probably already know, forensic science is
12 defined as the study and application of all the sciences for
13 the purposes of the law.

14 I have had the distinct honor of being a
15 fellow of the American Academy of Forensic Sciences for
16 almost two decades, and in 1975-76 was the president of the
17 American Academy of Forensic Sciences.

18 I was a founding father, secretary and
19 chairman of the Board of Trustees as well as a trustee of the
20 Forensic Science Foundation for a period extending over
21 seven years.

22 I am a member of the British Academy of
23 Forensic Sciences, and presently am a vice-president of the
24 International Association of Forensic Sciences.

25 And for the purposes of this hearing
26 today, I leave with the Los Angeles County Board of
27 Supervisors a copy of my curriculum vitae for those who might
28 wish to go into more detail as to my background.

1 Amongst my particular interests has been
2 the study of bullet flight paths as their relationships to
3 purported crime scene activity exists. I have testified in
4 murder trials concerning problems of this nature.

5 In addition, it has been a privilege of
6 mine to produce the only known stop-action shooting of the
7 President of the United States from a copy of the original
8 Zapruder film supplied to me by Time-Life Corporation of
9 New York.

10 I have come here today a distance of
11 approximately 2,000 miles as an independent party
12 representing only myself and other interested citizens of
13 the United States to present data, some of which has been
14 previously misinterpreted; some of which has either
15 purposefully been omitted from consideration or inadvertently
16 considered irrelevant; and some of which has been overlooked
17 or intentionally secreted.

18 May I then first draw your attention to
19 a very basic consideration of the data surrounding the
20 question of how many bullets were actually fired within the
21 pantry of the Ambassador Hotel on the night Senator
22 Robert F. Kennedy was assassinated.

23 To determine the answer to this question,
24 allow me to first draw your attention to one official LAPD
25 document entitled "Los Angeles Police Department Employees
26 Report," dated July 8, 1968, signed by Lieutenant E. W. Mann
27 and Officer DeWayne A. Wolfer. I submit a copy of this
28 report to you along with my curriculum vitae.

1 This report accounts for eight bullets
2 purportedly fired from an eight-shot revolver, having a
3 two-and-a-half-inch barrel being an Iver Johnson Cadet model
4 .22 caliber without reference to serial number, containing
5 eight expended shell casings in the revolving cylinder.

6 According to this report, a bullet flight
7 path study was made which indicated that eight shots were
8 fired from that gun, seven of which were recovered from
9 victims while in hospitals away from the scene. Purportedly,
10 no bullets were recovered at the scene nor were any bullet
11 holes other than in ceiling tiles identified by the
12 Los Angeles Police Department.

13 It is my opinion that this bullet flight
14 path study is grossly inaccurate and contrary to reported
15 statements and facts. That report is proper, however, when
16 it indicates that a weapon insofar as it relates to the
17 shooting of the Senator was held within from one to three
18 inches from Robert F. Kennedy, while a gun discharged four
19 bullets, three of which went into the Senator's body and one
20 which entered and exited the Senator's suit jacket.

21 Each of these four bullets' entranceways
22 as determined by the Los Angeles Police Department is
23 substantiated by the meticulous autopsy findings of Dr. Thomas
24 Noguchi. And they entered the Senator from the right, from
25 behind and traversed steeply upward.

26 For the purpose of better understanding
27 of these directions, I have with me photographic
28 reproductions of geometric drawings which have been prepared

1 from the autopsy descriptions, the official autopsy of
2 Dr. Thomas Noguchi. I would be more than happy to make these
3 available under proper circumstances and an appropriate time
4 and certainly to allow you gentlemen to see them today.

5 MR. HAHN: Can we see them now?

6 DOCTOR JOLING: Certainly. You may look at them
7 while I am speaking.

8 MR. HAHN: Thank you.

9 DOCTOR JOLING: If the matter rested solely at
10 this point, it could be asserted that more than eight bullets
11 were fired within the pantry on the fatal morning of June 5,
12 1968 to pour into his clothing and five into victims,
13 totalling nine; too many for an eight-shot revolver.

14 However, because of the confusion,
15 documented harassment, distortion, destruction of evidence of
16 June 9, 1969, and refusal of law enforcement officials to
17 cooperate in any way conducive to scientific determinations
18 in this matter, other than under the limited 1975 court order
19 of the Honorable Robert Wenke, Judge of the Superior Court of
20 Los Angeles, I suggested in 1975 at the time Lowell Bradford
21 and I independently submitted our affidavits to the court,
22 that-a photogeometric reconstruction of the scene be
23 independently carried out in order to determine the accuracy
24 of the LAPD Crime Laboratory reports.

25 According to the Kranz Report this is
26 allegedly considered of little value. I beg to differ with
27 that position.

28 Consequently, it was deemed essential

1 that photographic evidence be studied in an effort to
2 ascertain what factual data could be attained.

3 In 1976 an action was commenced under the
4 Freedom of Information Act by a Bernard Fensterwald to
5 obtain the FBI photographs with supporting documents. In
6 June 1976 I released these photographs of the FBI together
7 with their captions to the news media. Interestingly, the
8 FBI photographer took the photographs on June 7, 1968 and for
9 the first time captions to photographs were available.

10 I now show to you copies of these
11 pertinent photographs marked E-4, which I also will make
12 available under proper conditions and circumstances, but, of
13 course, will show to you gentlemen here today.

14 The captions under these photographs are
15 as follows:

16 On E-1 -- and I leave a copy of that with
17 you, too, please, for your records -- E-1 of the FBI states:
18 "View taken inside kitchen serving areas, showing doorway
19 area leading into kitchen from the stage area. In the lower
20 right corner the photo shows bullet holes which are circled.
21 The portion of the panel missing also reportedly contained a
22 bullet."

23 It's important to remember that last
24 phrase.

25 E-2 has a caption: "A close-up view of
26 the two bullet holes of area described above."

27 E-3 has a caption: "Close-up view of two
28 bullet holes which is located in center door frame inside

1 kitchen serving area and looking toward direction of that of
2 stage area."

3 And E-4: "Close-up view of upper hinge
4 on door leading into kitchen area from back of stage area.
5 View shows reported location of another bullet mark which
6 struck him."

7 It is to be noted that the caption on
8 E-4 relating to a reported bullet hole has now been
9 transformed in the recently submitted Kranz Report to be
10 applicable to the other FBI photograph captions which state,
11 "Photograph of bullet holes."

12 As a direct result of what I at least
13 consider a purposeful distortion of the FBI photograph
14 captions, an effort was made to obtain information relating
15 to the happenings surrounding the taking of these.

16 Through the efforts of attorney Vincent
17 Bugliosi and other investigators a statement was obtained
18 from former FBI Agent William A. Bailey which reveal the
19 following, and I submit a copy of that to you for your records.

20 I now read the statement, pertinent
21 part of FBI Agent Bailey; quote: "At one point during these
22 observations I and several other agents noted at least two
23 small-caliber bullet holes in the center post of the two
24 doors leading from the preparation room."

25 The "preparation room" is a name for the
26 pantry.

27 "There is no question in any of our minds
28 as to the fact that they were bullet holes and were not

1 caused by food carts or other equipment in the preparation
2 room," end quote.

3 And as of yesterday I ascertained that
4 one of the officers who was with FBI Agent Bailey is now
5 deceased, and the other is still with the Bureau and working
6 in a very nearby vicinity.

7 Not being satisfied with this information
8 alone, efforts were made to review other photographic
9 evidence. And through the untiring efforts of independent
10 researcher Lillian Castellano each photograph was again
11 scrutinized, and it was she who brought to my attention and
12 to others important photographic evidence of more than eight
13 bullets, which has now been uncovered.

14 And I now submit to you for your view
15 five photographs taken by the Los Angeles Police Department
16 immediately following the shooting within the pantry.

17 The center divider and other door jambs
18 were removed and prematurely destroyed, as we all know.

19 These photographs show Officer DeWayne
20 Wolfer, first of all, in Photo 1 pointing to the area of the
21 reported bullet hole at the hinge area. However, immediately
22 to his back you will note that there is a splintered area
23 with two objects locked in the crack of a splinter. Below
24 that are two areas on circle, which, contrary to his testimony
25 given before, were not circled before he got there and indeed
26 were circled afterwards.

27 Coming in closer on the same photograph
28 it is to be noted that the same area of two bullet holes is

1 there, the splinter is there with two bullets in the
2 splinter, referred to in E-1 of the FBI report.

3 A close-up, then, follows on E-3 of the
4 area in which the two bullet holes were located where later
5 Dr. Thomas Noguchi is shown pointing to this area.

6 Going to the upper portion, the splinter
7 area of that same center divider, you will see the splinter
8 and you will see the two bullets lodged within the splinter.

9 And if you follow that with photograph
10 E-5, you will now see the official autopsy photograph and
11 official photograph of the Los Angeles Police Department
12 showing Doctor Noguchi a couple of days later pointing to the
13 bullet holes which were told to him by DeWayne Wolfer were
14 bullet holes, and you will also note that the splintered
15 area in which the two bullets were located is now missing.

16 I submit these to you for your perusal
17 and return to me. And, of course, I will be more than happy
18 to make these available at a later time under the proper
19 circumstances and conditions.

20 Now, gentlemen, a simple recount of
21 bullets and bullet holes is now possible.

22 Position A is that of the Los Angeles
23 Police Department. Eight bullets fired, seven recovered and
24 one lost in the inner ceiling space.

25 And the two plainly visible within the
26 upper portion of the center door jamb is shown on that
27 photograph adds up to 10. Indeed, at least more than eight
28 and does then make a second gun present.

1 Position B, which is a very simplistic
2 position, nine bullets fired, four in Kennedy, five in
3 victims. That is nine, again more than eight, and again
4 adds up to a second gun.

5 Position C, 14 bullets fired, four in
6 Kennedy, five in victims, four shown by bullet holes in the
7 FBI photographs and one reported; that adds up to 14 or a
8 second gun.

9 And Position D, 15 bullets fired, four
10 in Kennedy, five in victims, the FBI four in the door jams,
11 two still in the center divider and photograph. That adds
12 up to 15, a second gun. And as stated by Joe Busch at one
13 time, and I paraphrase the statement, "There may come a time
14 when someone will assert that 13, even as many as 15, bullets
15 were fired within the pantry."

16 Position E, four in Kennedy, one lost in
17 the ceiling panel inner space, one of those four striking
18 Schrade. Five victims, two photographs "lodged in the center
19 divider." That still adds up to 10, still more than eight
20 and is tantamount to a second gun.

21 No matter how you cut the ice, gentlemen,
22 there are too many bullets in the pantry on the night of
23 June 5, 1968.

24 This brings us to a second question: How
25 can the assertion of the shooting of at least a second gun be
26 reconciled with a firearms examiner's report of 1975-76?

27 In my opinion, there is nothing
28 incongruous between that report and the presence of more than

1 eight bullets within the pantry.

2 On October 7, 1975, the day following the
3 submission of the firearms examination report, Lowell
4 Bradford, one of the examiners, presented the following --
5 and I submit a copy of this to you as I quote:

6 "The finding of the firearms
7 examiners is being improperly
8 interpreted by the news media.

9 "One, the examiners found that
10 the Sirhan gun cannot be identified
11 with the bullets from the crime scene.

12 "Second, the firearms evidence
13 does not in and of itself establish a
14 basis for a two-gun proposition.
15 Likewise, the same proposition on
16 the basis of other evidence is not
17 precluded either."

18
19 And the other evidence is as follows:

20 "Witnesses' statements that
21 another gun was being fired on the
22 scene.

23 "Bullet pathways contradictory
24 to a direction from which Sirhan was
25 firing; evidence of more than eight
26 fired bullets."

27
28 If there are these types of controversies

1 arising outside of the scope of the bullet examinations, they
2 deserve the same kinds of consideration and systematic
3 analysis and evaluation to the point that problems are either
4 resolved by the bullet examiners or that the subject is
5 exhaustively treated.

6 The firearms examination simply closes
7 one episode of evidence evaluation and should not constrain
8 further efforts to resolve valid questions concerning the
9 possibility of the firing of a second gun at the
10 assassination scene.

11 Additionally, contrary to the recently
12 submitted Kranz Report at Page 146 none of the bullets
13 removed from the victims nor those allegedly test-fired by
14 the LAPD in 1968 were ever linked to the Sirhan gun.

15 And, the only bullets scientifically
16 ascertainable as matched to the Sirhan weapon were two of the
17 lead bullets test-fired through the Sirhan gun by the
18 firearms examiners themselves in September of 1975.

19 In personal conversations with no less
20 than a majority of the 1975 firearms examiners I have become
21 convinced that no consideration was given to examining other
22 avenues of an investigative nature only because, first, these
23 experts jointly were exhausted from their strenuous efforts
24 made at that time. And, second, they believed other
25 investigative aids photogeometric studies, flight path studies,
26 neutron activation analysis, et cetera, to be outside the
27 scope of their required scientific analysis.

28 This was plainly evident during the

1 cross examination of the experts following the submission of
2 their report to the court.

3 I would like to quote from the October 10,
4 1975 issue of the San Jose Mercury which interviewed Lowell
5 Bradford. And Harry Farrell, the reporter, has this quote:

6 "We were not to take into
7 account whether anyone saw any other
8 gun being fired.

9 "We were not to inquire into
10 the number of shots fired.

11 "We were not asked to try to
12 reconstruct the bullet flight pathways,"
13 says Bradford, "These things were all
14 in another chapter."

15
16 I would also like to read a quote from a
17 letter in response to one of mine of March 23, 1976 received
18 from one of the examiners by the name of Ralph Turner.

19 Professor Turner wrote to me as follows:

20 "I have read your letter and
21 note several times, and after giving
22 it considerable thought wish to
23 state that I have nothing more to
24 add beyond my testimony at the
25 cross examination and at the Executive
26 Committee of the Academy of Forensic
27 Sciences in Washington."

28

1 What I am saying is that as I read the
2 Kranz story and other accounts I feel that we are getting
3 into a schematic jungle with regard to discussions about
4 gouges, imperfections, et cetera.

5 And then I would like to bring to the
6 attention of this Board that Mr. Kranz received from Lowell
7 Bradford in March of 1976, more than a year ago, a statement
8 in which Lowell Bradford said to Mr. Kranz, and I quote:
9 "The article that I have read said that some kind of gross
10 imperfections resulting from a burr on the muzzle produced
11 identifying marks on the LAPD test bullets and the victim
12 bullets. That certainly was not true," end quote. And
13 I find no reference to that within the Kranz Report.

14 One further test might be useful in any
15 future examination undertaken. With the use of an
16 oscilloscope or other scientific instruments it may be
17 possible to detect separate and distinct audiodifferentiation
18 of gunshots as guns were fired within the pantry on June 5,
19 1968.

20 Preliminary audiodetection devices have
21 led some investigators working under my direction to
22 tentatively conclude that far more than five distinct shots
23 can be heard, detected and ascertained following the shooting
24 of Senator Kennedy. However, I hasten to caution that these
25 are only preliminary steps and that personally I would desire
26 that original tapes versus copies be studied under
27 specifically designed and adequately controlled scientific
28 conditions prior to any definitive conclusion being made.

1 I assure you gentlemen that the ill
2 repute of Los Angeles law enforcement agencies as it relates
3 to this and other cases is internationally known. In
4 addition to that, contrary to the position of Mr. Kranz and
5 the oft repeated but discredited story that the gun and
6 bullet exhibits had been tampered with and altered by
7 unauthorized parties, the panel must conclusively prove,
8 the panel must conclusively be proved that such had not been
9 the case and firearms evidence was in such condition that it
10 could be properly and scientifically reexamined.

11 I am of the opinion that the panel did
12 not conclude that only one gun and no other was fired in the
13 pantry of the Ambassador Hotel on the morning of June 5,
14 1968. Neither did the panel afford complete vindication of
15 the Los Angeles Police Department's ballistic examination,
16 and, in fact, I believe just the opposite is the truth. It
17 did not in a single respect uphold the professional judgment
18 and the quality of the LAPD or Criminalist DeWayne Wolfer.
19 In fact, it found that Wolfer never made a solitary
20 identification or matching comparison of any bullet, whether
21 he recovered from his purported test firing of Sirhan's gun or
22 recovered from any of the victims.

23 It simply is not true to assert that
24 integrity and professional excellence of the LAPD has been
25 vindicated as presently, or that it presently remains intact.

26 A careful reading and close scrutiny
27 of the panel's report indicates that its members proficiently
28 addressed their attention exclusively to the firearms

1 portion of the LAPD investigation. Their conclusion
2 properly reached included the following determinations:

3 The bullets recovered from the victims
4 were not and cannot be matched or identified as being fired
5 from the Sirhan gun;

6 People's Exhibit 55, the three purported
7 test bullets entered as exhibits upon the trial of Sirhan,
8 and Grand Jury Exhibit 5-B, the four purported test bullets
9 entered as exhibits before the Los Angeles Grand Jury on
10 June 7, 1968 do not match each other, nor can they in any
11 way be compared or matched or identified with any of the
12 evidence bullets taken from the Senator or the other five
13 victims;

14 The test bullets fired by the panel do
15 not match, nor are they identifiably comparable with the
16 bullets removed from any of the victims. However, the two
17 lead bullets fired from Sirhan's gun by panel members can be
18 identified with each other and determined to be fired from
19 the Sirhan gun;

20 The panel was neither charged with the
21 obligation to determine the number of bullets fired within
22 the pantry on the night of the assassination, nor were they
23 required to make any attempt to account for the number of
24 shots so fired;

25 Although five bystanders were struck with
26 five bullets and the Senator's body and clothing were pierced
27 with four fired bullets, the panel was not asked to make any
28 scientific determination whether or not these nine entrance

1 holes could have been fired from Sirhan's eight-shot revolver;

2 The panel weighed each bullet, but was
3 not required to determine if any scientific evidence existed
4 to determine if any recovered bullets or parts thereof could
5 or did produce more than one bullet entry hole;

6 The panel did not examine the Senator's
7 suit jacket and were not requested nor required to do so,
8 which leaves unanswered the question raised regarding the
9 location of either entrance or exit holes, the number
10 thereof and the direction which they were fired;

11 There was positive identification between
12 Exhibits 47, 52, and 54, being the Kennedy neck bullet, the
13 Goldstein bullet and the Weisel bullet based primarily upon
14 a noticeable and identifiable deep gouge mark found on each
15 under the comparison microscope. However, the panel found
16 that it was not possible to identifiably match any of the
17 test bullets purportedly obtained by DeWayne Wolfer with any
18 of the bullets fired from the Sirhan gun;

19 There was, contrary to previous statements
20 of uncertainty a photomicrograph taken on June 6, 1968
21 consisting of two separate negatives representing different
22 exposures of the same area of two different bullets within
23 the comparative microscope;

24 These were Exhibits 47, Kennedy neck
25 bullet on the left, and 52, Goldstein bullet on the right;

26 There is absolutely no identification
27 match possible based on these photomicrographs;

28 The panel's examination of the firearms

1 evidence directly contradicts the findings and conclusions
2 originally asserted before the Los Angeles Grand Jury and
3 upon the trial of Sirhan.

4 The panel did not exclude additional types
5 of testing, and it did not make any recommendations
6 regarding other physical evidence; therefore the need for
7 further scientific determination of this additional evidence
8 remains.

9 The panel apparently was not requested
10 to comment on the need for scientific examination of the
11 now-missing ceiling panel and door jambs, nor was it asked
12 to determine bullet pathways, the number of fired bullets,
13 the potential determination possible from an examination of
14 the Senator's clothing, the correlation of physical
15 scientific scenery construction evidence, the propriety of
16 eyewitness accounts and other evidence or scientifically to
17 interpolate the determination of the sequences of the shots
18 fired.

19 It would appear that no definitive
20 conclusion through this investigation will result unless
21 other logical and necessary scientifically conducted tests
22 are accomplished. These would include a photogeometric
23 construction of the scene, a reexamination of the bullet
24 pathways, a determination of the minimum and maximum number
25 of bullets fired within the pantry on that occasion; a test
26 firing into comparable ceiling panels suspended below light
27 concrete material similar to that found in the Ambassador
28 Hotel pantry to scientifically determine the ricochet

1 potential and possibilities of a .22 caliber hollow-nose
2 copper coated mini mag ammunition.

3 Lastly, I am personally and unilaterally
4 opposed to further studies being made in the atmosphere and
5 under conditions existing in Los Angeles since 1968 to this
6 date. It would appear only appropriate that the Los Angeles
7 County Board of Supervisors request that proper steps be
8 taken to request the Justice Department of the United States
9 government to now enter and conduct an independent and
10 exhaustive study of all of the available evidence in order
11 to establish fact from fiction, and both of these from
12 reasonable hypotheses.

13 With the power of subpoenae, nonpolitical
14 repercussions and a desire to attain the truth it may yet be
15 possible to find those who were involved in the tragedy of
16 June 5, 1968 when Senator Robert F. Kennedy was assassinated.
17 To refuse this request, it seems to me, is to proceed in a
18 mandatory fashion which literally invites further
19 assassination.

20 I therefore suggest and respectfully
21 request you as the highest responsible officials of
22 Los Angeles County to immediately take it upon yourselves to
23 ask the President of the United States to direct his
24 Attorney-General to assume full and complete responsibility
25 for the future handling of this matter.

26 I also inform you at this time that at
27 the conclusion of this hearing I will post the following
28 letter to President Carter, and I leave a copy with you.