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11 about the whole truth behind these
12 history-altering tragedies.

13 "For too long, the uncertainties,
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15 about these events have led to
16 wide-spread frustration and a
17 disrespect for and lack of faith in
18 our governmental institutions.

19 "The Robert F. Kennedy
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1 request that you assign the United
2 States Department of Justice to
3 enter the Robert Kennedy
4 assassination matter forthwith in
5 order to separate fact from fiction
6 through the use of objective
7 reasoning and logical hypotheses.

8 "In accord with this request
9 I employ your assistance through the
10 directing of the Attorney-General
11 to assume full and complete
12 responsibility for the future
13 handling of this matter.

14 "You may be assured of my
15 cooperation and assistance if deemed
16 useful and necessary.

17 "Respectfully signed
18 Robert J. Joling, Past President of
19 the American Academy of Forensic
20 Sciences, Vice-President of the
21 International Association of
22 Forensic Sciences, and Associate in
23 Law of the American College of Legal
24 Medicine."

25
26 Gentlemen, I wish to thank you for
27 allowing me to address you this day.

28 MR. KRANZ: Mr. Chairman, I'd like to respond, if

1 possible.

2 MR. EDELMAN: All right.

3 MR. KRANZ: Doctor Joling has raised several
4 matters, and I hope that the Board will pay attention to just
5 a few of the points I wish to raise, because this is not a
6 trial and I do not have the liberty of cross examination.

7 However, let me respectfully read a
8 letter that I received that was also sent to Supervisor Ward
9 from Stanton O. Berg, one of the seven ballistics experts
10 that unanimously reached the opinion that there was no
11 evidence of a second gun. Doctor Berg wrote to me as well as
12 to Supervisor Ward, and I'll quote two paragraphs:

13 "Overall, I think that the
14 report represents a good, comprehensive
15 overview of the many areas of the
16 controversy.

17 "Inasfar as the discussion of
18 the operation of a firearms or
19 ballistics expert panel, their reports
20 and their cross examination is
21 concerned, it appears to be a
22 substantially accurate treatment,"
23 in reference to the Kranz Report.

24
25 I would also like to quote from Lowell
26 Bradford. Now, Doctor Joling has suggested that Mr. Bradford
27 has made several statements in the past, and he is certainly
28 at liberty to do that. But Mr. Bradford was one of the

1 participants in the ballistics panel that unanimously found
2 no evidence of a second gun. And on the very day that the
3 hearing came down on October of 1975 here in Los Angeles,
4 on the CBS Evening News Lowell Bradford is quoted as saying
5 to Terry Drinkwater, which was on the Cronkite show, quote:

6 "There was no substantive or
7 demonstrative evidence to indicate
8 that more than one gun was used."
9

10 This conclusion because there were no
11 significant differences in the general characteristics of all
12 the bullets that were found on the scene. In addition to
13 that, specific characteristics on the victim bullets enabled
14 an identification of all of the victim bullets as being fired
15 from the same gun.

16 I would also like to respectfully point to
17 the Board's attention the final court order signed by Judge
18 Wenke, submitted in September of 1975, which all the
19 attorneys for CBS, Paul Schrade, the County Counsel, the
20 various government agencies and Sirhan Sirhan agreed to and
21 signed by the attorneys and the judge that state in the court
22 order:

23 "If the seven experts determine
24 that additional exhibits in the
25 clerk's custody require examination,
26 they shall seek a court order that
27 such items be produced.

28 "Balancing the public's right

4
1 to know and the need for preservation.
2 of the physical integrity of the
3 exhibits, the court has determined
4 that both interests will be best
5 served by the appointment of seven
6 firearms experts to conduct a
7 scientific examination of exhibits.

8 "The use of this procedure
9 is adopted to arrive at as
10 definitive a scientific determination
11 as possible, to foreclose the
12 necessity of similar scientific
13 examinations in the future."
14

15 And as I point out in my report, repeatedly
16 during the cross examination all seven experts were asked if
17 they felt additional testing would be worthwhile, and only
18 Doctor Turner wished to pursue the area of rifling angles
19 from an academic point of view.

20 The court order provided for additional
21 tests, and every affidavit submitted to Judge Wenke in
22 August of 1975 listed all these tests that Doctor Joling
23 brings up. If the court and the parties wanted to pursue it
24 they had the opportunity, because the experts always have the
25 right to come back into court and to seek further tests.

26 And I would like to finally state that in
27 October 1975 after the decision was reached by the seven
28 ballistics experts, the unanimous opinion, and prior to the

1 cross examination, and it was the District Attorney's Office
2 that brought the seven experts back for cross examination,
3 that it was not any other party to the case.

4 A letter was written to Doctor Joling,
5 Herbert McDonald and William Harper, and the letter was
6 composed with the cooperation of the Attorney-General's
7 Office, the District Attorney's Office, Sirhan's attorney,
8 Mr. Isaac, Mr. Schrade's attorney, at that time Mel Levine,
9 Howard Privett, the attorney for CBS, and Bob Lynch, County
10 Counsel for the Board of Supervisors. Doctor Joling was given
11 an opportunity to respond to Judge Wenke and the ballistics
12 experts to ask any questions that he might wish to ask; and,
13 Doctor Joling, to my knowledge, never submitted any questions
14 for the two-month cross examination.

15 Now, one final point -- I wish not to take
16 up any more time, I could go on for hours. But on the matter
17 of the FBI photographs that were released under the Freedom
18 of Information Act, I was separated on December 12, 1975 as
19 special counsel. I continued to write the report. When the
20 FBI files were released at that time I called up Art Kevin,
21 a KMPC investigative reporter on another matter, the Shiraga
22 issue.

23 And at that time he suggested to pursue
24 this, and I did. And I made an appointment with an FBI agent,
25 Longiness, who was the head of the Investigative Detail at
26 that time. And I reached my conclusion, although I was not a
27 deputy district attorney at the time, but I asked the DA's
28 Office to continue, and Mr. Burnett, the special

1 investigator continued, and Mr. Van deKamp has continued this
2 investigation of the FBI files. They are available, and to
3 my knowledge the DA's Office has pursued this, but there is
4 no evidence of more than eight bullets being fired.

5 In my report I go into other controversies
6 such as the AP photograph, the discussion concerning more
7 than eight bullets, door frames, door jambs. These issues
8 are very understandable, and I certainly could write a very
9 definitive brief personally giving a good argument why there
10 are more than eight bullets myself. I would admit that,
11 there are a lot of mistakes and a lot of still unanswered
12 questions.

13 But the point I wish to make, although I
14 do not oppose to continuing an investigation, that all the
15 facts, all the scientific evidence, particularly that
16 ballistics hearing has to be viewed in the totality to show
17 if there were more than eight bullets, then why there wasn't
18 any ballistics evidence of more than one gun firing these
19 eight bullets and the argument I go into about the position
20 of the eyewitnesses and the victims. And I would submit that
21 the FBI reports are available, Mr. Van de Kamp has them, and
22 the Board may certainly continue its investigation.

23 I could go on and on. I realize other
24 persons would like to speak.

25 Thank you.

26 MR. EDELMAN: All right. Mr. Lowenstein --

27 MR. LOWENSTEIN: I sit here thinking while
28 listening to all of this and find it difficult to do what I am

1 going to do, because to take the Kranz Report, which I find
2 to be such a misstatement and to say that ballistics hearings
3 scientifically linked up all the bullets to only one weapon
4 is a fanciful invention which is supported nowhere.

5 I have checked as closely as anyone can
6 and I find that among the bullet comparisons of the victim
7 bullets made by the experts, they made eight identifications,
8 five questionable identifications, and 45 inconclusives.

9 If anyone can take those statistics and arrive at the
10 discovery that all bullets were linked to any one weapon it
11 would be an amazing fete that needs to be explained more
12 precisely. But the rest of that particular sentence, I
13 suppose, is equally accurate, so it's a little bit like
14 Woodrow Wilson, who, on his deathbed announced that as surely
15 as God rules the universe, our principles will prevail.

16 Well, now, if you believe that God rules
17 the universe, that's encouraging. If you don't, the second
18 clause isn't too happy, either.

19 Now, if you take the second clause of
20 this, thus underscoring "eyewitness and other evidence,"
21 let's look at the eyewitness and other evidence. It's all
22 there. And I'm going to take just a moment to do what I
23 would have thought would have been the sensible beginning
24 position of anyone interested in finding out what happened
25 in the assassination of Robert Kennedy.

26 What was the eyewitness evidence? There
27 is no mystery about that; the eyewitness evidence at
28 the trial -- it is quite true the trial didn't focus on that

1 question, neither did it focus on the question of what
2 direction Senator Kennedy was facing. It focused on the
3 mental state of Sirhan. That's what the trial was about.
4 In fact, before the trial began there is a stipulation
5 offered by the defense, as everybody remembers, that Sirhan
6 had committed the murder.

7 We are talking now about witnesses
8 saying things that at the time of the Grand Jury about the
9 distance of a gun from Senator Kennedy's head. There is no
10 confusion about that.

11 I went to Germany at one point to see a
12 man called Karl Yucker (phonetic), because he was standing
13 between Kennedy and Sirhan. And Joe Busch told me that Karl
14 Yucker had said that the gun was at Senator Kennedy's head;
15 he said it on national television. So I went and asked Karl
16 Yucker, because the Grand Jury transcript didn't say that,
17 I thought Yucker maybe was confused.

18 Yucker said to me, "I'll tell you where
19 the gun was. As I said to the Grand Jury, I can't tell you
20 the exact measurements, I didn't have a tape measure. The
21 gun was in front of my nose, and my arm was outstretched, and
22 I was pulling Senator Kennedy whose arm was outstretched."
23 If you want to know how far the gun was from Senator
24 Kennedy's head, extend two arms, stick a gun in front of
25 somebody's nose and you'll find out.

26 But Karl Yucker said, "Why don't we stop
27 misquoting people in reports designed to confuse people about
28 what the witnesses say."

1 I went from Karl Yaker to Burns, Frank
2 Burns, a lawyer from Los Angeles. He's available; I asked
3 him. He was the next person standing closest in. His
4 statement was clear and unequivocal -- got it -- the distance
5 was no less than one and a half feet, no less than one and a
6 half feet.

7 The third person closest in was a man
8 named Lubek. Lubek went down and got Senator Kennedy's blood
9 on his pants. He was that close.

10 Lubek's statement is unequivocal: "The
11 muzzle of Sirhan's gun was two to three feet away from
12 Senator Kennedy's head." It is nonsense to say that he fired
13 bullets into Senator Kennedy from a distance of one to two
14 inches since his gun was never anywhere that near Kennedy.

15 How about clearing this up once and for
16 all and stop playing games. Nobody who was close to the
17 scene of the shooting in a position to see it can put that gun
18 at Senator Kennedy's head in point-blank range. Nobody can.
19 And to have a sentence which says, "A subsequent ballistics
20 hearing scientifically linked up all bullets to one weapon,"
21 thus underscoring "eyewitness and other evidence" is to state
22 the exact reverse in both clauses.

23 I've got a list of other witnesses here:
24 Edward Minasian, the gun, three feet; Vincent DiPierro,
25 one and a half to six feet; Juan Romero, three feet; Martin
26 Petrusky, three feet; Valerie Shulte -- it goes on. There's
27 no mystery. They said it then; I tracked a lot of them down,
28 others did the same thing. We asked them: Were they wrong?

1 Were they confused? None of them changed their position on
2 where the gun was. Now we're told years later there was a
3 lunge. What lunge? Find me a "lunge" in the testimony at
4 the time.

5 Mr. Kranz sits here today and consistent
6 with what he's been doing before he says, "All the witnesses
7 saw Sirhan rushing toward the Senator." That was a phrase
8 used today. There was no witness that saw Sirhan rushing
9 toward the Senator; it doesn't exist. They were capable of
10 saying, "I saw Sirhan rushing toward the Senator," if they
11 saw it. They didn't say it then; they don't say it now.

12 Now, every lawyer knows that eyewitnesses
13 get confused. I wouldn't rely on eyewitnesses to be
14 accurate, because we almost have a sense that if they are
15 accurate they must be confused, because so much goes on, how
16 can they be accurate. Everybody understands that, so you
17 don't rely on eyewitnesses, but you don't misstate what they
18 say. You don't say all the witnesses say "X" when all the
19 witnesses say the reverse of "X."

20 Now we get to the question of the panel,
21 the experts, what do the experts say? Mr. Joling has done a
22 very excellent job of summarizing what they said, but let's
23 understand it very clearly. They said they found no
24 evidence to support the presence of a second gun, and they
25 say they found no evidence to preclude the presence of a
26 second gun. That is what they said.

27 I would have thought that Mr. Kranz
28 would have been interested enough in what they said to have

1 asked for the transcript of the interrogation of those
2 experts, because we have borne the expenses of this on our
3 own, and we don't have money. We didn't get \$25,000 to put
4 together this report. We paid our own expenses and lost
5 money in the process and could not buy a transcript which we
6 wanted.

7 But you can get a transcript and you can
8 read what the experts said when they are asked about further
9 tests. If there is any mystery about that, I have the quotes
10 here of what they said about further tests. Garland -- you
11 want the quotes on those of what they said about the
12 question of whether they could or could not preclude a
13 second gun?

14 Lowell Bradford is quoted back and
15 forth. Lowell Bradford said under oath on the witness stand
16 that the matter of a second gun was more open after the test
17 than it was before in the transcript.

18 I am not a man who understands firearms.
19 When I got through listening to experts I understood less
20 than I did before. I expect that was true of most people
21 who tried to follow what was going on. I don't want to get
22 into an argument about firearms here, but I do understand
23 that when you say that the experts concluded that all the
24 bullets could be linked to one gun, you are inventing
25 something that the experts in fact did not say. That is a
26 fact. And if we want to find out what they did say, let's
27 get the transcript. It's available if someone wants to pay
28 for it; it's a small expense for people who can afford it.

1 I think what's most remarkable about the
2 whole firearms episode is that somehow or other we have been
3 managed to be told is that the investigation was an
4 endorsement of what the police investigation had found out.
5 In fact, the central finding was, the only, one of the very
6 few that they could agree about, was that they could not match
7 the bullets to Sirhan's gun, whereas Mr. Wolfer had testified
8 under oath that the bullets he had tested could be matched
9 to only Sirhan's gun. That is not a vindication of his
10 findings; it does raise interesting questions about how he
11 managed to say that under oath, which questions might be
12 worth looking into.

13 But if anyone is under any illusion that
14 what the experts did was to preclude a second gun, they
15 haven't read what the experts said. Mr. Berg may think they
16 were precluded, Mr. Berg may say in a letter to you that
17 that's the case. I respect Mr. Berg, but to say that's what
18 the experts said when Mr. Berg says it is not what the
19 experts said-- in fact, I have quotes from Mr. Berg here that
20 I would be glad to submit which suggest that Mr. Berg on some
21 of these questions like Mr. Bradford has differing views from
22 other experts.

23 I think it is important to understand
24 that the tenor of this investigation, this report on an
25 investigation, is filled with omissions of the questions
26 that ought to have been looked into. It assumes conclusions
27 that are not in evidence, that are not available to be
28 supported, but it doesn't go into questions which need to be

1 gone into.

2 Some years ago I submitted a list of
3 questions to the District Attorney's Office. I have still got
4 them, most of them were never answered. None of them were
5 ever answered except through independent activities of
6 somebody else. The firearms panel answered some of them in
7 the course of its work. Most of them still stand unanswered.

8 I prepared an additional list of
9 questions now on the basis of what we have learned in the
10 past two or three years. That additional list is available;
11 I'll submit it to anyone that wants it again. Someone that
12 might want to make an investigation might want to take the
13 questions which are at the root of the doubts that people
14 have and deal with them. We're not going to let this case
15 rest unless we deal with them.

16 Mr. Kranz reports a conversation I had
17 with him with accuracy that is of the kind that makes one
18 wish that one, in fact makes one feel that one would not
19 engage in conversations with Mr. Kranz again without
20 eyewitnesses present. It is very difficult to recognize that
21 conversation. I don't intend to argue about it. I will
22 simply state that anyone that describes me as a two-gun
23 theory advocate has never read anything I have said about
24 this case, which has been extensive. They have never talked
25 to me about it, nor if he did, listen.

26 I don't know if there was one gun or
27 two guns. From the first time that Paul Schrade and I called
28 a press conference to discuss it, which was after a long time

1 of trying to do things privately without going public, we
2 said we don't know how many guns were fired. We said we
3 thought the central question centered around the issue of how
4 many bullets were fired.

5 We hoped that the ballistics tests, the
6 firearms tests, would be conclusive. When they weren't
7 conclusive we said in the courtroom, "We don't know now what
8 happened, because we haven't been able to arrive at that
9 conclusion." But can we now continue to look in the courtroom,
10 which is the right place to look. That's what everyone kept
11 saying, "Get it out of politics, get it out of the media, get
12 it in the courtroom."

13 Through this man's decency and courage
14 and sacrifice of his own convenience we get into a courtroom.
15 Through Judge Wenke's fairness it's in a courtroom.

16 Along come two police officers, not
17 assassination buffs or conspiracy theorists or two-gun
18 advocates, but two members of the Los Angeles Police
19 Department. There is a picture of them pointing to a door,
20 and the caption says that they are pointing to a bullet. And
21 I asked Joe Busch about that, and Joe Busch said, "Oh, the
22 caption is wrong." And I believed him, because if the bullet
23 is in the door, then there is too many bullets. And I
24 accepted what he said and didn't do anything more about it.

25 Some years later we find out that the
26 names of those two sergeants, and they sign affidavits; one
27 of them does, the other doesn't sign it but says what he felt.
28 And Bugliosi executes an affidavit in which they say "yes,"

1 they thought there was a bullet in the door. And "no," there
2 wasn't a misquotation by the AP on their wire photo.

3 Does that excite the interest of people
4 who were investigating the case that want to find out about
5 it? Well, we said in court, "Let's subpoena these two
6 officers, put them under oath and ask them what did they see.
7 Let's find out who removed the door frames." Because after
8 three years of asking where are the door frames, where are
9 the ceiling tiles, we find out they were destroyed. Why were
10 they destroyed? "Oh, they couldn't sit in the cabinet they
11 were kept in."

12 "Where were they kept the year before
13 they were destroyed?"

14 If they were destroyed in 1969, how is
15 there a police report in 1971 saying a restudy of the door
16 frames and the ceiling tile show that there is no reason
17 to think that there is an extra gun. How did they restudy
18 door frames and ceiling tiles in 1971 if they were destroyed
19 in 1969? These are questions which someone might want to
20 look into. I don't know the answers, maybe there are
21 answers. But I do know that when we tried to get Bugliosi
22 and Rossi and Wright subpoenaed and put under oath, ask them
23 what they saw, it was the District Attorney's Office that
24 objected. It was the Attorney-General's Office that objected.

25 Judge Wenke quite properly said the
26 hearing we were having was supposed to be by unanimous
27 consent, we were supposed to agree on a procedure. If there
28 were objections, how could he give a court order for that,

1 because that was beyond what he said we would do, which was
2 to go on agreement.

3 And two days, three days after the
4 State Attorney-General's Office objected to going into the
5 pantry at the Ambassador Hotel as we have requested, and some
6 of the experts said would be useful to try to find out what
7 you could learn by going there with the kind of trigonometric
8 design that Doctor Joling spoke about. The Attorney-General's
9 Office said that that would be an unwarranted invasion of
10 privacy, outrageous suggestion to go down there. The
11 District Attorney's Office went down there, the policemen,
12 press corps with a search warrant, conducted an extensive
13 search of the pantry to find bullets and bullet holes in 1975
14 after all this stuff was taken out and booked into evidence
15 in 1968. And they announced that it was a great coup that
16 they hadn't found any more bullets and bullet holes in 1975.

17 So the great pantry raid was designed to
18 make people feel that if you blocked people from testifying
19 under oath in court, go down and do some sort of search
20 where everything was taken out seven years before and maybe
21 people will be confused about what you've done.

22 Well, in the meantime comes out the
23 FBI stuff. You have heard it. Why does Mr. Kranz add the
24 word "reported" when he quotes the FBI? Is that right? The
25 FBI report says "two bullet holes," and then it says "two
26 bullet holes" again. And when he quotes them, he says,
27 "Four reported bullet holes." Where did the word "reported"
28 come from? He wishes it said "reported," but it doesn't. It

1 says "bullet holes."

2 You have a right to question whether the
3 FBI was right or wrong when they said "bullet holes." But
4 you can't question that they said "bullet holes," because
5 that's what they said.

6 Now we have an affidavit from Bailey, who
7 is an FBI agent on the scene who reaffirms what the FBI
8 photographer said. And the answer to those kinds of things
9 is not to say, "Oh, I talked to the Bureau chief of the
10 photography studio, of the AP, and he says that maybe this or
11 that happened."

12 We're not talking about third-hand
13 people about who said what to whom; we're talking about
14 "what did witnesses say about bullets and bullet holes."
15 Because what they said is on the record now, and an
16 investigation trying to figure out whether there was one gun
17 or two guns cannot ignore the question of how many bullets
18 there were. All eight experts agree that if there were more
19 than eight bullets, there was more than one gun, and none of
20 them would say that the evidence precluded that possibility.
21 So what you look at is how many bullets were there. If there
22 were nine bullets or 10 bullets, if the AP, if the
23 photograph with the two policemen's statement, FBI statement,
24 the agent's statement, the photographer's statement, if
25 those statements are correct -- you don't have to worry about
26 what the firearm's expert said about whether groves (sic)
27 exist, don't exist on this or that, or grooves, or whatever.
28 Because you've got your answer.

1 If we had the time I would love to take
2 more of the specifics in the Kranz Report and go through them
3 item by item. But what I want to simply say is to go back to
4 what we read at the beginning, a statement, a subsequent
5 ballistics hearing linked up all bullets on only one weapon,
6 thus underscoring "all witnesses and other evidence." The
7 eyewitness evidence is one way. It could be wrong, but it's
8 one way. Sirhan was not in the position to put those bullets
9 in Senator Kennedy's head if the autopsy is right, or in his
10 back.

11 And the "other evidence" has to do with the
12 number of bullets. And the issue of the number of bullets,
13 there is now a rebuttable presumption that there was more
14 than eight bullets. It's not conclusive. There are aspects
15 of the nine bullets, 10 bullets, 11 bullets that still
16 trouble me very much.

17 I think in my heart I deeply want to
18 believe there was one gun. It makes things so much simpler,
19 but I cannot believe that I cannot see answers to have been
20 answered.

21 I do not know why the police commission
22 for all this time just by public announcement is going to
23 respond to these questions and answer to a committee being
24 set up to do that, why they never answered the questions.
25 I don't know that.

26 I respect the police commission. Several
27 of them are very old and good friends of mine. I don't
28 understand why we can't get answers to these questions that

1 are reasonable, finite, specific focus questions. I don't
2 understand it.

3 I don't understand why the City Council
4 filled with people whom I admire -- some of them I campaigned
5 for, almost all of them I voted for at one time or another --
6 but why was it that what they did was to create a committee to
7 investigate this, have one newly-elected chairman, and that
8 was all. I don't think the committee created to elect a
9 chairman and then not do more.

10 So what I hope this hearing focuses on
11 once and for all is what the issues are in this case. And
12 those issues are complex, and they have to do with whether
13 there were too many bullets for one gun to fire, and whether
14 there is some valid explanation for the possible confusion
15 of eyewitnesses who say one thing, but may be wrong. But you
16 don't get away with simply saying they didn't say it.

17 So what I would like to do is to submit
18 to the Board at its convenience a list of new questions, some
19 of them left over from the unanswered old questions, some of
20 them updated taking into account all these discoveries that
21 have come about through the work of Lillian Castellano and
22 John Christian and Shirak (phonetic) and so many other people
23 who do the work. I haven't done enough of this to be even
24 here. I feel embarrassed that I should be talking about the
25 things that other people have done the work on. My function
26 is to simply tell you that I don't believe that this case
27 ought to be left in limbo, and I don't believe that we should
28 lead people believing that there is an intentional

1 unwillingness to deal with genuine questions by setting up
2 diversions of raiding pantries. I believe that the time has
3 come when at some point and some manner these issues should be
4 confronted and, God willing, answered, because neither Paul
5 nor I nor anyone that I know of that's worked on this case --

6 There is a person here, Greg Stone, he
7 spent a year of his life without any remuneration studying
8 the questions of trajectories and ceiling tiles and working
9 over documents. This man knows more than all of us put
10 together, it's been his life with no remuneration, no
11 advantage to himself. Anyone who wants to find out about
12 this case, talk to him, find out what he knows because he's
13 worked at it without bias. People like that exist that want
14 to know how they can help. Use that help, and for goodness
15 sake, give the people of the United States, this remarkable
16 city, which I think is the most hopeful place in the world to
17 live, the sense that when there is a complication of this
18 kind, that it isn't brushed under the rug, that we're not part
19 of the syndrome that Americans have come to mistrust of seeing
20 questions remain unanswered and distractions set up to make
21 people feel that questions have been answered that haven't
22 been.

23 I took longer than I said I would, and I
24 apologize.

25 MR. KRANZ: Mr. Chairman, I would like to briefly
26 respond. I'll try to just highlight a few, although I
27 certainly would be free to answer questions on any of the
28 points that Mr. Lowenstein has raised.

1 I would like to try to explain again the
2 controversy that has arisen throughout the last several
3 years about this issue of muzzle distance and position and
4 the autopsy of Doctor Noguchi.

5 Now, in my report, I believe in several
6 instances I specifically state that there is nothing to
7 dispute the fact that Doctor Noguchi submitted a very
8 accurate report. This was the issue of the muzzle distance
9 being approximately one or two inches away. And I have never
10 stated to my knowledge that there was ever any indication,
11 evidence, a trial or the Grand Jury until I found this one
12 witness' statement last night, and she was not called to
13 testify, of any point-blank firing into Senator Kennedy.

14 The issue has always been where was the
15 Senator standing and where was the assailant Sirhan standing,
16 and what accounted for the fact that the autopsy report
17 shows bullets entering the back of the Senator's head going
18 through the back of the shoulder pad, passing through his
19 body, and the other victims that were in back of the
20 Senator being injured. And the eyewitness testimony, and
21 again I submit as Mr. Lowenstein has said, look at the
22 transcripts, because in my report I give the transcript
23 page number. And they are available at the District
24 Attorney's Office and they have always been available. To
25 read the transcripts of Mr. Yucker and Mr. Minissian and
26 Mr. DePierro and Miss Shulte and all the other eyewitnesses
27 that testified at the Grand Jury in a trial, and they state,
28 perhaps not in unison, perhaps not all in a sense of a

1 together statement, but they show that the Senator was in
2 the process of shaking hands with two busboys, Juan Romero
3 and Mr. Perez. At the time he had turned his head slightly
4 to his left, opening up the back part of his right head. The
5 assailant as testified by eyewitnesses approaches from an
6 easterly direction firing into the westerly direction as
7 testified by eyewitnesses. And this is consistent with the
8 autopsy report because the bullets enter into the back of the
9 head. The Senator's body is slightly turned. No one
10 witness ever specifically pinned down where the Senator was
11 exactly standing at the time the pandemonium broke loose,
12 but there has never been any contradictory evidence or
13 testimony of any nature to suggest that this assailant was
14 firing from any other direction, that anyone else was firing
15 guns at any other time. And when you take this eyewitness
16 testimony and you correlate it with -- and here again the
17 report that I submitted never stated because the seven
18 ballistics experts never stated that there is positively no
19 evidence of a second gun. We're playing with double negatives
20 now. They only concluded, that based on their examination
21 and what was available to them that they could not find any
22 evidence of a second gun, but they did not -- of course, they
23 didn't rule out a second gun, and I've never said that. I
24 just stated that based on the evidence of scientific
25 examination of the evidence of eyewitnesses and the fact
26 that five of the seven experts -- and this is important --
27 were able to link up three key bullets, and these key
28 bullets injured two victims and Senator Kennedy, the two

1 victims being behind the Senator, to having come from one
2 gun. And that was very important. And even though
3 Mr. Lowenstein is correct that there are perhaps 45
4 inconsistent -- inconclusive, not inconsistent --
5 inconclusive evaluations of bullets.

6 There were five positive match-ups, and
7 of those three of these bullets were bullets that hit the
8 Senator and two victims in the back of him, in which I argue
9 in my report that based on this match-up to one gun, the
10 position of these victims and the Senator and the fact that
11 eyewitnesses show Mr. Sirhan rushing in -- and I strike the
12 word "rushing" because it is not in the testimony.
13 Mr. Lowenstein is correct, but I am at least paraphrasing
14 witnesses that state they saw him coming in that direction.

15 And go back and read these statements
16 because they are in my report and they are in the trial
17 transcripts, especially Yuker who sees and states of the arm
18 going right between him and shooting at Mr. Kennedy.

19 They establish that if there had been a
20 second gunman, where was he firing from because it would have
21 meant a total turning around to hit the other two victims in
22 back of Senator Kennedy, because these three bullets match
23 up with coming from one gun.

24 Again, no positive evidence that it's a
25 Sirhan weapon, but most importantly no positive evidence that
26 it was ever from anything of a second gun, and that is very
27 concrete evidence that the ballistics examiners went into.

28 My conversation with Mr. Lowenstein,

1 I stand corrected if I mistakenly said he was a two-gun
2 advocate. But I distinctly remember we met for lunch at the
3 Holiday Inn, Beverly Hills, The Gaucho Room, about three or
4 four days after the unanimous verdict of the ballistics
5 examiners. We went into several matters which I go into on
6 Page 69 of my report. And at that time I remember distinctly
7 the contents of our conversation. I stand corrected for
8 alleging that he's a two-gun advocate, but I think that
9 Mr. Lowenstein has been truly one of the most eloquent
10 pursuers of this whole problem and has really raised points.
11 But I would ask that those who are still not satisfied look
12 at this in the total perspective.

13 Let me just briefly, two other points,
14 if I may, because I know other people want to speak.

15 The whole issue of the bullets, the
16 depositions that we took in the District Attorney's Office
17 of the AP photographer, AP editor, Mr. Strobel, the
18 carpenters that removed the wood paneling, Poor and
19 Harrington, the deposition of Angelo DiPierro who reported
20 seeing a bullet hole, all of these are available in the
21 District Attorney's Office.

22 The notes that I took, or rather,
23 Investigator Bill Burnett took of the two police officers --
24 we were not permitted to take a deposition because the
25 City Attorney's Office, at that time Deputy City Attorney
26 Nagan would not permit us to take the deposition, after the
27 attorneys for Mr. Schrade had the statements from the police
28 officers, Rossi and Wright.

1 I do have the notes of that meeting in
2 which they state they only thought they saw a bullet hole in
3 the panel. These notes are available in the DA's Office if
4 anyone wishes to pursue them, as are my notes with the
5 conversation with the photographer while he fondly took one
6 of the disputed pictures.

7 I had been separated as special counsel
8 on the 12th of December. The examination of the pantry was
9 the 16th and 18th of December, and I personally was opposed
10 to that. I didn't feel a so-called media event would be in
11 the best concept of keeping this truly in a dignified manner.
12 But it was carried out after I was no longer special counsel.

13 And, finally, as I have stated
14 previously, the FBI Freedom of Information reports that were
15 released in June of last year, I was no longer on as special
16 counsel.

17 These materials are available in the
18 District Attorney's Office, and they have given me the
19 assurance which I relay to the Board respectfully that all of
20 these files are available and Mr. Van de Kamp certainly has
21 the information should anyone wish to pursue this matter.

22 I just wish to close and to emphasize
23 that there may be issues that are still unresolved, but I
24 would hopefully request that people keep the perspective as
25 I try to go into in my report and to analyze this from the
26 total perspective. And that is what I meant about the
27 ballistics examination together with the eyewitness testimony
28 and other evidence brought in at trial.

1 Thank you.

2 MR. EDELMAN: Thank you, Mr. Kranz.

3 Mr. Schrade, do you want to add something?

4 MR. SCHRADE: Just briefly.

5 I have to say that I was severely
6 disappointed in the Kranz Report. It went into areas that he
7 was not competent in, that were not requested by the County
8 Board of Supervisors, and it was a very shallow -- and report
9 that we can't rely on.

10 I know Tom would be the first one to
11 admit here that he's inexperienced in criminal matters and
12 never has really dealt with them as an attorney. And it
13 probably should have been someone else experienced in these
14 matters to handle this kind of an assignment as serious and
15 as difficult as it is.

16 I think the bottom line on this is that
17 there is evidence available to us that still raises very
18 serious questions as to whether there were two guns or not in
19 that room. I am like Al, I don't know, and I still don't
20 know after reading the Kranz Report.

21 I do know from information, affidavits
22 have been presented here along with the photographs, that
23 there is evidence that the possibility of other bullets being
24 fired that night and going into two different door frames.
25 And for us to say that's the end of the investigation at this
26 point because of what Kranz has produced here, I would think
27 would be a very serious mistake and we would not regain public
28 trust. And I think that's the important thing. Let's find

1 out the truth and let's regain that trust.

2 MR. EDELMAN: Could we do this --

3 MR. KRANZ: May I just respond, please?

4 MR. EDELMAN: All right. Except, gentlemen,
5 we're going to have to end this part of the hearing in a few
6 moments, because let me say we have an executive session that
7 we must go into on matters relating to collective bargaining
8 in the County.

9 MR. KRANZ: This will be one minute to respond.

10 MR. EDELMAN: Okay. Just one minute, and then
11 we will reschedule another hearing so that we can hear the
12 other people who wanted to be heard on this matter. And I
13 made that clear to Mr. Ward and he agreed that this would be
14 the proper course to hear the people who came long distances
15 to make --

16 MR. HAHN: Last time I mentioned the fact that
17 I think history would, historians would ask the question
18 that did Mr. Kranz talk to Mr. Sirhan Sirhan, and I raised
19 the question I thought that that could help us in this
20 investigation.

21 - Mr. Godfrey Isaac, his attorney, is here
22 and said that he has a response from Mr. Sirhan, and I
23 thought before we go he could give that briefly, and I
24 request that.

25 MR. EDELMAN: All right. Fine.

26 MR. KRANZ: Excuse me. May I just respond
27 briefly to Mr. Schrade?

28 MR. EDELMAN: Yes.