

Kennedy film suppressed

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Have you seen *The Second Gun*? If not, you aren't alone — the film, a documentary re-examination of the assassination of Robert F. Kennedy and the resultant trial of Sirhan Sirhan, has yet to be released in California. The reason, according to its producer Theodore Charach, is that Warner Brothers, which owns distribution rights to *The Second Gun*, is suppressing the film in response to pressure from state and federal officials.

The Second Gun asserts — on the basis of interviews with independent ballistics expert William Harper, L.A. County coroner Thomas Noguchi and principal witnesses in the case — that Sirhan's gun did not fire the fatal bullets which killed Senator Kennedy at the Ambassador Hotel on June 5, 1968.

Charach, an investigative reporter, has spent five years researching and making the film (with director Gerard Alcon), which he describes as a "whodunit based on documentary research."

Briefly, the filmed testimony of Harper and Noguchi (which was not given at the Sirhan trial) contends that: 1) bullets removed from Sirhan's gun differ in several particulars from those extracted from Senator Kennedy's neck; 2) bullets removed from the body of William Weisal, who was wounded by Sirhan, are of a different manufacture from those extracted from Senator Kennedy; 3) the gun exhibited in court as Sirhan's gun and as having fired the test bullets (which were compared with those taken from Senator Kennedy's body) had a different serial number from Sirhan's gun; 4) examination of gun powder residue found on Senator Kennedy's neck indicates that the wounds were inflicted by a gun closer to the Senator than Sirhan's gun; and 5) Senator Kennedy's wounds were inflicted from behind, while police maps place Sirhan

in front of the Senator.

The film concludes that "a fraud was perpetrated on the country and the world." While attempting to discredit the official investigation of the RFK assassination, the film offers no theory to replace it, except to argue that a right-wing security guard situated close to and behind Senator Kennedy was in possession of a gun of the same caliber and type as Sirhan's gun.

The Second Gun implicates Attorney General Evelle Younger, District Attorney Joseph P. Busch, L.A. Police Chief Edward M. Davis, former Mayor Yorty, LAPD ballistics expert DeWayne Wolfer and Younger's law enforcement aide Robert A. Houghton (who conducted the official investigation of the RFK assassination) in the willful suppression of evidence that would have pointed to a second gunman.

The "revelations," according to Charach, are the reason the film has not been released: "The attorney general's office does not want the citizens of California to see this film while he is running for office. This film, if it is released nationally, will have an effect comparable to an

atomic bomb going off. It will lead to an investigation comparable to Watergate and to mass resignations and indictments of public officials. This film is a lesson in democracy."

Charach said that National General, distribution arm of Warner Brothers, was committed to release the film in January of 1974; instead, there have been rumors that the prints were lost and/or stolen; that Warner Brothers, which promised Charach "full treatment," has yet to look at the film which is locked in its vault; that pressure from Younger's office and possibly from the Federal Department of Internal Revenue has pressured Warner Brothers into killing the promised release.

The producer also hinted at underworld threats that "this film will never see the light of day unless you play ball with us."

Leo Greenfield, Warner Brothers vice-president in charge of distribution, was emphatic in terming Charach's charges "entirely spurious and unwarranted." He admits that it is presently "a moot point" whether Warners will distribute the film, but insists that any delay in dealing with the film is entirely owing to the transfer of rights from National General to

Warner Brothers, which recently bought the former company and has not yet incorporated its films into Warners' release schedule.

Further, while Charach states that Warners bought the film to prevent it from ever being distributed, Greenfield said, "We have advised Mr. Charach's attorney that we are willing to release distribution rights if he has another distributor willing to handle the film."

Another charge made by Charach is that the delay in the release of his film will unfairly benefit an upcoming film by producer-actor Warren Beatty, *The Parallax View*, which also deals with an investigation of a political assassination.

According to Charach, he asked Beatty to see *The Second Gun* in the hope of getting the actor's help in distributing the film. Charach contends that Beatty then rewrote his own script, incorporating information from the Charach film, and that Beatty's film will now be in release before *The Second Gun*.

Beatty, who was active in Robert Kennedy's presidential campaign, calls this "an amazing allegation." Beatty says that *The Parallax View* was planned "months in advance"; that he didn't even meet Charach until six weeks before starting his

own picture; and that the two films have "nothing in common."

Of *The Second Gun*, Beatty says further, "I didn't feel the film was suitable for distribution. I felt it was unclear in the extreme and unfair in jumping to conclusions about a lot of people in political positions," adding that he thinks it "completely unlikely" that the Charach film is being suppressed. "In fact," the actor says, "unlikely is not strong enough a word."

In addition to the above complaints, Charach has also formally charged Robert Blair Kaiser (an investigator for the Sirhan defense, author of *RFK Must Die*) and the publisher and editors of *Show* magazine in a libel suit resulting from *Show's* publication of Kaiser's article

"*The Second Gun* is Second Rate."

The article asserted, according to Charach's complaint, that Charach and director Gerard Alcan had attempted to perpetrate a fraud on the public, were unqualified in and unworthy of their professions, and were lacking in integrity and motivated solely by opportunism.

Charach's lawsuit claims that "Kaiser was unsuccessful in his efforts to prove that Sirhan had acted in concert with others and to obtain a re-opening of the case. As a result, Kaiser has become vengeful toward anyone . . . whom he fears may succeed in those purposes, and has, since 1971, pursued a vendetta in the media against Charach, and now Alcan." The plaintiffs are asking for almost \$4 million in damages. □