

WHO REALLY KILLED RFK ?

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# New evidence that Sirhan missed Bobby

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Thursday, June 4, Attorney Godfrey Isaac filed a complaint against the Los Angeles Police Department and the District Attorney's office on behalf of his client, Theodore Charach.

The complaint, for disclosure of information under the Brown Act (Gov. Code 54950), charges defendants Edward M. Davis (then Deputy Chief of Police), District Attorney Evelle J. Younger, and Robert A. Houghton (then Chief of Detectives) with "deliberately and knowingly" suppressing "fact and evidence" relating to the assassination of Senator Robert F. Kennedy, June 5, 1968.

At a news conference held last Thursday morning, Isaac and Charach referred to the above mentioned facts and evidence which their complaint alleges to have been suppressed, as follows:

A. An employee of KNXT, Donald Schulman, positioned behind Kennedy, saw a security guard, also behind Kennedy, fire his handgun and saw Kennedy hit by three bullets. Schulman was never called by Defendant Younger to testify.

B. The Ambassador Hotel maitre d', Karl Ueker, grabbed Sirhan after the second shot fired by Sirhan, subdued him with help from Rafer Johnson and Roosevelt Grier, then saw a security guard holding a gun in his hand. This evidence was not presented to the Grand Jury or at Sirhan's trial.

C. Contrary to Defendant Houghton's declaration in his book, *Special Unit Senator*, that no right-wingers could have been present at the scene, a supporter of George Wallace who has expressed (on tape) his disdain for the Kennedys, and especially Robert because of his identification with Blacks, was present in the person of Thane Eugene Cesar. Cesar was a part-time security guard, hired through a guard service by the Ambassador Hotel.

D. Cesar was walking with Kennedy and Ueker through the kitchen when Sirhan started shooting, at which time Cesar admits drawing his gun and being in a position behind and below and in close proximity to the senator.

E. The autopsy of Senator Kennedy, performed by coroner Thomas Noguchi, revealed that Kennedy died from a gunshot wound received from the rear, behind the right ear, with an upward trajectory.

Further, the autopsy shows that Kennedy sustained two contact gunshot wounds under his right armpit. None of the three shots was fired from a distance greater than six inches, and the fatal wound was inflicted from only one to three inches behind Senator Kennedy's head. Defendant Younger's deputies asked only general questions of Noguchi at Sirhan's trial, thus the specific number and direction of the wounds was never established for the jury and the people. Sirhan, incidentally, was said by witnesses to be standing four to six feet in front of the senator.

This Monday morning, June 8, Charach and Isaac announced on Channel 9 that they were withdrawing the complaint so that the media and the defendants would have an opportunity to assess all of Charach's findings, which, he says, he will release to them with the proviso that it be reviewed fairly and impartially.

Godfrey Isaac, you will remember, successfully defended Noguchi against the witchhunt last year in which the county tried to remove Noguchi from office with a barrage of incredible charges. Isaac said he became interested in this case when the county decided to drop all charges against Noguchi after he, Isaac, indicated he would introduce evidence relating to the Kennedy autopsy (Deputy County Council Martin Weeks at that time stated that the introduction of such evidence would cause "international repercussions").

Thus, Isaac was naturally receptive to the findings of Theodore Charach, a former TV newscaster, who was covering the Ken-

neddy campaign for Continental News Service; he was in the kitchen, and is an official witness in the case. Charach has been for two years privately investigating inconsistencies he discovered by virtue of his being on the scene and in interviews with other wit-

nesses and individuals connected with the case which he has taped and is releasing in full. He also will release additional evidence including that of yet a third gun firing in that kitchen and photographs damaging to the official version of the assassination.

At Thursday's conference he mentioned other photos he alleges were taken of the shooting itself by a student who was chased by a security guard then surrounded in front of the hotel by six policemen with drawn guns. His camera and its contents were confiscated. The camera was returned, but all the film was not, according to Mr. Charach. Needless to say, those pictures were never published.

Neither has there been much publishing about Thursday's news conference and its import in local newspapers and other media. Only non-network TV stations, notably Channel 9, carried the story Thursday. The networks waited until Friday, for whatever reasons, and the papers were conspicuous for their loud silence. One reporter, visibly stunned by the contents of the news conference, had her story withheld by her paper.

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The defendants, however, have privately been more vocal in their editorializing to the plaintiff and his attorney. It might be interesting to learn the nature and extent of any communications on this matter between the defendants and the media, or whomever else it may concern.

Robert Kennedy's murder investigation was the longest and costliest criminal proceeding in Los Angeles history, but 4,818 interviews and over \$1 million in taxpayers' money evidently failed to come close to the truth. Therefore, in addition to the release of the whole truth about the RFK assassination, another object of the action filed by Charach is to create a permanent Federal Board of Inquiry, exclusive of existing agencies, for the full and impartial examination of all murders involving national political figures. Such a board, if it could be created, would hopefully be constructed along the lines of the President's Commission on Crime and Violence (whose recommendations were not followed), as opposed to the Warren Commission (whose findings were). In the interest of law and order it might be useful to have some formal means of implementing justice in previous political assassinations (the official "investigation" of none of which stands up to scrutiny). This might even serve to prevent future killings if the killers knew that their chances of getting away with it would be less.

## STATEMENT TO THE PRESS

(The following statements were made by Theodore Charach, a free-lance journalist, at a press conference last Thursday. Charach has spent the past two years studying the assassination of Senator Robert Kennedy)

Sirhan Bishara Sirhan did not—I repeat—did not succeed in his attempt to murder Senator Kennedy within minutes of his California Democratic primary victory in the 1968 presidential campaign. Sirhan tried and failed. In our earliest opinion, Sirhan...because of the unique circumstances of the case, is unaware even now that he did not fire the weapon that killed Senator Kennedy.

At fifteen minutes past midnight, there were two political extremists inside that kitchen pantry of the Ambassador Hotel on the fifth of June, 1968. At the moment of firing, Sirhan was situated in front of both Senator Kennedy and

the former Ambassador Maitre d', Mr. Karl Uecker.

Behind Senator Kennedy, at extremely close range, on the presidential candidate's rightside, was Thane Eugene Cesar, a private security man, he was neither working full-time on the staff of the Ambassador nor employed directly by Senator Kennedy's staff. Cesar was part of a small external security force brought into the hotel from the outside. Mr. Cesar is a far right extremist, a George Wallaceite, who opposed both President John and Bobby Kennedy, the Kennedy family, the Democratic party and the political philosophical aims of presidential candidate Bobby Kennedy.

Our two year probe conclusively reveals that "Gene" Cesar—as he is commonly known—drew his own gun instantaneously with the gun of Sirhan popping in front of Karl Uecker; there was a significant pause after the second shot. Eyewitness Donald Schulman, formerly affiliated with KNXT news in Hollywood, California—the Columbia Broadcasting System—witnessed this double shooting. Former Deputy District Attorney, David Flynn, informed the jury in the Sirhan trial, that the first bullet probably killed Senator Kennedy. The first bullet, in our opinion probably grazed Senator Kennedy. The second bullet, after the short pause, between the first and second shot, our research, concludes, passed harmlessly through the right shoulder pad of Bobby Kennedy's suit striking Paul-Schrade, west coast director of the United Automobile workers, who fell to the floor with a head injury.

The next three bullets originated from the rear—from behind Senator Kennedy. The directions, according to our tapes and documentations last year with Dr. Thomas T. Noguchi, the Chief Los Angeles County Medical Examiner and Coroner, confirmed that the wound path of three bullets not only

emanated from back to front, but in a conspicuous upward direction.

Of immense significance to this historic case is the fact, revealed by Dr. Noguchi, that the fatal rear bullet— behind Senator Kennedy's right ear and mastoid (the head wound)—scattered bullet fragments and left deep gun powder burns. The fragmentations were lost within the presidential candidate's brain tissue. Eye-witness Donald Schulman at the time saw a security guard, at close proximity to Senator Kennedy, draw his gun, and fire his gun. He reported to us

at the time— my own independent news service, telecommunications, augmented by Continental News Recorders, directed by Jeff Brent—that Senator Kennedy had been hit three times.

Mr. Schulman was certainly one of history's most important eye-witness inside that kitchen pantry. Yet District Attorney Younger—in his final public report to the American people in this case, in May, 1969— does not even list Schulman as a prime witness among the 199 witnesses, (including myself) who were not called to testify.



Attorney Godfrey Isaacs (left) and his client, Theodore Charach, a free-lance journalist, at a press conference last Thursday, during which they announced that Sirhan B. Sirhan did not kill the late Sen. Robert Kennedy.

To this day, Mr. Schulman has never even had an in-depth interview by the LAPD in an extraordinary case involving the death of a United States Senator. District Attorney Younger, supported by Chief Houghton, informed us all the witnesses were identified inside the Ambassador kitchen. In interviews and re-interviews— almost 5,000 persons were interviewed. Why? Nor does the Los Angeles Police Department acknowledge the fact that my news colleague, Jeff Brent, taped voice actualities inside that kitchen pantry, over the actual sound and fury of the second Kennedy assassination.

It was these tapes which aroused my professional curiosity and journalistic interest and enabled me to reach the heart-breaking conclusions that we are revealing this morning. The Don Schulman interview was recorded on the spot inside the Ambassador Hotel, only ten minutes after the assassination.

It is our sincere belief, after 24 months of continual investigation and probing— with all the key witnesses— that the American people have been deceived, duped, and a fraud has been perpetrated

upon us by those law enforcement agencies charged with the responsibilities in this matter. Let us not forget that in 1968 we were robbed of a possible choice at the ballot box, an opportunity to vote for or against a potential presidential candidate. The Houghton Report is a conglomeration of official falsehood, distortions, half-truths, discrepancies and suppressed information. The Los Angeles Police Department has been derelict in its duties and performances in the service of the people. An anxious world depends on the integrity, honor and justice of this nation.

The findings and evidence, new discoveries in this sensitive case, demonstrate gross negligence, incompetence and suppression of vital evidence. In some cases, great psychological pressure and intimidation was utilized by members

sassination syndrome— and prevent re-occurring slaughter of our most sensitive, dedicated, moral, spiritual and political leaders.

I congratulate Dr. Noguchi who, in face of an unprecedented assault on his character, integrity and medical professionalism, granted our probe the complete disclosures of the Robert F. Kennedy autopsy during his ouster in 1969. I am deeply indebted to our attorney, Mr. Godfrey Isaac, in his untiring efforts in behalf of this entire probe, for his unselfish dedication throughout the Noguchi hearings, the repudiation of those false and wild charges, and Mr. Isaac's concerned efforts and loyalty to the cause of truth, with justice.

We are the witnesses, and we will not remain silent, less history judge us with the guilty. A disillusioned society requires that we do care— especially the youth, the blacks, the poor, the disenchanting who gave everything they possibly could give in Senator Kennedy's campaign for change and reconciliation and an end to this mindless menace of senseless killings. To the countless witnesses who gave us their valuable time, their testimony, their evidence— volunteering freely this information so that the entire truth is exposed in this national tragedy— I personally extend my gratitude and thanks. In this spirit we can still arouse the conscience of the American people— for change and for truth.

I especially hope the many witnesses who have been afraid to come forth...who have been intimidated, who have something more, and truthful, to add, to this overall case...to co-operate with us, wholeheartedly co-operate for truth and justice. I know, Mr. Isaac joins me in extending an open door in this continual search for all the facts. His Beverly Hills office invites your calls. The tapes you are hearing today, are brief extracts, copies from my original tapes and audio/visual documentation in the Robert Kennedy probe.

Mr. Karl Uecker has a brief statement before questions at this time, because this is a legal matter, a case for the court of law, so he will rest his testimony with our tapes, films, sound recordings and other relevant matter.

Let us join together in this spirit of concern and enlightenment and change— as Bobby Kennedy cried to every American, those who loved him and those who hated him— on the critical issues of our times. In view of the outrageous cover-up and falsehood in the Houghton Report and the Sirhan trial, we must now ask, as Bobby did, "Why did we permit it to happen? We must ask why, and you and I must ask our consciences..."

of special unit senators to compel witnesses "to change their personal accounts of the tragedy.

It is our opinion that Karl Uecker's heroic actions saved the life of Senator Robert Francis Kennedy before the intervention of the second weapon.

David Fitts, prosecuting the case in behalf of the people, told the Sirhan trial that Uecker probably reacted after the fourth shot. Mr. Uecker has never deviated from his testimony before the grand jury. He placed Sirhan in a firm headlock and definitely stopped Sirhan's gun from shooting in the direction of Senator Kennedy— positively and unequivocally, after the second shot— during that dramatic pause. There is a reliable witness to back Mr. Uecker in his testimony. From the morning of the assassination until now, I am grateful for Mr. Uecker's generous contribution in the interest of truth, justice and history— and furthering knowledge to the American people. It is my sincere hope that our probe will lead us all to re-examine this cancer of crisis which inflicts our political climate— the American political as-

**KEY**

- Senator Kennedy
- X Thane Cesar
- n Karl Uecker
- Don Schuilman
- ▨ Ted Charach
- ▨ Sirhan

  

- ..... Kennedy's movements from podium
- ..... Kennedy's intended path to stairway
- ..... Kennedy's originally scheduled path to stairway

