

2 Guns – 2 Tests – 2 Dates

Prior to my discovery in 1994 that in fact there were two separate test firings into the water recovery tank one day apart and using different guns - no one was aware of this extraordinary evidence. On June 5, 1968, the test gun Iver-Johnson .22 cal. serial #H53725 was test fired into the water recovery tank. The information recorded on this evidence envelope reads:

“Los Angeles Police Dept.
 Crime Lab Test Shot
 Name Doe, John Date 6-5-68
 Address
 Make Iver-Johnson Cal. 22 Type Rev.
 No. H53725 DR 68-521 466
 Crime 217 P.C. Officer Melendrez”

Hand printed at the top of this envelope is “Victim: Kennedy, Robert”. At the bottom is the name “DeWayne A. Wolfer: And along the right side of the envelope “Panel ID - D,E,F,G”. There are four test bullets inside this evidence envelope. This evidence envelope and its contents was turned over to the L.A.C.G.J. on June 7, 1968 and marked as Exhibit 5B (GJ Ex. 5B). GJ Ex. 5B was not introduced as evidence at the Sirhan trial. (Please see Special Exhibit # *Chapter III a*)

The second test firing by L.A.P.D. Crime Lab took place the following day -- 6-6-68 -- with a different gun. (Please see Chapter Criminalist William Harper's Discovery *Chapter IX*) Substitute gun H18602 was fired into the water recovery tank 6-6-68 -- this became Sirhan Trial Exhibit People's 55. The contents of People's 55 was three test bullets and two shell casings.

Thus we see June 5 test bullets - 5B - were in evidence with the 6-7-68 L.A.C.G.J. and was not placed in evidence in the Sirhan trial. However, the second test firing -- 6-6-68 -- with gun H18602 became Sirhan Trial People's Exhibit 55. No one knew there were two test dates with two different test guns - and two different sets of test bullets.

District Attorney Joseph P. Busch issued a statement on October 18, 1971. Paragraph (2) of his Summary reports the following information:

“(2) Mr. Wolfer conducted two series of ballistics tests. The first was conducted on June 6, 1968, with the gun seized from Sirhan B. Sirhan and the bullets from this test were used to identify the bullets removed from the victims of the crime. The second tests were conducted on June 11, 1968, and Mr. Wolfer used a weapon obtained from the Property Division of L.A.P.D.. The use of this weapon (Serial No. H18602) was necessitated by the fact that Sirhan's weapon had been entered in evidence before the Grand Jury and a court order restricted its availability. The second tests were conducted to determine sound characteristics

However, Wolfer did have possession of gun H18602 on June 8th as reported in both his Log for June 8th and also in the Blehr deposition 9-20-71 on page 109.

The importance of Wolfer's having possession of H18602 prior to June 10th can not be underestimated -- it is a serious contradiction of the official L.A.P.D./L.A.D.A. reports (that Officer Lee did not take gun H18602 from Property until June 10th.) Wolfer's knowledge of ID number (H18602) before the 10th of June opens the door to further questions about two guns - two tests - two different dates.

XIII

H18602 is "B" in the A B C Series

This A B C series is extremely complex, therefore I shall present this segment in the simplest manner possible.

It is important to know I did not acquire these critically important documents at the same time - due, of course, to the twenty year period the SUS Report was sealed.

"A" "B" "C" was written/affixed to three different evidence envelopes.

The upper portion of the letter "A" is visible at the lower right corner of the L.A.P.D. Crime Lab Test Shot evidence envelope dated 6-5-68 -- test gun H53725. As reported earlier in this report I did not discover the existence of this evidence envelope (GJ 5B) until 1994. (Please see Special Exhibit # Chapter XIII, a)

The first letter in A B C series is "A" on the L.A.P.D. Crime Lab Test Shot evidence envelope dated 6-5-68 with test gun #H53725.

"B" is far more significant. In addition to discovering the actual evidence envelope (Peo.55) William Harper also found a xeroxed copy of People's Exhibit 55 in the Sirhan exhibits stored in LA county Clerk's office in 1970.

The clerk copied these documents for Harper. They show the hand printing "Exhibit "B 1" and "B 2" on the right. (Please see Special Exhibit Chapter XIII b1, b2)

And from SUS I found a copy of Peo. 55 with the letter B @ lower right, just as Cfc. Woodward described. (Please see Special Ex. Chapter XIII, c)

The xeroxed copy of Peo. 47 (the Kennedy neck bullet) evidence envelope in LAC Clerk's office contained the information "C," and "C₂".

"C1" and "C2" is hand printed on the left of the xeroxed copy of Dr. Thomas Noguchi's evidence envelope (Peo. 47) containing the spent bullet removed from the vicinity of the 6th cervical vertebrae by Dr. Noguchi during the autopsy he performed on Robert F. Kennedy on 6-6-68.

(Please see Special Exhibit # Chapter XIII a, 1, 2.)

Then, to my amazement, I located an extraordinary piece of evidence. It is the Intra Departmental Correspondence dated June 9, 1971 -- with a "B":

"To: Commander George N. Beck
Commanding Officer, Tactical Operations Group

From: Sergeant K. L. Woodward
Officer-in-Charge, Questioned Documents Section
Scientific Investigation Division

Subject: S. B. Sirhan Investigation"

On June 7, 1971, I received from Captain Richard W. Sandstrom, Commanding Officer of the Scientific Investigation Division, a 7" x 10" photograph showing hand printing interspersed with a stamped form. The printing reads as follows:

SIRHAN, S. B. - 6-6-68 - I & J
22 - Rev. - H18602 - 68-521 466
187 P. C. H18602 - Cadet Model

"I was asked by Captain Sandstrom to obtain printing from Mr. De Wayne Wolfer and to determine if Mr. Wolfer had or had not placed the hand printing on the envelope depicted in the photograph, paying particular attention to the bottom line of printing and resolve, if possible, two questions - (1) Did the person that printed the bottom line also print the rest of the material in question? (2) Did Mr. Wolfer write any or all of the material in question?"

On June 8, 1971, I asked Mr. Wolfer for two pages of printing to be made by him for my examination and he complied. I then made a detailed examination of the known printing of Mr. Wolfer and compared said printing against the printing depicted in the photograph. As a result of this examination, it is my unqualified opinion that Mr. Wolfer did in fact place all of the printing on the envelope depicted in the photograph.

The photograph is marked with a "55" near the top edge and also has a printed letter "B" in the lower right-hand corner.

The exemplar of Mr. Wolfer's hand printing is available, if needed."

This document is signed "K. L. Woodward".

"K. L. Woodward, Sergeant
Officer-in-Charge, Questioned Documents Section
Scientific Investigation Division"

(Please see Special Exhibit # Chapter XIII, 2)

The above official report fully corroborates the existence of the letter "B" in the lower right-hand corner of People's Exhibit 55.

The following is a review of the enormous significance of the letter "B" on People's Exhibit 55:

"A" (the upper portion of this letter is visible) is found on L.A.P.D. Crime Lab Test Shot evidence envelope GJ5B dated 6-5-68 with gun number H53725 (source SUS microfilm).

"B" is found in three separate places: 1 -- The above Woodward handwriting report; 2 -- Copy from SUS microfilm; 3 -- William Harper's copy B -1- and B -2- copied from Sirhan evidence records in the LA County Clerk's office.

"C -1- and C -2-" William Harper's copy from LA County Clerk's office of Sirhan evidence. "C -1- and C -2-" appears along the side of evidence envelope People's Exhibit 47 (the coroner's envelope containing the Kennedy neck bullet.)

Both "B" and "C" evidence is logged on the same date, June 6th, it is therefore axiomatic that gun H18602 was written on the sixth, since "B" indeed precedes "C" - the coroner's envelope.

XIV

Another Gun Used in Sirhan Trial

Serious questions of another gun having been used in the Sirhan trial is found in both SUS files and in the postscript of appellate attorney Luke Mc Kissack's May 31, 1971 letter to Sirhan B. Sirhan.

From SUS files I located Captain G. Campbell's report of his telephonic interview with former defense attorney Grant Cooper on June 8, 1971:

"Cooper stated that to the best of his recollection the gun used by Sirhan to commit his crime was not produced during Wolfer's testimony in the trial; however, Cooper believes that the reason for this was explained by Wolfer at the time he testified." (Please see Special Exhibit # *Chapter XIII a*)

There is no statement, no explanation, no testimony and no reference in the Sirhan Trial Transcript which addresses the use of a different gun at the trial.

Appellate Attorney Luke Mc Kissack's May 31, 1971 letter to his client Sirhan B. Sirhan contained the following hand-written postscript:

"P S In case you have heard about the fact that the ballistics expert in your case used a different gun for testimony which was subsequently destroyed and the

15

LOS ANGELES POLICE DEPT.
CRIME LAB TEST SHOT

NAME Stephen, S. B DATE 6-6-68

ADDRESS _____

NAME E. J. CAL. 22 TYPE Car

NO. H18602 DR. 68-521466

CRIME 1877P.C. OFFICER _____

H-18602-CADET MODEL

VICTIM: KENNEDY, ROBERT

note test
date 6-5-68

and different
gun number

LOS ANGELES POLICE DEPT.
CRIME LAB TEST SHOT

NAME DOE, JOHN DATE 6-5-68

ADDRESS

MAKER Johnson CAL. 22 TYPE REV

NO. H53725 DR 68-521466

CRIME 217 E.G. OFFICER MELLENDEZ



51

Dellagayre A. Wofford