

Dan Moldea on his investigation of the Robert Kennedy murder case

From his memoir, *Confessions of a Guerrilla Writer:
Adventures in the Jungles of Crime, Politics, and Journalism*

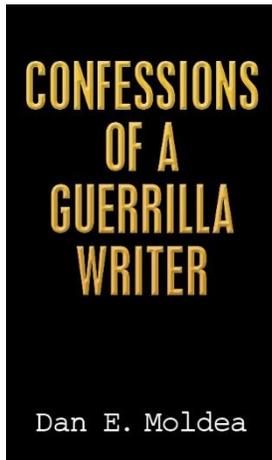
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“Indeed, the LAPD did solve this murder in 1968. But, nearly twenty-seven years later, I have solved this case by finally explaining why the evidence of a possible second gunman appears as it does.

“Lessons learned? Placing into a new context what I had known all along about this case, I now realize that even law-enforcement officials—who possess the training, qualifications, and experience to determine the significance of crime-scene evidence—do make mistakes if their abilities are not put to the test under the proper circumstances and conditions.

“In other words, if one does not account for occasional official mistakes and incompetence, then nearly every such murder could appear to be a conspiracy, particularly if a civilian investigator—like me, with limited access and resources—is looking for one. . . .” **Dan E. Moldea, upon the 1995 publication of his book, *The Killing of Robert F. Kennedy: An Investigation of Motive, Means, and Opportunity* (W.W. Norton)**

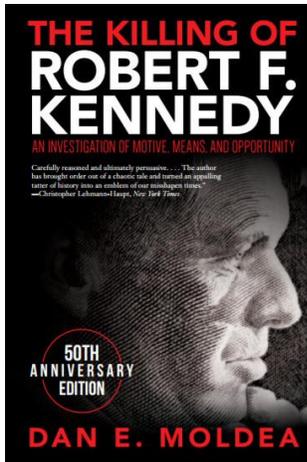
91. An appearance of conspiracy



During the summer of 1985—while living in Los Angeles and working on my third book, *Dark Victory*—I met Gregory Stone, an ex-aide to former U.S. Representative Allard Lowenstein (D-New York), and Dr. Philip Melanson, a political science professor at Southeastern Massachusetts University. Both men were in the midst of a public crusade to reopen the murder investigation of Senator Robert Kennedy of New York.

At 12:15 A.M. on June 5, 1968, an assassin shot and mortally wounded Senator Kennedy in a narrow kitchen pantry of the Ambassador Hotel in Los Angeles. Just moments earlier, the 42-year-old Kennedy had left a ballroom celebration in the wake of winning the California Democratic presidential primary. No fewer than seventy-seven people were crowded in the pantry when twenty-four-year-old Palestinian immigrant Sirhan Bishara Sirhan, using an eight-shot .22-caliber revolver, opened fire on the senator.

With hotel security guards only in a crowd-control capacity, no official police presence, and only a single unarmed bodyguard nearby, Kennedy was shot three times and died early the following day. Five other people were each shot once but all survived.



During our 1985 meeting, Stone summed up his research on the continuing controversies involving muzzle distance and alleged extra bullets: "Consider this," he told me, "the existing crime-scene evidence supports the probability that more than eight shots were fired from more than one gun, and that the three shots that struck Kennedy were fired from point-blank range—no more than three inches from the senator's body. A fourth shot passed through Kennedy's jacket but did not hit him.

"No one but the police, who were not present at the time of the shooting, claimed that the barrel of Sirhan's gun was any closer than a foot-and-a-half from Kennedy, who was shot from the right rear at a leftward and steeply upward angle. Eyewitnesses stated that the senator was moving towards Sirhan, shaking hands, when the assassin opened fire. They also claimed that Sirhan, whose arm was grabbed after the first or second shot, never had an opportunity to shoot Kennedy in the back once—let alone four times—at point-blank range."

Overwhelmingly, Stone insisted, the eyewitnesses' versions of events directly contradicted the official police reconstruction of the murder. When confronted about this, Los Angeles Police Department officials referred instead to the panic and confusion that had broken loose inside the pantry while Sirhan was emptying his .22 revolver into the crowd. In essence, the police said, the eyewitnesses lacked the training and experience necessary to make their stories credible.

Stone and Melanson told me that the only hope for learning the full truth was to expand responsible efforts of independent investigation. And they wanted me to try to break new ground in the case, hoping that I could help force the city of Los Angeles to release all of its files in the RFK case, which had been locked up for nearly twenty years.

Considering the flak I had earlier taken for getting involved in a probe of President John Kennedy's assassination while writing my 1978 book, *The Hoffa Wars*, I needed to be convinced that the Robert Kennedy murder merited further study. In the Hoffa book, I was the first journalist to allege that Mafia bosses Carlos Marcello of New Orleans and Santo Trafficante of Tampa, along with Teamsters president Jimmy Hoffa, had arranged and executed the murder of the president—a position I still defend.

In 1979, a year after the release of my book, the U.S. House Select Committee on Assassinations stated in its final report that Marcello, Trafficante, and Hoffa had the "motive, means, and opportunity" to kill the president. The committee's chief counsel, the legendary Robert Blakey, publicly declared, "The mob did it. It's a historical fact."

Because the committee had essentially corroborated what I had published a year earlier, I came out of that episode in one piece.

Finally, in late 1986, after the release of *Dark Victory*, I started to read the limited amount of available documents about the RFK murder and was shocked by what I saw. Without question, the case I assumed was open-and-shut had been badly mishandled by the LAPD. It was clear

that law-enforcement officials had misrepresented key facts in the case, destroyed material evidence, and obstructed independent attempts to resolve the critical issues of the case. Evidence that had not been tampered with made it seem unlikely that Sirhan was the only person to fire a gun that night.

So I began to wonder: Did Mafia figures and their associates—specifically Marcello, Trafficante, and Hoffa—have Robert Kennedy killed, just as I believed they had earlier murdered his brother, the President?

When I asked Stone and Melanson to name their best suspect as the second gunman in the RFK case, they replied, almost in unison, "Thane Eugene Cesar," a security guard with extreme right-wing views who hated Kennedy and supported George Wallace, the racist independent candidate for president in 1968.

Seen by eyewitnesses with his gun drawn, Cesar, who told the police that he was carrying a .38-caliber revolver that night, had been standing directly behind Kennedy at the moment of the shooting. Also, Cesar had owned a .22, with class characteristics similar to Sirhan's weapon. However, soon after the murder, Cesar sold his .22, which then mysteriously disappeared—and then he gave the police false information about this matter, saying that he had sold the gun *prior* to the murder.

In mid-March 1987, I pitched the RFK project to *Regardie's*, where I had just published a cover story about the National Rifle Association for the recently released April issue. *Regardie's* offered me a contract for the Kennedy article, which included a large bonus if I found security guard Gene Cesar and got him on the record.

No one connected with the Kennedy case had seen or heard from Cesar since November 1975 when he was interviewed for the final time by the Los Angeles District Attorney's Office. In fact, an assistant district attorney had put out the word that Cesar was dead. Los Angeles journalist Theodore Charach, who was the first to reveal the evidence against Cesar, had been the last reporter to interview him in October 1969.

However, through a network of sources and public-records searches in southern California, I found Cesar living in Simi Valley. Immediately, I Federal Expressed a letter to him, requesting an interview and asking him to call me by 6:00 P.M. on the day of receipt. When he did not reply, I decided to confront Garland Weber, identified in divorce and real-estate records as Cesar's attorney.

Without calling ahead, I went to Weber's office in Van Nuys and waited in his reception room until he had time to see me. Not knowing what I wanted to discuss, Weber brought me into his office after I had been waiting for only about twenty minutes.

"What can I do for you?" Weber asked.

"Sir, I'd like you to help me get an interview with Gene Cesar," I replied.

"He won't talk. Gene had a bad experience a long time ago with a reporter, and he said he would never speak to another one."

Refusing to accept that, I smiled, "Well, he's going to talk to me."

"Why's that?"

"Because if he doesn't, I am going to talk to his family, his friends, his neighbors, his employer, and every goddamn person in his life. And when they ask me why I'm asking questions about him, I'm going to tell them why."

Taken aback, Weber responded, "How do I know you're not going to fuck my client, like the last reporter did?"

Getting up from my chair and leaning over his desk, I paraphrased a line from the Al Pacino movie, *Scarface*, saying, "Hey, Garland, let's get this straight right now. I've never fucked anybody over in my life who didn't have it coming. You got that? All I have in this world are my balls and my word. And I don't break 'em for anybody."

I couldn't keep a straight face after saying that, so I started laughing. And Weber, who also had seen the movie, did, too.

"Let me see what I can do," Weber said, still laughing. "You call me here tomorrow."

* * *

With Weber present, my first interview with Gene Cesar took place on Friday, March 27. I had three tape recorders memorializing the discussion—two tapes for me and one for them.

Because of the evidence Stone and Melanson had shown me, I believed that it was possible, even likely, that Cesar had been the second gunman in the murder of Senator Kennedy. Thus, I had never been more prepared for an interview in my life. I was in a high confidence mode and genuinely believed that I was going to make history that day.

During the three-hour interview, Cesar and I had several sharp, even heated exchanges when I confronted him with the evidence of more than one gun being fired in the pantry and his position in relation to Kennedy's gunshot wounds—as well as the fact that he had drawn his gun, was possibly carrying a second gun (specifically the missing .22), and his false and conflicting statements to the police and the FBI about his movements that night.

In the midst of one of these confrontations, I looked Cesar right in the eyes and asked, "Did you shoot Bobby Kennedy, intentionally or accidentally?"

Cesar glared right back at me and simply replied, "No."

This was how Cesar saw his dilemma: "I got caught in a situation I can't get out of. But no

matter what anybody says or any report they come up with, I know I didn't do it. The police department knows I didn't do it. There're just a few people out there who want to make something out of something that isn't there—even though I know that some of the evidence makes me look bad."

92. Releasing the LAPD's files

My article, "Who Really Killed Bobby Kennedy?," appeared on the cover of the June 1987 issue of *Regardie's*, which hit the newsstands on May 20, featuring the inconsistencies with the LAPD's case. In addition to examining the problems with the official version of the killing, the story also contained my exclusive interview with Cesar.

I concluded the article with the following observation:

Gene Cesar may be the classic example of a man caught at the wrong time in the wrong place with a gun in his hand and powder burns on his face—an innocent bystander caught in the crossfire of history. However, considering the current state of evidence, a more sinister scenario cannot be dismissed. Until the City of Los Angeles complies with its repeated promises of full disclosure of the murder investigation, monumental questions about the most basic issues surrounding the case remain. And after nineteen years these issues deserve to be resolved.

What had become clear at the time of the publication of the *Regardie's* article was that there could not be a truly legitimate appraisal of the crime-scene issues until the release of the LAPD's investigative files in the case. Thus, I neither publicly advocated nor advanced any theory about what had happened on the night of the shooting. Instead, I simply concentrated on the crime-scene issues—although, privately, I did believe that two guns had been fired with Cesar still my top suspect as the second gunman.

Bolstering the impact of the *Regardie's* article, an Associated Press wire story and two surprisingly strong reviews supporting my work appeared in two unlikely publications, both of which had long defended the official version of the case: the *Washington Post* and the *Los Angeles Times*.

On May 26, Charles Trueheart of the *Washington Post* stated:

Moldea, whose appetite for byzantine intrigue is no secret, has exercised considerable restraint in not taking his speculation beyond the evidence. He portrays no conspiracy as such, but illuminates those elements of the case and investigation that make it implausible that Sirhan was the only assassin at the scene.¹

Then, on June 12, Bill Steigerwald of the *Los Angeles Times* said of the *Regardie's* article:

Moldea makes a convincing case that the official story is rife with crucial inconsistencies and unanswered questions and remains an unsolved mystery. Moldea marshals a great deal of evidence to support his claims that the LAPD botched its original investigation.²

Steigerwald had called the LAPD for comment, adding:

[Commander] William Booth of the LAPD, who had not seen Moldea's piece, said that all the material that can be released has been released and that "everyone has access to the same evidence and they can come up with their own theories." The LAPD's position, he said, is summed up by the fact that Sirhan Sirhan was tried and convicted and is still in prison.

Booth's statement infuriated Greg Stone because the LAPD appeared to have altered its position once again, now insisting that no more files would be released. But while the LAPD seemed to be backsliding, Stone and other advocates of full disclosure were buoyed by the sudden public clamor for the release of the files in the wake of my story's publication.

Stone—with the active support of Paul Schrade, one of the five other people shot on the night Kennedy was fatally wounded—immediately launched a public-relations attack on the LAPD for its continued efforts to conceal the files.

Then, suddenly—while the *Regardie's* article was still on the newsstands—the city of Los Angeles reversed the LAPD's position, ordering the release of the entire Robert Kennedy murder case file. Almost immediately, boxloads of documents were transported to the California State Archives in Sacramento where nearly a year-long declassification process began.

On Friday, June 26, reporter Chuck Conconi of the *Washington Post* wrote in his column:

Nineteen years after the assassination of Robert F. Kennedy, the Los Angeles Police Department's investigative files on the case are about to be released. Ever since Washington investigative reporter Dan Moldea's article "Who Killed Bobby Kennedy?" was published in this month's issue of *Regardie's* magazine, interest in the murder case has had resurgence.³

And Kevin McManus of *Insight* magazine acknowledged:

The [Cesar] interview and subsequent [*Regardie's*] article appear to have had the result of forcing the Los Angeles government to do something others have been urging it to do for many years: open the police records on the assassination.⁴

Also, as a result of the sudden release of the RFK files, several producers asked me to appear on radio and television programs to discuss the matter.

On June 30, in the midst of all this activity, I received an invitation to be a guest on NBC's *Today Show*. Although I was excited about the offer, I soon learned that the National Association of Broadcast Employees and Technicians (NABET) had struck NBC and its owned-and-operated stations nationwide.

With no settlement by the time of my scheduled appearance—and inasmuch as I was still a member of the National Writers Union—I refused to cross the picket line and did not appear on the program.

93. Interviewing the cops

By the time the California State Archives released the Robert Kennedy murder case files in April 1988, I was steeped in work on my fourth book, *Interference: How Organized Crime Influences Professional Football*, for which I had a tight deadline. Consequently, I did not play much of a role in the debate over the fact that the LAPD's files were incomplete and that valuable evidence and records had supposedly been destroyed. Once again, the indefatigable Greg Stone led the charge against the police, alleging that a cover up was still in progress.

Even though I had no intention of returning to the Kennedy case after the publication of *Interference* in July 1989, Stone dragged me back into the battle, kicking and screaming. Providing me with a grant from his Inquiry and Accountability Foundation to sweeten the arrangement, he convinced me that new information in the state archives was worthy of exploration.

Returning to Los Angeles, one of my first stops was Parker Center, the downtown headquarters of the LAPD. I had earlier given my *Regardie's* article to three homicide detectives, whom I had used as sources for my previous work on organized crime, and asked for their opinions of my story. One of them had played a minor role in the Kennedy murder investigation.

The four of us met in a small interrogation room at the LAPD's Robbery-Homicide Division.

"Dan, I read your article," one of the detectives said, "and you don't have it."

"What do you mean I don't have it?" I asked defensively.

"You don't have it! You based nearly all of your research on eyewitness testimony. Eyewitness testimony? You talk about seventy-seven people in a room and twelve actual eyewitnesses to the shooting. These are people who were in the wrong place at the wrong time. You're expecting accuracy in their statements? Twelve different eyewitnesses will generally give you twelve different versions of a story."

"But in this case," I insisted, "especially with regard to muzzle distance, they're all saying the same thing: Sirhan never got off a single point-blank shot at Kennedy. There's no dispute here. There are not twelve different versions."

"Yeah, but eyewitnesses are not trained or experienced or qualified to make judgments about what they see in such situations. Don't get me wrong, eyewitness testimony occasionally makes convictions. But nothing beats physical evidence or a police official's expert testimony."

"So you're saying that only cops have the training, experience, and qualifications to know truly what they saw."

"Essentially, yes, that's what I'm saying."

I started laughing while all three of the detectives looked puzzled at my reaction. One of them asked, "What's so funny, Dan?"

"I think I've just figured out how I'm going to approach the next phase of my research."

This time I would not rely on the supposedly shaky statements of eyewitnesses who found themselves thrust into a violent moment of American history. Instead, I decided to conduct a series of interviews over the next several months with the people whose training and experience would be above reproach: the officials, detectives, and patrolmen in the Los Angeles Police Department, the Los Angeles Sheriff's Department, the Los Angeles Fire Department, and the FBI, who performed their routine duties at the crime scene after the shooting. And the lists of these law-enforcement personnel involved in the RFK murder investigation were located at the California State Archives in Sacramento. They were now public record.

Although I also had access to both the active and retired LAPD rosters to help locate sources, I soon found that my most difficult problem was identifying those officers and officials pictured in the captionless official and non-official LAPD photographs taken during the crime-scene investigation.

I began carrying these pictures to the various divisions at Parker Center and to the LAPD's individual stations in and around Los Angeles. Through my police contacts, I was permitted to visit the various detective and patrolmen's offices. Upon my arrival at each location—where I was usually accompanied by one of my LAPD sources—I walked to the middle of their large group offices and held the photographs high in the air, shouting out, "Who wants to see some pictures of cops?"

Usually a party atmosphere quickly developed as LAPD officers and officials crowded around and identified their colleagues in the photographs. Because of this enthusiastic cooperation, I was able to identify most of the LAPD personnel in the pictures.

Of the 187 principal law-enforcement officials, detectives, and officers identified in LAPD records as having been involved in the 1968 Kennedy crime-scene investigation, I was able to locate or learn the fate of 158 of them. A total of 114 agreed to be interviewed and speak on the record with me. Another twenty-six refused comment for various reasons. Of that number, eight refused to respond to my written requests for interviews, and four did not return my calls. No fewer than eighteen had died since the 1968 murder. And I was simply unable to locate twenty-nine, many of whom were also thought to be deceased.

Few of these law-enforcement professionals had ever been interviewed about the Kennedy case. During our conversations, most of them were honest and unguarded in their responses to my two basic questions about their work on the night of the RFK shooting: "What did you do?" and "What did you see?" Many officers had kept their field officer's notebooks, and some even referred to their notes in the midst my interviews with them.

During these discussions, several recalled seeing, what they described as, bullet holes in the walls and door frames in Sirhan's line of fire—consistent with matter-of-fact notations buried in

a little-known FBI report, which included photographs of four identified “bullet holes,” all of which had been circled by a police officer at the crime scene.

The problem? Sirhan only had an eight-shot revolver. Since Kennedy had been shot three times and one bullet was removed from each of the other five victims, there shouldn't have been any bullet holes at these locations—although the LAPD did identify one shot that passed through Kennedy's chest and was lost in the ceiling space.

To me, this information was absolutely devastating, because it almost surely proved that a second gun had been fired in the kitchen pantry at the Ambassador Hotel on that terrible night in June 1968.

And this evidence wasn't coming from shaky civilian eyewitnesses. It was coming from experienced police officers and FBI agents.

94. The suicide of Greg Stone

On May 13, 1990, I published the results of my latest investigation in the *Washington Post*. In this article, I concluded:

Theoretically, the firing of another gun besides Sirhan's at the Ambassador might have been accidental, defensive, or sinister; it would be a mistake to rush to quick or simplistic judgments concerning the origin of additional assassination gunshots. The importance and complexity of this matter demand that it be examined impartially by a reconstituted official investigation.⁵

But, during an appearance on NBC's *Unsolved Mysteries* three days after the publication of my article, I did not take my own advice, declaring on national television, that two guns had been fired at the crime scene. Because the evidence appeared so overwhelming, I never thought that I would eat those words.

After approaching two publishers but unable to sell a proposed book about the RFK case, I left the investigation in July 1990, which caused a falling out between Greg Stone and me. Stone, a brilliant man who had abandoned his doctorate work to investigate the RFK murder, had wanted me to remain on the case, full-time. To him, this crime had become an obsession, and he spent his career trying to solve it, casting aside any semblance of a personal life while rejecting positions in academia, which would have allowed him to escape from this world of evidence minutia and conspiracy theories.

Me? I had my own problems. As a result of the false and misleading review of *Interference*, I was in the midst of fighting for my personal and professional life in a very bitter public dispute that would lead to my libel case, *Moldea v. New York Times*, which my attorney filed in August 1990. Consequently, in order to pay my bills, I was only accepting projects with guaranteed money. I really had no choice.

On November 8, Stone and I—along with former FBI agent William Bailey, who was at the crime scene on the night of the Senator's murder, and Phil Melanson—participated in a symposium at Southeastern Massachusetts University where Melanson taught political science.

After the well-attended event, Stone, Melanson, and I went out to dinner—even though there was still some tension between Stone and me. But, after we shook hands and made peace, the atmosphere lightened up considerably as the three of us had a great time, telling and retelling our old war stories.

Soon after, Stone again began sending me his memoranda about the RFK case and drafts of his proposal to the district attorney's office in which he was requesting a grand-jury hearing to investigate police procedures during the RFK case. Also, he asked me to execute my third sworn affidavit in his Freedom of Information Act lawsuit against the FBI, which I agreed to do. As usual, we exchanged Christmas cards and talked occasionally on the telephone.

Late on the evening of January 28, 1991, Stone called me at my home in Washington for the second time that week. He had no specific agenda, no particular subject he wanted to discuss. He seemed perfectly normal but a little tired.

I remember advising him to take a vacation. "Go sit on a beach, get a tan, chase women," I said.

The following night at 10:45 P.M., I received a telephone call from Phil Melanson who told me that he had just spoken to a man who identified himself as an investigator from the Los Angeles County Coroner's Office. The investigator told Melanson that Greg Stone had committed suicide.

Melanson seemed to think that the call was a cruel joke. Taking it more seriously, I asked Melanson if he had tried to call Stone. He said that he had not.

Immediately, I telephoned Stone at his home in the East Hollywood section of Los Angeles. When he didn't answer, I left a message on his answering machine, demanding that he call me as soon as he received it. After failing to reach Stone, I called his next-door neighbor, Floyd Nelson, who worked nights and also was not home. I left a desperate message on Nelson's answering machine, as well.

Then, I called the coroner's office in Los Angeles. The same investigator who had spoken to Melanson confirmed that Stone was dead. He had committed suicide in the Fern Dell section of Griffith Park about a mile from Stone's home.

Specifically, the investigator said that between 3:00 and 4:00 that afternoon the 41-year-old Stone had sat down under a tree in the park, placed a .38 Smith & Wesson revolver in his mouth, and pulled the trigger. A park employee had found him just after the shooting—while the blood was still gushing from his head. Two LAPD officers responded to the call.

According to the coroner's investigator, the officers had found a note in Stone's clothing, directing them to his red Volkswagen, parked in a nearby lot. When the police found his car, they discovered another note. This one provided the names of several people who were to be contacted, including his sister and uncle, his personal attorneys and a mortician, as well as

Melanson and Nelson. The police also found a psychiatrist's business card in his possession.

The coroner's investigator told me that he had talked to Stone's psychiatrist, who said that Stone was as depressed as anyone he had ever seen. He added that his suicide came as no surprise—that he had threatened to kill himself on several occasions during the past couple of weeks.

Stunned, I told the investigator that I didn't have any idea that Stone was in trouble or had sought professional help, even though I had spoken to him twice in the past week.

At 3:00 A.M., I called Floyd Nelson again. This time, he was in. Overwhelmed with grief, he explained that he had heard about Stone's death from a friend at work and immediately left his job. When he arrived home, he grabbed the key Stone had given him and went into his apartment. On Stone's desk was a file folder marked "Post Mortem," which contained numerous documents.

Stone had handwritten and signed a suicide note, stating:

This is my own decision and came out of my own problems and shortcomings. It is not the fault at all of my family, friends or the people I've worked with.

I'm sorry to have let my family and so many others down.

Several days later, when I returned to Washington after visiting a funeral home in southern Ohio to pay my respects to Stone and his family, I was looking through my mail and noticed a letter from him. My hands were shaking as I opened it.

Inside, the handwritten note simply said: "Sorry about this, Dan. Stay a survivor."

95. Back in the game

Two years after Stone's suicide—in the midst of a hiatus in my case against the *New York Times*, while the U.S. Court of Appeals for the D.C. Circuit weighed its merits—I decided to re-enter the RFK battleground and tried, once again, to sell a book about this case.

Through investigative journalist Bill Knoedelseder, I met a fabulous literary agent, attorney Alice Martell, the no-nonsense but smart and congenial president of the successful Martell Agency on Fifth Avenue in New York. Although very critical of my libel case against the *Times*, Martell still expressed an interest in my story about the murder of Senator Kennedy and asked me to submit a proposal for her consideration.

On May 27, 1993, I completed the proposal and sent it to her. In my cover letter, I wrote, in part:

Here is what my proposed book will prove:

1. That at least two guns were fired at Senator Kennedy on the night of his murder.

2. That Sirhan Sirhan, although shooting to kill, did not fire any of the bullets that hit Kennedy.
3. That the investigations conducted by both the Los Angeles Police Department and the FBI were sidetracked by an incompetent crime-scene investigation during the hours after the shooting. Consequently, in order to cover-up official incompetence, these agencies misrepresented key facts, destroyed material evidence, and obstructed independent attempts to review the critical issues in the case.
4. That members of organized crime had the motive, means, and opportunity to have Senator Kennedy murdered.
5. That a security guard with a gun in his hand and powder burns on his face—who was standing directly behind Kennedy—individually possessed the motive, means, and opportunity to have killed Kennedy.

In short, I am guaranteeing documentation for the above five items. [Emphasis added.]

On June 6, Martell sent my proposal—with all of these extraordinary claims and promises—to her contacts in the publishing industry.

Twenty-two days later, I took the train to New York to meet with Star Lawrence of W.W. Norton, who had a reputation as one of the best but toughest editors in New York. After taking Martell and me to lunch at the Princeton Club, Lawrence asked us to return to his office and attend a meeting with Norton's editorial board.

During the discussion about the RFK murder with company executives, they repeatedly asked me if I could deliver on what I had "guaranteed" in my proposal, especially the claims that two guns had been fired at the crime scene and that the three bullets striking Senator Kennedy had not come from Sirhan's gun.

Confidently, I replied that I could and that I would.

They also inquired about my libel suit against the *New York Times*, which I was actually anxious to answer, considering how badly the press was misrepresenting the facts of this case. Because of all the irresponsible reporting about this litigation, I was facing a potential career-ending public-relations problem.

Since that nightmare began in 1989, my meeting with Norton was the closest I had come to getting another book deal. One of my former editors candidly assured me that I had not been officially blacklisted. However, he did say that I had been widely tagged in the publishing industry as "a real troublemaker," mostly because of my case against the *Times*, as well as my take-no-prisoners approach to defending my work.

On Wednesday afternoon at 5:00 P.M., Martell called and gave me the good news: Star Lawrence and W.W. Norton had bought the Kennedy book. Norton only offered a \$75,000 advance—the same price I had received for *Dark Victory* eight years earlier. But so what?

I felt that I was back in the game again and honestly believed that I could deliver on the guarantees made in my book proposal. Plus, I was really happy and even honored to work with

Lawrence.

Based on what the FBI reports had stated and LAPD officers and officials had told me, I was as convinced as I could be that two guns had been fired in the kitchen pantry at the Ambassador Hotel on the night Robert Kennedy was fatally wounded. Thus, I continued to target Gene Cesar as my principal suspect as the second gunman—just as many other investigators had before I came into this case.

The difference was that I had exclusive and unlimited access to him—in spite of the fact that Cesar was well aware of my suspicions.

However, after my numerous interviews with Cesar over the telephone and in person, I finally realized that I had asked him every question I could think of.

At the conclusion of one of our lengthy face-to-face interviews, Garland Weber, Cesar's attorney, saw the puzzled look on my face and asked me what I thought.

I replied that I still didn't know what to think. However, I did express my belief that Cesar was not a sinister force at the crime scene. He did not intentionally shoot Robert Kennedy. Yet, questions remained for me as to whether he had fired his gun accidentally or in retaliation to Sirhan's barrage of gunfire.

I still suspected that, somehow, Cesar might have shot Senator Kennedy during all the confusion at the crime scene.

Without any foolproof way to extract the truth, I simply decided to start treating Cesar just like any other witness to the murder. I called him on occasion from my home in Washington to see how he was. I visited him during my frequent trips to Los Angeles. I found the time I spent with him and his wife to be pleasant. He had an offbeat sense of humor. He was a funny guy.

During one of those trips to the West Coast, Cesar and I had lunch at a restaurant near Anheuser-Busch in Van Nuys, his place of employment. I brought no tape recorder, and I took no notes during our conversation.

In the midst of this meeting, Cesar casually told me about some unusual diamond purchases he had made. He added that he had bought the diamonds from a local businessman who was an associate of the Chicago Outfit.

Needless to say, the story shocked me, and I questioned him about it at subsequent meetings, which were tape-recorded. There were several discrepancies in the date of the initial purchase—which Cesar had ranged from 1968 to 1974.

Because of such discrepancies—and because of the enormous amount of time and money I was spending trying to prove or disprove Cesar's innocence—I asked Cesar if he would be willing to be either hypnotized or polygraphed. Surprisingly, he immediately agreed to such a test—with no particular preference.

I contacted a federal prosecutor whom I had known and trusted for several years and asked for his advice about which test to arrange. He warned against hypnosis, because it could be tantamount to tampering with a potential witness. Thus, he suggested that I have Cesar polygraphed.

He also proposed that I hire Edward Gelb, a Los Angeles polygraph expert, to administer the test. Gelb, arguably the best polygraph operator in the country, was the former president and executive director of the American Polygraph Association.

I decided that if Cesar clearly passed the test, I would back off and accept his innocence. However, if he failed the test or it proved inconclusive, I would spend every waking hour and every dollar I had trying to bring him down. And I told him that.

As anyone in such a situation, Cesar was understandably nervous on the day of the test. He and his attorney arrived at Gelb's office a few minutes early while I was completing my briefing to Gelb about Cesar and the Kennedy murder case.

"How do you feel?" I asked Cesar.

"Let's do it," he replied with some irritation. "Let's get it over with."

Gelb invited us into his private office and had Cesar sign several standard documents and releases. After a quick explanation of what would be happening over the next few hours, Gelb politely ordered Weber and me to leave. As Weber and I went off to a breakfast on Sunset Boulevard, Gelb and Cesar got down to business.

A few hours later, after Weber and I returned and were sitting in Gelb's waiting room, Gelb came out and invited us into his private office.

"Are you okay?" I asked Cesar who appeared very relaxed.

Laughing, Cesar replied, "I didn't shoot Bobby, but I've been thinking about shooting you for making me go through all of this."

"You're going to be happy," I said. "You passed, right?"

"That's what he told me."

"Okay, now you're set. You don't have to do this anymore."

Gelb, who gave me graphs and the tape recordings of the entire session, began to explain the results. In short, Cesar had passed with flying colors.⁶

After hearing all of this, I suddenly wondered out loud: "Then, who really did kill Senator Kennedy?"

96. Getting to Sirhan

After Gene Cesar passed the polygraph, I called Paul Schrade—one of the five other victims who had been shot on the night Senator Kennedy was fatally wounded—and told him that I wanted to interview Sirhan Sirhan. He suggested that I call Lynn Mangan of Carson City, Nevada, a close friend of the Sirhan family, who was the key to seeing the convicted assassin.

I telephoned Mangan, and she was quite friendly. She knew about my work on the RFK case and asked me to send a written request that she could forward to Sirhan.

By 6:00 P.M., my letter was at the Federal Express office.

On August 21, 1993, Mangan called me in Washington and said that Sirhan wanted to see me. That night, Mangan wrote a letter to Sirhan, which she later shared with me, saying:

I just [spoke with] Dan Moldea. Lots to talk about when I see you. Among the things we discussed were his articles, interviews and his upcoming book. I relayed to him how genuinely pleased you were with his writings and that you wanted to meet with him when he is in California. . . . I'm just sorry we didn't get together sooner.

On Sunday, September 19, the day after I flew to Los Angeles, I had dinner in Pasadena with Schrade, along with Adel Sirhan, Sirhan Sirhan's older brother, and Larry Teeter, who was being considered as Sirhan's new attorney. For the most part, I spent the evening angling for a specific date that I could interview the convicted assassin. But, while Adel Sirhan wanted it to happen as quickly as possible, Teeter seemed to be blocking me.

"Why are you fucking with me, Larry?" I finally asked him in front of Schrade and Adel.

"I'm the new lawyer," he replied, standing his ground. "You're the reporter. I haven't talked to my client yet. And I think the new lawyer should talk to the client before the reporter does."

Knowing that Teeter was absolutely right but refusing to say so aloud, I glanced over at Adel Sirhan who rolled his eyes. I knew right then that I was going to see his brother very soon. There was no way that Adel and especially Lynn Mangan were going to yield control of Sirhan to an attorney who had not yet been retained.

* * *

From the time of his conviction in 1969 to 1975, Sirhan Sirhan had lived at San Quentin. The first two of those years, he spent on death row. From 1975 to 1992, after the death penalty was repealed in California, he was held at Soledad Penitentiary. Finally, on June 1, 1992, he moved to Corcoran State Prison, a maximum-security facility, tucked between Bakersfield and Fresno. He lived with thirty-four other "high-profile" inmates, including convicted murderer Charles Manson, in the prison's protective unit.

On Saturday afternoon, September 25, Adel Sirhan called, saying that he was going to go to

Corcoran the following morning at 6:00 A.M. He asked me if I wanted to accompany him. Of course, I jumped at the invitation and even offered to drive. Early Sunday morning, Adel and I—along with Bill Klaber, who had produced a controversial pro-conspiracy program about the RFK case on National Public Radio—made the three-hour-plus drive from Los Angeles to Corcoran in my rented Thunderbird.

I had already taken an immediate liking to Adel. A decent man, he seemed to bear the weight of his brother's conviction and imprisonment, a classic example of a big brother who felt responsible for his little brother's actions. A talented musician, Adel had become a tragic figure over the years. Even if happiness could have been handed to him on a silver platter, he would not have accepted it unless it included the release of his brother and the reunification of his family. Getting his family back together now appeared to be his only ambition, especially since his mother, another very decent person and an innocent victim, was in failing health.

Arriving in the parking lot at Corcoran, I finally met Mangan, a friendly but very tough woman. From the outset, I knew that she was in charge simply by her firm tone and strong demeanor. Other than Adel and his mother, no one had worked harder to free Sirhan than Mangan.

After everyone greeted each other, we boarded a shuttle bus with the visitors to other inmates. Getting off at Sirhan's cell-block, we signed in, produced ID, walked through a metal detector and then a bolted door into a steel cage with razor wire along the top. A guard came, unlocked another door, and took us through a courtyard to the visitation room.

As I faced a Coke machine and fumbled for change in my pocket, I waited for the prison guards to bring Sirhan to us. After I placed two quarters in the slot and heard a can of soda drop, Adel, in a quiet voice behind me, began to introduce us.

"Dan Moldea," he said, "Sirhan Sirhan. Sirhan, this is Dan Moldea."

I turned around, and we both smiled at each other. Sirhan bowed modestly, gently clasping both of his hands together as if in prayer. He took my extended hand and pumped it heartily like a politician on Election Day, placing his left hand over my right hand for emphasis. I couldn't help but be struck by how kind and polite he appeared to be.

Dressed in blue-denim prison fatigues and a pair of simple black-canvas shoes, the five-foot-two-inch Sirhan appeared much shorter than I had imagined, slightly built but in good shape and well groomed. He had a full head of black but slightly graying hair, cut conservatively. His deep brown eyes were bright and clear. His natural bronze coloring made him appear like a man who had spent the summer on the beach.

In short, he looked pretty good for a guy who had spent the past twenty-five years in prison.

After the initial small talk, I pulled a religious item from my pocket: two small brown rectangular pieces of cloth, joined together by a band of brown cloth. I told him, "Even though you and I are both Eastern Orthodox Christians, I want to give you a Scapular, a Roman Catholic

sacramental that you wear around your neck. . . . On one side it reads, ‘Whosoever dies wearing this Scapular shall not suffer eternal fire.’”

Sirhan was clearly moved by my gift, but he had to get permission to accept it. He motioned to a prison guard who walked over to us. Sirhan handed the Scapular to him, and he examined it. A few seconds later, the guard whispered something to Sirhan, who then returned the Scapular to me.

Disappointed, Sirhan said, “I’m sorry, Mr. Moldea, but, for whatever reason, I’m not going to be allowed to accept this. . . . But, once again, I really appreciate it.”

During the first several minutes of our interview, Sirhan remained clearly agitated, giving the hard eyes to the guard who refused to allow him to keep the Scapular.

At Sirhan's insistence, I had to visit him on the weekend when family and friends met with prisoners. Although I had been cleared by Corcoran officials to visit Sirhan as a journalist during the week when I would be permitted to bring along recording equipment, Sirhan refused to allow me to do so. I sensed that he, literally, didn't want to go "on the record." He never explained why.

So I met him when no recording equipment, pens, or notepads were permitted through prison security. Instead, I scrounged up some paper and a small pencil from the prison guards who were standing watch nearby. When the pencil went dull, I sharpened it on the edge of my Diet Coke can. And then, throughout my interview with Sirhan, I frequently read his quotes back to him, allowing him to amend or expand on what he had just said.

During that first six-hour interview, I sat at a round table next to Sirhan, believing that I was probably speaking with an innocent man who, somehow, had been used by forces unknown to take the fall for this murder.

* * *

According to Sirhan, on the day of the shooting, he had fired his .22 revolver at a pistol range for several hours and, after having dinner with a friend, eventually wound up at the Ambassador Hotel. There, he attended a victory party for Max Rafferty who had won the Republican primary for the U.S. Senate. While at that celebration, Sirhan said that he began drinking and became intoxicated.

Sirhan told me that, after leaving Rafferty's party, he was so drunk that he did not remember grabbing his gun when he walked to his parked car. But, instead of driving home in his condition, he returned to the Ambassador with his gun in his pocket, searching for coffee, and eventually wandered into the celebration for Senator Kennedy's victory in the California Democratic primary for President.

Although he remembered speaking with a woman in a plain-white dress—not a polka-dot

dress—who was standing near a coffee urn outside the kitchen pantry, Sirhan insisted that he had no memory of entering the pantry or firing his weapon, claiming that he had been disoriented by the booze and the bright lights in the hotel. "I don't remember shooting him," he told me. "All I remember is being choked and getting my ass kicked."

Further, Sirhan claimed to have absolutely no recollection of writing, among other things, "RFK must die!" over and over again in his now-infamous notebooks before the murder.

Even though Sirhan's entire story was nothing less than bizarre, the one thing that kept me clinging to the two-gun scenario—which could possibly prove Sirhan's innocence—was the identification of extra bullets by the police and the FBI. Still, I decided to push Sirhan harder the next time I spoke to him.

During my second interview with Sirhan the following month on October 10, I became much more confrontational in my questioning, especially with regard to his 1969 confession, which he had since recanted. Essentially, Sirhan told me that, even though he never had any recollection of firing his gun, he did admit to killing Senator Kennedy during his trial, because his attorney told him to—in an effort to prevent Sirhan from going to the gas chamber.

By the end of my second interview with Sirhan, which lasted four hours, I was even more uncomfortable with his story. But, because I was drafting my manuscript in a straight chronology—with my interviews with Sirhan near the end of my planned thirty-chapter book—I didn't panic, deciding that I needed another interview with him in order to clear up my lingering problems.

97. Doubts

During the next eight months, I completed twenty-seven chapters and sent them to Star Lawrence, my editor at W. W. Norton, on May 4, 1994. These chapters appeared consistent with my book proposal, in which I had "guaranteed" to deliver proof that two guns had been fired at the crime scene, and that Sirhan had not fired any of the shots that hit Senator Kennedy. Then, I awaited Lawrence's reaction to my work, as well as approval on the West Coast for my third interview with Sirhan.

Meantime, I came up with an offbeat idea. I wanted suspected second gunman Gene Cesar—who had conclusively passed a lie-detector test I had arranged with a prominent polygraph operator—to accompany me to my next interview with Sirhan, scheduled for May 18. I was curious to see how both of these men would react to each other.

Adel Sirhan and Lynn Mangan approved, as did Cesar. However, after the interview with Sirhan was postponed, along with another one on May 25, the meeting between Sirhan and Cesar never materialized.

My next scheduled meeting with Sirhan was June 5.

While preparing for this interview, I spoke with Los Angeles attorney Francis Pizzulli, who

had filed a defamation suit against the author of a little-known book, which alleged that Pizzulli's client, an Iranian student, had murdered Senator Kennedy with a gun concealed in a camera. While collecting his evidence for the case, which he later won, Pizzulli received a letter about journalist Robert Blair Kaiser, a former investigator for Sirhan's defense team who had written an important 1970 book about the case, "*R.F.K. Must Die!*"

The letter, handwritten by Sirhan, was sent to his trial attorney, Grant Cooper, whom he simply referred to as "Punk." Over the telephone, Pizzulli read me the undated letter, which was probably written during Kaiser's book-promotion tour:

Hey Punk,

Tell your friend Robert Kaiser to keep mouthing off about me like he has been doing on radio and television. If he gets his brains splattered he will have asked for it like Bobby Kennedy did. Kennedy didn't scare me; don't think that you or Kaiser will; neither of you is beyond my reach. [A]nd if you don't believe me—just tell your ex-monk to show up on the news media again—I dare him.

R.B.K. must shut his trap, or die.

Pizzulli offered to give me a copy of the letter but only if Kaiser—who had earlier studied for the priesthood, thus, the reference to "your ex-monk"—approved.

While speaking with Bob Kaiser, who did give me his approval, he also informed me about a conversation that Michael McCowan, another investigator on the Sirhan defense team, allegedly had with Sirhan. During this meeting, the convicted assassin had supposedly admitted that he remembered when his eyes met Kennedy's just before he shot him. Kaiser wasn't sure of all the details, except that Sirhan's alleged statement had contradicted his long-standing claim that he had no recollection of seeing Kennedy or firing his gun.

Before my third interview with Sirhan, I tried but failed to locate McCowan. Nevertheless, I obviously found the "Hey Punk" letter extremely troubling. It gave credence to the alleged McCowan episode and caused me to question not only Sirhan's entire story but my long-held position about this case.

* * *

On Monday, May 30, 1994, the day after Roger Simmons and I appeared at a symposium during the American Booksellers Association in Los Angeles to discuss *Moldea v. New York Times*, my editor, Star Lawrence, and I had lunch at the convention center. Bringing up our book about the RFK murder, he said, "I've just read the first twenty-seven chapters. Fantastic! I'm a believer, man! There were two guns in that room!"

I stuttered and stammered, "Um . . . well . . . listen . . ."

"Oh, no!" Lawrence exclaimed.

"Yeah," I replied, giving it to Lawrence as straight as I could, "as you know, I've been talking to Sirhan and reviewing some new evidence. I'm very concerned that I've been wrong. He might

have done it and done it alone."

Astonished and a little agitated, Lawrence asked, "So what are you going to do about it?"

"I'm supposed to see Sirhan on Sunday. I'm already planning to get in his face, big time, and see how he reacts. By the end of that interview, I'll know."

Looking at me sternly while reminding me about the "guarantees" in my book proposal, Lawrence replied, "Dan, all I can say is: You better make this work."

I nodded respectfully and later left the lunch with my tail between my legs.

98. Confronting Sirhan

On Sunday, June 5, 1994—the 26th anniversary of the shooting of Senator Kennedy—Adel Sirhan and I drove to Corcoran for what would be my third and final interview with Sirhan Sirhan. During the trip, I told Adel that I planned to get rough with his brother during this session. Adel simply shrugged and told me, "Go for it."

Go for it, I did—even though Sirhan insisted that he had no memory of writing the "Hey Punk" letter to Grant Cooper and flatly denied ever saying to anyone that he recalled when his eyes met Kennedy's just before he shot him. However, the climax of the interview began as I asked Sirhan, yet again, whether he had confederates.

"Were you a participant in a conspiracy?" I asked.

Sirhan replied, "Do you think I would conceal anything about someone else's involvement and face the gas chamber in the most literal sense? I have no knowledge of a conspiracy."

"But, yes or no, were you part of a conspiracy, Sirhan?"

"I wish there had been a conspiracy. It would have unraveled before now."

"Then, why do you even talk about the possibility of being mind controlled?"

"My defense attorneys developed the idea of *The Manchurian Candidate* theory."

"Then, once again, why don't you just accept responsibility for this crime?"

"If I was to accept responsibility for this crime, it would be a hell of a burden to live with—having taken a human life without knowing it."

"Then you are saying that you are willing to take responsibility, but you have no memory of committing the crime?"

"It's not in my mind, but I'm not denying it. I must have been there, but I can't reconstruct it

mentally. I mean no disrespect here, but I empathize with Senator Ted Kennedy in the Chappaquiddick incident. He was supposedly under the influence of alcohol and couldn't remember what he had done. When he finally did realize what had happened, someone was dead."

"Why did you take credit for the murder at your trial?"

"Grant Cooper [Sirhan's attorney] conned me to say that I killed Robert Kennedy. I went along with him because he had my life in his hands. I was duped into believing that he had my best interests in mind. It was a futile defense. Cooper sold me out. Charles Manson once told me that defense attorneys treat their clients like kings before their trials. After the trials begin, they treat their clients like shit. This was true of the manner in which Grant Cooper treated me. I remember Cooper once told me, 'You're getting the best, and you're not paying anything. Just shut up. I'm the lawyer, and you're just the client.'"

I continued, "You were willing to go to the gas chamber for a crime you didn't remember committing?"

"I did a lot of self exploration while I was on death row. It changed my whole vision of the world. I was trying to justify that I was going to the gas chamber. I wanted to search myself to find the truth, but I could never figure it out. I had nothing to lose."

"Did you ever examine whether you had acted with premeditation?"

"When I got to death row, I started reading the law about diminished capacity and the requirements for premeditation. There was no way that I could have summoned the prerequisite for first-degree murder. That was not part of me. They said that I didn't understand the magnitude of what I had done. They're right. I don't truly appreciate it, because I have no awareness of having aimed the gun at Bobby Kennedy."

"Why did you admit to the murder before the parole board?"

"They want the prisoner to admit his guilt and take responsibility for the crime. They want us to confess and to express remorse, which is what I have done. In fact, I have been told that I won't be paroled because of the Kennedys."

"So, once again, you were willing to take credit for the crime without remembering that you had committed it?"

Suddenly, Sirhan became overwrought, exclaiming, "It's so damn painful! I want to expunge all of this from my mind!"

At that exact moment, as these words tumbled out of Sirhan's mouth, I suddenly realized that Sirhan had been lying to me and everyone else all along.

In response, I stated firmly, "I am not a court of law. I am not a parole board. I'm a reporter

who doesn't want to be wrong. I want to know, Sirhan: Did you commit this crime?"

Sirhan fired right back, "I would not want to take the blame for this crime as long as there is exculpatory evidence that I didn't do the crime. The jury was never given the opportunity to pass judgment on the evidence discovered since the trial, as well as the inconsistencies of the firearms evidence [the bullet evidence] at the trial. In view of this, no, I didn't get a fair trial."

With that reply, I finally began to understand Sirhan's entire strategy. As long as people, like me, continued to put forth supposed new evidence, he still had a chance to experience freedom. And, more than any other person in recent years, I had been keeping this case alive with all of my supposed new revelations about alleged extra bullets and the possibility that at least two guns had been fired at the crime scene.

As I sat there, I became furious with myself for nearly being hoodwinked by Sirhan and the circumstances of this entire case. I didn't even attempt to conceal my feelings.

With Adel still present, I barked angrily at Sirhan, "You don't remember writing in your notebooks in which you articulated your determination to kill Robert Kennedy and why—That's motive! You don't remember getting your gun when you returned to your car from the Rafferty party—That's means! You don't remember having been in the pantry, getting close to Kennedy, and firing your gun—That's opportunity!"

"Every time you have a memory lapse, it goes to motive, means, or opportunity!"

In response, Sirhan sat quietly, saying nothing but looking puzzled, probably wondering where I was going with all of this. But I could tell that he wasn't very concerned. He knew, probably more than anyone else, that I had nearly bet my professional reputation on the second-gun theory. "What's Moldea going to do now that he's in so deep," Sirhan must have thought, "turn around now and say that I acted alone?"

Knowing how close Sirhan was to his ailing mother, whom he deeply loved and respected—and understanding how much pain Sirhan knew he had inflicted on her—I asked him, "Sirhan, when your mother dies, God forbid, are you going to remember everything and come clean?"⁷

Now furious with me for bringing his mother into this, Sirhan exclaimed, raising his voice with each syllable, "Change my story? Mr. Moldea, you're a motherfucker! Mr. Moldea, you're a fucking asshole!"

I smiled at Sirhan and started jabbing my finger in his face. "Sirhan, it's 'Dan, you're a motherfucker. Dan, you're a fucking asshole.'" As I started to laugh out loud, Sirhan paused for a moment and started laughing, too, breaking a very tense moment.

As I would later write in my manuscript: "But he wasn't laughing for the same reason I was: I had just wanted Sirhan to remember the first name of his last hope."

After this bitter third and final interview, fully aware that I did not have Sirhan on tape and

fearing that he might deny what I had written in my notes, I sent Sirhan a letter on July 2, saying:

Thank you for meeting with me again. As always, I appreciated your candid remarks—even when I got rough with you, especially on June 5th. As you know, that's my job; I did the same thing with the LAPD and particularly with Gene Cesar.

Here is the composite made from my notes of our three interviews—on September 26 and October 10, 1993; and June 5, 1994. . . . I wanted you to have the opportunity to amend or to expand upon anything else you read. I still would like to memorialize an interview with you either on video or audio tape. I have received permission from the prison to do this, if you are willing.

Also, as I told you on the 5th, I would like to arrange a polygraph for you, concentrating on what you do and do not remember. You rejected that idea then, but I am asking you to reconsider.

I don't know what the situation is with prison correspondence, so if I don't hear from you by July 31, I will assume that everything is fine, as written. Of course, you may always call me collect to give me your comments.

Please keep this correspondence as your written record of our interviews.

Predictably, Sirhan, who was extremely angry with me after our final interview, did not respond by the July 31 deadline—which technically indicated his approval of the "transcript." But I still could foresee a problem in which my book came out, and Sirhan—who was, up to that point, still unaware of my final conclusions—would retaliate by denying the quotes I had attributed to him.

To neutralize this scenario, I returned to Los Angeles and met with Adel Sirhan, the only witness to all three of my interviews with his brother—totaling fourteen hours. I provided him with a copy of the "transcript" and asked for his approval, which he gave me with only minor corrections.

Then, as I came down the wire to deliver my finished manuscript to my publisher, I finally located Michael McCowan, the one-time investigator for Sirhan's defense team. During our conversation, McCowan confirmed—and, at my request, signed a statement, attesting to—the story I had earlier heard from Bob Kaiser.⁸

Specifically, McCowan revealed that during one of his interviews with Sirhan, the assassin described the exact moment when his eyes met Kennedy's just before he shot him. Shocked by what Sirhan had just confessed—in view of his previous insistence that he had no recollection of firing his gun at the crime scene—McCowan asked, "Then why, Sirhan, didn't you shoot him between the eyes?"

With no hesitation and no apparent remorse, Sirhan simply replied, "Because that son of a bitch turned his head at the last second."

Completing my manuscript, I concluded:

Gene Cesar [is] an innocent man who since 1969 has been wrongly accused of being involved in the murder of Senator Kennedy. . . . Sirhan Bishara Sirhan consciously and knowingly murdered Senator Robert Kennedy, and he acted alone.

99. When wisdom comes late

When the U.S. Court of Appeals reversed itself and took away my momentary victory in *Moldea v. New York Times* on May 3, 1994, the appellate judge who wrote this opinion quoted former U.S. Supreme Court Associate Justice Felix Frankfurter, saying: "Wisdom too often never comes, and so one ought not to reject it merely because it comes late."

Sensing the irony of my own situation, I used that same quote as the lead-in to the final chapter of my new book, *The Killing of Robert F. Kennedy: An Investigation of Motive, Means, and Opportunity*, in an effort to foreshadow my own reversal about the events surrounding the murder of Senator Kennedy.

I submitted my completed manuscript to my publisher, W.W. Norton, on October 3, 1994, the same day that the U.S. Supreme Court refused to hear my case against the *New York Times* and nearly six months before the deadline in my contract.

My writing coach, Mrs. Nolte, who had earlier reviewed the manuscript, thought that the RFK book was my best work ever. However, she feared that my surprising 180-degree turnaround would dampen Norton's enthusiasm while providing the critics—whose knives would be out for me in the wake of losing my libel suit—with ample cause to tear me apart.

But, because this was my first published book in six long years, I had no choice but to remain positive. To me, this was the ball game. A bad outing would probably end my career as both an author and an investigative journalist.

Even though I had guaranteed in my book proposal to deliver evidence that extra bullets proved that two guns had been fired at the crime scene and that Sirhan never hit Senator Kennedy at point-blank range, Star Lawrence, my editor at Norton, did not complain about my reversal after reading the completed manuscript. In fact, he told me that I had handled the situation well and vindicated my integrity as a journalist by admitting that I had been wrong while setting the record straight. As a result, Lawrence and I believed that our book would be viewed as the definitive account of what had really happened on the night Senator Kennedy was shot and mortally wounded—even though my friends in the conspiracy crowd were sure to disagree.⁹

Still, two questions remained: How would America's book reviewers react—especially in the wake of my five-year litigation against the *New York Times*? Would these reviewers seek retribution and finish me off, once and for all?

Before we had to face any of that, Lawrence invited me to speak to the entire W.W. Norton publishing operation at its semi-annual sales conference in Manhattan on December 5. Viewing this as a huge break, as well as an opportunity to explain what had happened between my book proposal and completed manuscript, I rode the train to New York, picked up my agent, Alice Martell, at her midtown office, and took a cab to the big meeting.

Nervous at first, I told the large crowd, "I am honored to be speaking today before the real power in the publishing industry: the sales people. Authors like me would be nothing without people like you, and I am proud to be on the Norton team for my new book."

Then, after paying my respects to the sales force, as well as to Star Lawrence and Norton's editorial board, I gave them an overview of the book, explaining:

As I write in the Preface: "This book is the story of a murder investigation. It is neither a political melodrama nor a paranoid's paradise."

Chapter One, which is entitled "Intersection," traces the lives of the four major characters of the book on the day of the primary election—Kennedy, Sirhan, shooting victim Paul Schrade, and security guard Thane Eugene Cesar, who has long been accused of being the second gunman at the crime scene and Kennedy's actual killer. This chapter ends when the lives of these four people converge in the kitchen pantry.

The rest of Part One is the story of the police investigation of this murder, which is told almost entirely by the officers and investigators themselves—most of whom had never before been interviewed. At the end of Part One, the reader should be convinced that Sirhan committed the crime and acted alone.

Part Two chronicles the controversies in the case—questions about extra bullets at the scene, firearms evidence, discrepancies between eyewitness accounts and the official version the case, and the evidence that Gene Cesar might have fired the fatal shots at Senator Kennedy. At the end of Part Two, the reader should have serious concerns that two guns were fired at the crime scene.

In Part Three, I enter the case, skeptical of the official version, believing that two guns had been fired and that Cesar might have fired the second gun. I receive an FBI report, stating that four bullets—not accounted for by the LAPD's crime lab—had been photographed and logged. These were four more bullets than Sirhan's eight-shot revolver could hold. When I interview the individual LAPD officers and officials involved in the case, nearly twenty of them confirm the existence of these bullet holes identified in the FBI photos. These are not conspiracy nuts saying this; these are experienced, trained, and qualified law-enforcement officials.

Also in Part Three, I chronicle my collection of all this evidence, including my exclusive interviews with Cesar, who admits that he was working for George Wallace at the time, that he hated Robert Kennedy, and that he had a business connection to a Mafia associate in 1968.

By the end of Chapter Twenty-Seven of this thirty-chapter book, even the most skeptical reader will believe that it is more than likely that two guns were fired, and that Cesar may, indeed, have fired the shots that killed Senator Kennedy—whether intentionally or accidentally in the midst of clumsiness or retaliation against Sirhan.

But, then, in Chapters Twenty-Eight and Twenty-Nine, there is The Twist—the essential element of nearly every great story. In Chapter Twenty-Eight, Cesar takes and conclusively passes a polygraph test. Then, in the final conflict in Chapter Twenty-Nine, Sirhan and I face off in a very dramatic confrontation in a prison-visitation room at Corcoran State Penitentiary in central California over what Sirhan does and does not remember about the night of the murder.

In the final chapter, Chapter Thirty, I authoritatively answer the six principal questions that have lingered for years in this case:

- * Who was hit with the first shot?
- * What was the order of shots hitting Kennedy?

* How was Kennedy hit at point-blank range when not a single eyewitness saw the barrel of Sirhan's revolver get closer than a foot-and-a-half away from Kennedy's body?¹⁰

* Were there really extra bullets in the walls and the door frames of the kitchen pantry—as the FBI report and key LAPD officials have alleged?¹¹

* Why did the court-authorized firearms panel in 1975 fail to match Sirhan's gun with the three intact victim bullets?

* What was Sirhan's motive?

In the end, while Sirhan's guilt is reaffirmed, two men wrongly accused for twenty-seven years—one a police criminalist and security guard Cesar—are finally vindicated.¹²

Indeed, the LAPD did solve this murder in 1968. But, nearly twenty-seven years later, I have solved this case by finally explaining why the evidence of a possible second gunman appears as it does.

Lessons learned? Placing into a new context what I had known all along about this case, I now realize that even law-enforcement officials—who possess the training, qualifications, and experience to determine the significance of crime-scene evidence—do make mistakes if their abilities are not put to the test under the proper circumstances and conditions.

In other words, if one does not account for occasional official mistakes and incompetence, then nearly every such murder could appear to be a conspiracy, particularly if a civilian investigator—like me, with limited access and resources—is looking for one.

I am very excited about this true crime book, which I hope you will find is both honest and intelligent.

Norton threw a luncheon for me where Star Lawrence gave me a note that the head of Norton's sales division had handed him after my speech. It simply read: "Knockout presentation!"

100. Bad photograph, great review

In early-April 1995, I received four finished copies of my Kennedy book, sending the first, as always, to my mom. I had dedicated the book to two people, one of whom was Mrs. Nolte who received the second book. The other person on my dedication page was Walter Sheridan, Robert Kennedy's long-time friend and aide, who had died just three months earlier. I sent the third copy to his widow.

Shortly before his death, Sheridan had called and asked for my conclusions. He was relieved when I told him that I had reversed course and concluded that Sirhan had acted alone. If there really had been a conspiracy against Senator Kennedy, Sheridan would have discovered it.

I kept the fourth copy for my own collection.

Soon after, the *Washington Post* accepted a lengthy article about my 180 on the RFK case. Because the *Post's* editors had published my article about the case in May 1990—in which I made the case that extra bullets, identified by the FBI and LAPD officers, might have been fired at the crime scene—I felt that I owed them this consideration, even though many of the *Post's* people had been so difficult during *Moldea v. New York Times*.¹³

In mid-April, *Kirkus* published the first review for the Kennedy book. The anonymous *Kirkus* reviewer stated:

Moldea has reexamined every piece of available evidence and, in an example of indefatigable journalism, tracked down virtually every policeman and FBI agent who worked on the case, is still alive, and would agree to talk to him. He also interviewed Sirhan and Thane Eugene Cesar, a security guard the night of the shooting often named as the second assassin. . . . Moldea has left no stones unturned in his examination of the Robert Kennedy assassination, uncovering many worms and perhaps, finally, the true smoking gun.¹⁴

However, *Kirkus* took a shot at me in the midst of the review but quickly turned it into a compliment, saying:

Moldea can be criticized for the deceptive way he presents evidence as credible and then, Sherlock Holmes-like, explains only at the end why it is tainted. But this infuriating device works, holding the reader riveted as he reconstructs the crime scene and reviews the investigation.

Publishers Weekly printed the second early trade-publication review of the Kennedy book, following suit with *Kirkus* with an almost identical analysis.

Gilbert Taylor of *Booklist*, the third of the early trade reviews, wrote in the May 15 edition:

Moldea revisits [the murder case] comprehensively but unprejudicedly, so readers swayed by his forensic skill at examining ambiguous evidence will be surprised by his ultimate conclusion. . . . Moldea adopts no theory until he has analyzed all the evidence, culminating in interviews with [Sirhan] and the guard, Thane Cesar. Detailed and definitive, Moldea's persistent investigation might close the book on the tragedy.¹⁵

So far so good, I held my breath while awaiting the reviews from mainstream publications.

British journalist Godfrey Hodgson, in his review for the *Washington Post Book World*, completely ripped my head off, calling me, among other things, a liar.

Apparently, Hodgson could speak with authority about the Kennedy murder case, in which the assassin sprang out of a large crowd and opened fire. Hodgson even boasted:

As it happens, I was in that crowd, a few feet away from the senator, on my way to a promised interview with Kennedy for the *London Sunday Times*. I have an indelible memory of the grief and confusion of that moment.¹⁶

The day after Hodgson's review of my book, while I was drafting my response to the *Post*, a former FBI agent, who is a still close friend, called and said that he had seen Hodgson's review. As I started to recite my complaints with Hodgson, the FBI man ordered me to hang up the phone and go to my fax machine.

A few minutes later, I received a fax of the report that detailed the FBI's interview with Hodgson.

The following is the text of my response to the very embarrassed *Washington Post*:

Dear Editor:

It is particularly disturbing to me that Godfrey Hodgson, in his June 25 review, implies that my book, *The Killing of Robert F. Kennedy*, is premised on 300 pages of "lying." Then, he quickly retracts that charge, because he knows he cannot support it. Still, planting the idea, Hodgson writes: "We might even be tempted to say, in Moldea-speak, 'This [expletive] guy [Moldea] has been lying to us all along.' That wouldn't be quite fair: teasing us, maybe, to make the most of a losing hand, but not lying."

Very cute.

Earlier in the review, Hodgson makes a statement about himself that brings this issue of "lying" into sharper focus.

Following Kennedy's emotional speech after winning the June 1968 California Democratic primary, his aides pushed to get the senator out of the hotel's jam-packed Embassy Room and over to a press conference in the adjacent Colonial Room. To get there quickly, they decided to take a short-cut.

Describing his proximity to Kennedy, Hodgson states in his review:

Instead, as he was hustled through a kitchen pantry in the Ambassador Hotel in Los Angeles after a victory rally with his campaign workers, Robert Kennedy encountered a young Palestinian Christian called Sirhan Bishara Sirhan and was shot to death.

As it happens, I was in that crowd, a few feet away from the senator, on my way to a promised interview with Kennedy for the *London Sunday Times*. I have an indelible memory of the grief and confusion of that moment. [Emphasis added.]

Clearly, Hodgson includes this personal account in his review to establish his authority when writing about the Kennedy murder and to give greater weight to his opinion of my work. After all, he appears to have been an eyewitness.

But was he really?

According to the LAPD's official list of the 77 known persons in the kitchen pantry at the moment of the shooting, Hodgson is not mentioned either as an eyewitness or as even being present in the room!

In fact, according to his own 1969 book, *An American Melodrama: The Presidential Campaign of 1968*, Hodgson detailed on pages 353-354 that he was on the floor below the kitchen pantry, perhaps even outside the hotel, while Kennedy was upstairs being gunned down!

Remarkably, a third version of these events comes from Hodgson's own statement to the FBI. According to the FBI's official report of the Hodgson interview—dated July 8, 1968, just over a month after the murder—Hodgson "furnished the following information":

As soon as KENNEDY finished his speech and before he began to move through the crowd, HODGSON [and two colleagues] left the Embassy Room by going down an iron staircase to the parking lot. They did this to avoid getting trapped in the crowd. They did not know which way the Senator would go after making his speech or what his exact plans were.

While outside HODGSON heard about the shooting and he went back inside the hotel. He went towards the kitchen area but was unable to enter the area because of the crowds. He did not see the Senator or SIRHAN at that time.

Hodgson's now-embellished claim that he was just "a few feet away from the senator" deceitfully gives the impression that he was an actual eyewitness to this terrible event. This gross exaggeration—debunked by LAPD and FBI records, as well as his own 1969 book—is as dishonest as his review of my work.¹⁷

Dan E. Moldea

Washington, D.C.

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In mid-May, a photographer from the *New York Times* called and asked for an appointment to take my picture. I reluctantly scheduled the meeting, assuming this assignment was part of some follow-up report about my defeat to the *Times*.

Then, on late Wednesday afternoon, May 24, I received a call from a reporter-friend of mine at the *New York Times*.

"Hey, Dan!" He said, excitedly. "Did you hear the news here?"

"About what?" I asked.

"We're reviewing your new book in the *Times* tomorrow."

"You've got to be kidding me. Who's doing it?"

"Christopher Lehmann-Haupt."

"Jesus! What's he going to say? Do you know?"

"No one knows yet, but people around here are buzzing about it."

For the next twelve hours, I couldn't work. I couldn't eat. I couldn't sleep. I couldn't sit still. I felt like a condemned man the night before execution, waiting for a call from the governor.

Finally, at 6:00 in the morning, I couldn't take it anymore. Instead of waiting for the *Times* to arrive on my doorstep, I went to a 24-hour convenience store to get a copy.

When I walked into the 7-11, a large stack of the *New York Times* rested on the wire stand. I picked one up and opened it to the book-review page which, indeed, ran only one featured review: *The Killing of Robert F. Kennedy*.

The first thing I saw was my photograph, which I nearly didn't recognize. My face appeared so large and contorted that I looked like a wrestling promoter. But, within seconds, it didn't matter how I looked in the picture because Lehmann-Haupt had made my book look great in the review, writing:

Carefully reasoned . . . ultimately persuasive . . . dramatic. . . . The author meticulously dissects how the various disputes arose and how critics were drawn into the orbit of the case. . . . The cleverness of [Moldea's] strategy in the book lies in his playing so effectively the part of devil's advocate. . . . His book should be read, not so much for the irrefutability of its conclusions as for the way the author has brought order out of a chaotic tale and turned an appalling tatter of history into an emblem of our misshapen times.¹⁸

Absolutely joyful, I bought three copies of the *Times*. While driving, I had to pull over momentarily: I couldn't see the road because my eyes had welled up.

When I arrived back at my apartment during mid-morning after a breakfast-business meeting, I already had 47 messages on my answering machine from friends and colleagues who were thrilled about the review—even though nearly everyone poked fun at me about the picture.

That afternoon, I wrote a letter to Lehmann-Haupt—the husband of Natalie Robbins, the author of *Alien Ink*—simply saying: "Thank you for your consideration and thoughtful review. You and the *Times* have demonstrated nothing less than pure class, and everyone is saying so."

Soon after, Alex Kuczynski of the *New York Observer* published an article, saying:

A rave review by the *New York Times*' venerated book reviewer Christopher Lehmann-Haupt is every author's dream. But are your chances even better if you've brought a lawsuit against the *Times* for their last review of one of your books? On Thursday, May 25, the *New York Times* published a highly favorable review, by Mr. Lehmann-Haupt, of Dan E. Moldea's *The Killing of Robert F. Kennedy*. . . .

Mr. Moldea told the *Observer*, "Sometimes when you're reviewed, you get a real pro and other times you get a shill for the institution you're writing about. The last time I got a shill, this time I got a pro."

Said Mr. Lehmann-Haupt: "I just sort of put my head in the sand and tried to judge the book on its own merits. That to me is the job of a good reviewer."¹⁹

Reporter John Diamond of the Associated Press followed with a wire story, saying:

"Sirhan Bishara Sirhan consciously and knowingly murdered Senator Robert Kennedy, and he acted alone," Moldea concludes. . . . What makes the book notable is that Moldea, an investigative reporter who has been working on the RFK case since the mid-1980s, rejects his own earlier suspicion that the assassination was a conspiracy by more than one gunman.²⁰

On my June 5 publication date, *Newsweek* released its June 12 issue, featuring a full-page article about the Kennedy book. Reporter Steve Waldman wrote:

If there had been a conspiracy to assassinate Robert F. Kennedy, as many people believe, Dan Moldea probably would have found it. . . . [I]n 1987 Moldea had written an influential article in *Regardie's* magazine demanding that the RFK case be reopened because of mounting evidence that a second gunman was involved. But after doing extra research for a book, Moldea concluded that he was wrong the first time—and that the sole killer of Robert Kennedy on June 5, 1968, was a deranged Sirhan Sirhan. . . .

If this reporting doesn't seal the case, Moldea's chilling prison interviews with Sirhan do.²¹

On June 8, three close friends—Barbara Raskin, Herb White, and well-known Washington publicist Janet Donovan, all of whom had hosted a party for my third book, *Dark Victory*, in 1986—threw another one for my Kennedy book at White's restaurant, Herb's, in downtown Washington. The crowd consisted of a couple of hundred long-time friends from Akron to Detroit and New York to Los Angeles, as well as numerous authors and journalists, attorneys, cops, spooks, and even a couple of ex-mob guys from the Federal Witness Protection Program.

Ethelbert Miller, still a leader in Washington's community of writers, introduced me, saying: "The last few years have been difficult ones for Dan Moldea. He has fought to uphold his good name and continued writing. . . . Moldea loves the writers' battlefield."

After Miller's generous introduction, I pretended to get very serious and said to the large crowd, "Today, my attorneys and I announce that we have filed another defamation suit against the *New York Times*—this time for the publication of that goddamn picture two weeks ago that made me look like Luca Brasi in *The Godfather*. We are seeking millions in damages."

The day after the book party, another rumor circulated that a second review of my book would soon be published in the Sunday *New York Times Book Review*. But, frankly, I didn't want it. I was still overjoyed with the Lehmann-Haupt review, and I didn't want another to cancel it out.

On Wednesday, June 14, Star Lawrence faxed me the review that would appear in the *New York Times Book Review* on Sunday, June 18. To my complete surprise, it was even better than the first, declaring:

In *The Killing of Robert F. Kennedy*, a persuasive reexamination of the assassination, Mr. Moldea does what many journalists would lack the courage for—admit that his earlier work was wrong. . . . But because of the honesty and logic with which he approaches his study, Mr. Moldea's journalistic instincts have never looked sharper.

Written by Gerald Posner—the author of *Case Closed*, the best-selling anti-conspiracy book about John Kennedy's murder—the review also finally gave credit where credit had long been due: "Mr. Moldea dedicates the book to his writing coach, Nancy Nolte, and properly so, because this is the best written of his books, finished in a clear and easy style."

On August 31, John Aloysius Farrell—an investigative journalist for the *Boston Globe*, which was now owned by the *New York Times*—wrote a feature story about me on the front page of the newspaper's Living Arts section. Entitled, "Dan Moldea's Lonely Beat," Farrell stated:

Dan Moldea may qualify as a Last Angry Man. A tough guy. A rough and rugged knight-errant in a world of corporations and computers. . . .

The literary world is filled with gripes and braggadocio, but it was Moldea who sued the *New York Times Book Review* and, shrugging off the reprobations of newspaper editorialists and other protectors of the First Amendment, carried his case to the U.S. Supreme Court.

Not a great career move: taking on the bible of book reviews. Pretty nervy for a free-lance writer.

Speaking specifically of the Kennedy book, Farrell continued:

Moldea performs a public service. His book is, above all else, an anatomy of conspiracy theory: a dissection of how blundering public officials, in trying to cover up their own quite human mistakes, can fuel wider suspicions and doubts. . . .

That Moldea could carry off such a trick is a testament to his skill as a writer and investigator. . . . Of all the writers who have challenged the official verdict on the Kennedy assassinations, his careful work won the quiet respect . . . of the Kennedy family's aides and advisors.

In the end, Moldea chose journalistic integrity over the commercial possibilities of a fresh conspiracy theory.

Concluding his story, Farrell quoted me, saying, "The jury is out on me. I love the work. I love the investigations, the reporting, [and] the colleagues. I love everything I do except the business. The business is something I've never been good at."

ENDNOTES

¹ Charles Trueheart, *Washington Post*, "Did Sirhan Act Alone?" May 26, 1987.

² Bill Steigerwald, *Los Angeles Times*, "The Mystery Persists in R.F.K. Killing," June 12, 1987.

³ Chuck Conconi, *Washington Post*, "Personalities: RFK Files to Be Released," June 26, 1987.

⁴ Kevin McManus, *Insight*, "RFK Assassination Conspiracy Theory," August 3, 1987.

⁵ Dan E. Moldea, *Washington Post Outlook*, "RFK's Murder: A Second Gun?" May 13, 1990.

⁶ Actually, I had two truth tests conducted—with the most recent in June 1994. The second test, a voice stress analysis, corroborated Gelb's polygraph results.

⁷ Mary Sirhan died on February 7, 2005. Adel Sirhan had passed away nearly four years earlier on May 21, 2001.

⁸ Memorandum from Dan Moldea to Michael McCowan, "McCowan's conversation with Sirhan," signed by McCowan, February 25, 1995.

⁹ Six weeks before the publication of my book, I decided to break the news of my conclusions to other critics of the RFK case, sending them a letter, saying: "I am writing out of respect to notify you that in my upcoming book about the murder of Senator Robert Kennedy, I will be concluding that Sirhan Sirhan knowingly committed the crime and acted alone.

"Obviously, I have a lot of explaining to do, and I am prepared to do just that."

¹⁰ Regarding the question of muzzle distance: All twelve of the eyewitnesses to the shooting claimed that they did not see Sirhan fire a point-blank shot at Senator Kennedy—who was hit three times at point-blank range. (A fourth shot, also fired at point-blank range, passed through his clothing without touching his body.)

The fact is that none of these twelve eyewitnesses ever saw Kennedy get shot. All twelve of the eyewitnesses' statements about muzzle distance were based on—and only on—their view of Sirhan's first shot. After the first shot, their eyes were diverted as panic swept through the densely populated kitchen pantry. The seventy-seven people in the crowd began to run, duck for cover, and crash into each other.

Simply speaking, I believe that the kinetic movement of the crowd trapped Kennedy against a steam table, which was bolted to the floor, as Sirhan, just inches away on the side of that same steam table, fired his weapon at him. Consistent with this, the last person to shake Kennedy's hand remembered seeing the senator lose his balance—while another eyewitness remembered seeing him "jerk a little bit, like backwards and then forwards."

Kennedy had recoiled from the sound of Sirhan's first shot, which didn't strike him, but then was accidentally pushed forward by the panic-stricken crowd into the steam table and Sirhan's weapon—where he was struck three times at point-blank range.

And who was hit with the first shot? Paul Schrade—standing a few feet behind Kennedy and one of the five others wounded—told me that he was looking at Kennedy when he lost consciousness. Before Schrade was shot in the head, the last thing he saw was the senator smiling and just beginning to turn towards the steam table. Consistent with this, another eyewitness testified, "I saw the fellow behind the Senator fall, then the Senator fell."

Contrary to the LAPD's official report, I believe that Sirhan's first shot missed Kennedy and hit Paul Schrade—and that was the only shot from Sirhan's gun that the twelve eyewitnesses saw.

No one knows for sure what Senator Kennedy saw before he was gunned down. However, his last known words, while lying on the floor of the kitchen pantry, were: "Is Paul all right?"

I believe that Kennedy—who, while pinned against the steam table, had reacted defensively by turning his back on his assailant—saw his close friend get hit with the first shot—just before Sirhan shot him, at point-blank range.

¹¹ When I received my contract from Norton in 1993, I decided to reexamine everything in the RFK case like a government bureaucrat approaches "zero-based budgeting." I took nothing for granted; everything was open for review. So, in the wake of my third and final interview with Sirhan, I returned to a basic question: Why did police officials and FBI agents believe they had seen bullet holes in the walls and door frames in Sirhan's line of fire?

The key pieces of evidence about these extra bullets were contained in a little-known FBI report in which a special agent had identified four bullet holes, which appeared in photographs attached to this report. Each of the four pictured bullet holes was circled. In each circle, someone had scribbled the number "723" and two sets of letters, one of which was "LASO." At first, I was unable to decipher the other set of scribbled letters.

While researching my story for the *Washington Post* in 1990, I speculated that the person who had circled these holes was someone from the Los Angeles Sheriff's Office—and that "723" was his badge number. After telephoning one of my sources at the LASO, he identified the holder of badge 723 as deputy patrolman Walter Tew who had died eighteen months earlier.

After identifying Tew, I took another look at the photographs and easily deciphered "W Tew" as the second set of scribbled letters in each circle. Then, I re-interviewed the commander of the LASO contingent, which was the first group of law-enforcement personnel to arrive in the kitchen pantry after the shooting. He clearly remembered Tew among his team of men that night, even though Tew's name didn't appear in any of the police records at the California State Archives.

At the time of my discovery in 1990 that Tew had circled the alleged bullet holes, I was jubilant and portrayed Tew as an example of a conscientious police officer who had innocently marked evidence of bullet holes at a crime scene—even though Tew wasn't a firearms-identification expert.

However, during my re-review of this material in 1994, I was suddenly struck by the fact that, regardless of his good intentions, *Tew wasn't a firearms-identification expert*. He simply was not qualified to make such identifications.

Nevertheless, in the aftermath of the shooting, his evidence remained as he had marked it—as scores of police officers and FBI agents walked through the crime scene and saw the holes in the walls and the door frames that Tew had circled.

No wonder so many law-enforcement officials had told me that they had seen bullet holes in the kitchen pantry. They had simply seen what Tew had marked as evidence and assumed that they were bullet holes, identified by a competent firearms expert.

Even the special agent, who had written the controversial FBI report with the four attached photographs of identified bullet holes, had been fooled. Like Tew, this agent, Alfred Greiner, was not a firearms-identification expert. He was from the bureau's photography lab and had been assigned to the kitchen pantry to obtain orientation shots of the crime scene.

Soon after, I learned that the person who had given Greiner and his photographer their tour of the crime scene also was not a firearms expert—rather he was a desk clerk from the Ambassador Hotel. During this tour—which is chronicled in an official police report—Greiner saw the holes that Tew had circled, had them photographed, and then, without any supporting evidence, identified them as "bullet holes" in his report.

In short, what Tew had identified as bullet holes were not bullet holes at all. There were no extra bullets at the crime scene.

¹² In 1999, Thane Eugene Cesar—who had married a woman from the Philippines and left the United States shortly after the publication of my book—asked me to be the godfather to his newborn son. I accepted this honor.

¹³ Dan E. Moldea, *Washington Post*, "For the Last Time: Who Killed RFK?: My Ten-Year Journey to The Mind of the Assassin." June 4, 1995. Unfortunately, *Regardie's* magazine, in which I had published my first story about the RFK case in 1987, had folded in 1992.

¹⁴ No byline, *Kirkus Reviews*, "The Killing of Robert F. Kennedy," April 1, 1995.

¹⁵ Gilbert Taylor, *Booklist*, "The Killing of Robert F. Kennedy," May 15, 1995.

¹⁶ Godfrey Hodgson, *Washington Post Book World*, "Who Really Shot RFK?" June 25, 1995.

¹⁷ Dan E. Moldea, *Washington Post Book World*, "The RFK File," July 16, 1995. In his published reply to my letter, Hodgson continued to insist: "I was 'in that crowd' and 'a few feet away from the senator.' . . . I did not state or imply that I was an eyewitness or in the pantry when Kennedy was killed."

The reader can judge what Hodgson really said on three different occasions—and what he was trying to get away with in his review of my book.

¹⁸ Christopher Lehmann-Haupt, *New York Times*, "Open Door to Conspiracy Theories." May 25, 1995.

¹⁹ Alex Kuczynski, *New York Observer*, "Off the Record," June 5, 1995.

²⁰ John Diamond, Associated Press, "New book concludes no plot in RFK murder," June 9, 1995.

²¹ Steve Waldman, *Newsweek*, "Closing the Case on RFK," June 12, 1995.