

MEMORANDUM

TO: JOHN E. HOWARD  
Chief Deputy District Attorney

FROM: SIDNEY D. TRAPP, JR.  
Deputy District Attorney

SUBJECT: DESCRIPTION OF SIRHAN CASE EXHIBITS

DATE: JUNE 7, 1971

On June 2, 1971, the undersigned accompanied by John Howard visited the Supreme Court Clerk's Office, Old State Building, Los Angeles, California, for the purpose of viewing several Sirhan exhibits which had been delivered to that office from San Francisco at the request of attorney George Shibley. *on May 25/71*

The following exhibits were present and were examined in the presence of the Supreme Court clerk:

Exhibit 6

Iver-Johnson .22 caliber revolver, serial number H-53725. This was contained within one large manila envelope which bore the inscription on the outside "Number 6 and 7." It is presumed that since the transcript indicates that the gun was numbered "6" that this is its present number. No exhibit 7 appeared within the envelope.

Exhibit 47

A bullet, .22 caliber long rifle. This was old Grand Jury exhibit number 5-A. The envelope in which the bullet was found bears Coroner's remarks and DeWayne Wolfer's initials "DW".

Exhibit 48

Contains SUS items number 26 and 27. There was an envelope within an envelope. Contained therein was one vial with a two gram item (believed to be the same as in the photograph number 24), one vial with a black top containing gauze and

bullet fragments. This vial was numbered 24 and is believed to contain the same fragments as were exhibited in the photograph number 24.

Exhibit 49

This was SUS item number 24 and is a picture of a 25.5 grain bullet fragment and a small 2 grain bullet fragment.

Note: This is believed to be a photographic reproduction of the items contained within exhibit 48.

Exhibit 50

This was item number 57 in the SUS series. Contained within were two bullet fragments. The envelope indicates the bullet fragments were taken from victim Schrade. Within the envelope is a vial containing two fragments. Dr. Fuchs' name appears and DeWayne Wolfer's initials "DW" also appear.

Exhibit 51

Is item number 105 in the SUS series. Believed to be the Stroll bullet. Stroll's name appears on the outside of the envelope. There are two evidence envelopes and within the two evidence envelopes is one coin envelope containing one expended bullet. The initials "DW" appear on the bullet.

Exhibit 52

This contains items number 113, 114 and 115 from the SUS series. These are one bullet expended, .22 caliber; one medical treatment slip bearing the name "Goldstein"; and one ambulance receipt. There are two evidence envelopes, one within the other. The inside envelope contains a jar bearing the name "Goldstein", "Dr. Finkel", the initials "DW". Within the jar was one bullet bearing the initials "DW".

Exhibit 53

This was item 45 in the SUS series. Contained two envelopes. Within the envelopes were two bullet fragments believed to be the Evans fragments. The envelope bears the name "Evans".

Exhibit 54

This is item 56 in the SUS series. It's the Weisel expended bullet. Also contained therein is a Kaiser tissue examination. The bullet contains the initials "DW".

Exhibit 55

Contains three expended .22 caliber slugs and two expended casings. The envelope bears the inscription "I and J .22, serial number H-18602, Cadet model." The initials "DW" appear on each slug.

This appears to be the extent of the evidence in the custody of the Supreme Court Clerk's Office of Los Angeles on June 2, 1971.

SDT:jw

PROPERTY CARD

EVIDENCE       FOUND PROPERTY  
 FOUND EVIDENCE       SAFEKEEPING

JUNE 5, 1968	DR NO. 68 521 466
OFFENSE Att. Murder	PROPERTY CLERK 7
BOOKED BY Galkins #7267	DIV. AND DETAIL HD
10.6 SENT-DATE	HOLD UNTIL
REASON	
OWNER (Found Property-Safekeeping ONLY)	ADDRESS

BOOKED TO DOE, John #1	BOOKING NO. 495 139
LOCATION Rampart Dets	BOOKED BY
INVESTIGATORS	DIV
OWNER (Found Property-Safekeeping ONLY)	

BIN NO.	ARTICLES	DATE OUT	TAKEN OUT BY	DATE IN	RETURNED BY
	ser #1153725 #11 PKG: 22 cal Iver Johnson rev	JUN 5 - 1968		JUN 5 - 1968	
	8- expended cases #12	JUN 5 - 1968		JUN 5 - 1968	
	PKG: 22 CAL R&D. (2)	JUN 5 - 1968			
	S sent RDS	JUN 5 - 1968			
	PKG - ALL Contents Trans TO SUS				

*Handwritten:* CONTINUED TO SUS

*Stamp:* JUN 24 1968

PROPERTY/PRISONER TRANSFER RECORD

EVIDENCE    FOUND EVIDENCE    FOUND PROPERTY-HOLD FOR OWNER    PERSONAL PROPERTY    SAFEKEEPING    PRISONER

INSTRUCTIONS: MARK (X) APPROPRIATE BOX FOR TYPE OF TRANSFER. MARK (X) 'PRISONER' AND 'REPORT' COLUMNS WHEN PRISONER IN CUSTODY. MARK (X) 'REPORT' COLUMN ONLY WHEN PRISONER IS 'OUT ON BAIL.'

DATE TRANSFERRED  
**Aug. 24, 1968**

NAME OF PERSON PROPERTY BOOKED TO OR NAME OF PRISONER TRANSFERRED	DATE BOK. & DR. OF BOOKING NO.	PRIS. (X)	REPT. (X)	PKG.--BOL CTN.--TGD	GENERAL DESCRIPTION OF PROPERTY	CASH
DOE, John #1	6-5-68 68-521 466		X	PKG:	Ser H 53725 .22 Cal Iver Johnson Item 11  C-.Expended Cases Item 12	
<i>Confidential Refer to SUS</i>				PKG:	.22 Cal Slug    Item 113 MT Slip        Item 114 Receipt        Item 115	
RECEIPT FILE AUG 24 1968						

DIVISION TRANSFERRING <b>Central Property</b>	DESK OFFICER TRANSFERRING <b>Shin #25</b>	PERSON TRANSPORTING (Sign.-Ser.No.-Div.) <i>[Signature]</i> 11157 SUS
DIVISION RECEIVING <b>SUS</b>	PERSON RECEIVING (Signature-Ser.No.-Div.) <i>[Signature]</i>	DATE AND TIME RECEIVED AUG 24 1968 <i>[Initials]</i>

This document corroborates gun # 53725 was transferred 8-24-68 - see Property Card

Los Angeles Police Department <b>PROPERTY REPORT</b>		<input checked="" type="checkbox"/> Evidence <input type="checkbox"/> Found Evidence <input type="checkbox"/> Found Property <input type="checkbox"/> Safekeeping	DR 68-521-466
1. TRAVIS RESIDENCE ADDRESS 2. SOURCE ADDRESS 3. RESIDENCE ADDRESS		PERSON PROPERTY BOOKED TO (Last, First, Middle) 1. DOE JOHN #1 ARRESTEE'S NAME 2. SMILE VICTIM OR OWNER'S NAME 3. KENNEDY ROBT F PERSON REPORTING TO POLICE DEPT. (Last, First, Middle) 4. R. L. CALKINS HOMICIDES	RES. PHONE BUS. PHONE CHARGE 217 P.C. 495739 RES. PHONE BUS. PHONE RES. PHONE BUS. PHONE
DATE & TIME THIS REPORT 6-5-68 5AM	PROP. BKD. AT C.P.	INV. DIV. RAMPART	DATE & TIME PROPERTY TAKEN INTO POLICE CUSTODY - LOCATION - CITY OR REPORTING DIST. 6-5-68 145A RAMPART DETS 200
Evidence: BOOK TO ARRESTEE. IF NONE, BOOK TO VICTIM. Found Evidence: BOOK TO OFFICER IF NO ARRESTEE OR VICTIM. Found Property: BOOK TO ACTUAL FINDER. Safekeeping: BOOK TO DEPOSITOR, OWNER OR PERSON IN LAWFUL POSSESSION. (Separate reports are required for each different classification of property)		TYPE OF PREMISES POL. STATION TYPE OF PROPERTY REVOLVER DIV. RPTG. HOMICIDES	DIV. OR CITY & DATE CRIME OCCURRED RAMPART 6-5-68 LIST ANY CONNECTING REPORTS BY TYPE & DR. CRIME OTHER PROPERTY
(1) IF STOLEN IN CITY OF LOS ANGELES EACH CASE MUST BE COVERED BY CRIME AND FOLLOW-UP REPORTS. (2) DESCRIBE CIRCUMSTANCES RESULTING IN BOOKING OF THIS PROPERTY. (3) GIVE ADDRESS, TIME AND/OR PHONE NUMBER WHERE CONCERNED PERSON(S) MAY BE CONTACTED BY DAY INVESTIGATORS IF NOT LISTED, OR OTHER THAN ABOVE. (4) ITEMIZE AND DESCRIBE ALL PROPERTY. GIVE ALL SERIAL NUMBERS AND OTHER MARKS OF IDENTIFICATION. LIST ONLY ONE ARTICLE ON A LINE.		IS THIS STOLEN PROPERTY? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> UNKNOWN	PROBABLE CRIME ATTEMPTED Prints - Photo - S.I.D. - Other <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
ITEM NO.	QUANTITY	SERIAL NUMBERS AND ENGRAVING	
11	1	GUN, REVOLVER IVER JOHNSON "CADET" # H53725 B/S 2 1/2" BBL 8 SHOT CAL. 22	
12	1	BRASS, EXPENDED CAL. 22 "CCI" ON BASE NOT MARKED FOR I.D.	
PK GUN ITEM # 11 OBTAINED FROM RAFAEL JOHNSON AT RAMPART DETS ON 6-5-68 AT 145AM ITEMS # 12 OBTAINED FROM RAFAEL JOHNSON AT RAMPART DETS ON 6-5-68 AT 145AM OBSERVED IN CYLINDER OF ABOVE REVOLVER TO BE TAKEN TO S.I.D. FOR PRINT CHECK OF EXPENDED BRASS CIGES			
If additional space is required, use Classification Sheet, Form 35.9.		SUPERVISOR APPROVING SERIAL NO. REPORTING OFFICER(S) - SER. NO. - DIV. - DET. PERSON REPORTING (Signature)	
DATE OF REPORT 6-5-68 5:15AM (2)		R. L. CALKINS 7287 HIX M. J. MCGANN 10329 INDEXED CHECKED	

SHOTS FIRED

TH 57  
AUG 24 1968  
PROPERTY FILED  
68  
(M)

Note Gun H53725 + exp. shell casings transferred to 545 8-24-68 / see Linn Morrison research

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\* \* \* \* \*

STATEMENT OF DeWAYNE WOLFER, TAKEN BY JOHN E. HOWARD,  
CHIEF DEPUTY DISTRICT ATTORNEY, IN THE OFFICE OF THE DISTRICT  
ATTORNEY, ROOM 602, HALL OF JUSTICE, LOS ANGELES, CALIFORNIA,  
ON TUESDAY, JUNE 29, 1971, AT 3:45 P.M.

File No:  
Offense:  
Title: Sirhan, Kirschke & Terry Cases Inquiry  
Deputy: John E. Howard

Questions by: John E. Howard  
Reported by: Alice MacArthur, L.S.P.

\* \* \* \* \*

*re crimping & identification bet. comp. of  
p. 47 & test bullet*

*see pps. 6, 9, 10*

*J. E. Howard*

Wagner

crimping/masking

Hollow-  
point

1 A It was, yes. It was not only described  
2 to me, but the reports in my presence also indicated it was  
3 the gun taken from Sirhan.

4 Q You talked to actual people that saw  
5 it happen?

6 A Yes.

7 Q And you had that gun in your custody  
8 then for some period of time prior to the Grand Jury?

9 A Yes.

10 Q Did you do some testing of that gun  
11 concerning a water tank?

12 A I did, yes.

13 Q Would you tell us how that works?

14 A Yes. I took Sirhan's gun and I took  
15 live rounds of what we call CCI ammunition, which were hollow  
16 point, and for this particular reason I took the ends of the  
17 bullets and mashed the hollow point shut so I could fire  
18 it in the water tank without the bullets expanding or  
19 blowing up.

20 I loaded the Sirhan weapon. I placed it  
21 over the opening in the top of the ten foot water tank in the  
22 police building.

23 I fired the gun into the water tank to  
24 recover the bullets.

25 Q Now, this Sirhan gun was a revolver.  
26 Is that right?

Ep. A pg 2



questions by Barbara Warner Blehr

100

1 A I put them in a manila envelope and sometime  
2 later I made up the name and address.

3 Q Why did you want to keep three of them out?

4 A Because all of the bullets had not been identified,  
5 as I recall. There were some of the bullets in the victim  
6 that had not been recovered, that we were to take out at a  
7 later time.

8 We attempted to take out -- at a later time.

9 Q What did you mark the four bullets with? Did  
10 you mark them in any way, the bullets that went in to the  
11 Grand Jury?

12 A I put my initials on them, yes.

13 Q Which one of the four did you identify as the  
14 matching bullet taken from the victim? *the one that was 9/27*

15 → A I did not identify any of those four. I said  
16 these were bullets that were used. But actually one of the  
17 three bullets that I took -- the better bullets -- would  
18 be one of the better matching bullets.

19 Q Now, the bullets in the Grand Jury became what  
20 exhibit, do you recall?

21 A I would have no idea.

22 Q All right.

23 Well, you testified in the Grand Jury proceedings  
24 that the bullets that were contained -- the four bullets  
25 that were contained in the envelope, whatever designation it  
26 had, matched, the bullets taken from the victim; is that  
27 correct?

28 A The Kennedy?

*Ex. F pg 1*

People's Exhibit No.	Panel ID No.	Description
52		Envelope marked: Evidence Date: 6-5-68 Div. Central DR. #68-521466 Name: Sirhan, Sirhan B. Booking # 495139 Location: 16237 Ventura Blvd. Charge 187 P.C. Officer: Feddema 11044 Div. W. Valley Item #113 - 1-Bullet expended .22 cal/ <u>Goldstein</u>
	6	<u>Contents:</u> Vial: Bullet from Ira Goldstein Age 19 Dr. M. Finkel Initialed DW P-ID-6 1 copper colored coated bullet, .22 L.R., hollow point marked "DW" on nose, marked 6 on base.
53		Envelope Tagged, Case # A 233 421 Envelope marked: Evidence Date: 6-6-68 Div: RAMP DR# 68-521466 Name: Sirhan, Sirhan B. Booking # 495139 Officer: Brandt 10004 RAMP Item #45 <u>2 bullet fragments</u> <u>Evans</u>
	7	<u>Contents:</u> Gauze containing approx. 5 fragments. Largest fragment copper coated lead, flattened.
54		Tagged Envelope, Case # A 233 421 Envelope marked: Evidence Date: 6-6-68 Div: RAMP DR# 68-521466 Name: Sirhan, Sirhan B. Booking # 495139 Location: Kaiser Hospital Offense: 187 P.C. Officer: L.M. Orozco 11072 RAMP Item #56 1- bullet expended <u>Weisel</u>
	8	<u>Contents:</u> Vial: Weisel, William 6/5/68 Initialed "DW" 1-copper colored coated bullet, .22 L.R. hollow point marked LM on base DW on ogive, 8 on nose.
55		Tagged Envelope, Case # A 233 421 Envelope marked: Los Angeles Police Dept. Crime Lab Test Shot Name: Sirhan, S. B. Date: 6-6-68 Make: I&J Cal. .22 Type: Rev. No. H 18602 DR # 68-521466 Crime: 187 P.C. H- 18602 - Cadet Model
	A	.22 LR HP Copper coated "DW" on crimped nose
	B	.22 LR HP Copper coated "DW" on crimped nose
	C	.22 LR HP Copper coated "DW" on crimped nose.

People's Exhibit No.	Panel ID No.	Description
5B (Grand Jury)		<p>Tagged envelope, Case # A 233 421  Envelope marked: Victim: Robert Kennedy  Los Angeles Police Dept. Crime Lab Test Shot  Name: Doe, John Date 6-5-68  Address: _____  Make: Iver Johnson Cal. .22 Type: Rev.  No. H53725 DR# 68-521466  Crime: 217 P.C. Officer: Melendez  Signed: DeWayne A. Wolfer</p> <p><u>Contents:</u>  D .22 LR HP Copper coated, No ID, "D" on nose.  E .22 LR HP Copper coated, No ID, "E" on nose.  F .22 LR HP Copper coated, No ID, "F" on nose.  G .22 LR HP Copper coated, No ID, "G" on nose.</p>
6		<p>Tagged Envelope, Case # A 233 421  Envelope Marked: Evidence  Date: 6-5-68 Div: H.D. DR# 68-521 466  Name: Doe, John Booking # 495 139  Location: Rampart Charge: 217 P.C.  Officer: Calkins 7237 Div: HD  1-Revolver Cal. .22</p> <p><u>Contents:</u>  Revolver, Iver Johnson "Cadet", caliber .22 LR.  eight shot, blued steel, serial number: H53725,  top strap marked: Iver Johnson Cadet Mod. 55-SA Pat. Pend.  I. J. A. &amp; C. Wks.  Fitchburg, Mass. U.S.A.</p>

A form was designed so that each panel member could record data, based on his personal observation of the evidence. This form, when completed by all examiners, was used as a basis for the first joint report, as authorized by paragraph 1, Court Order #4, which reads:

"The panel of firearms examiners shall file joint reports as to:

(a) their determination whether or not the condition of any of the exhibits is such that at the present time a reliable firearms identification can be made, and

(b) their determination of the characteristics specified on page 8, lines 1 through 8, of the Order for Retesting of Exhibits dated September 18, 1975."

The joint report with a sampling of the individual worksheets follows.

1 exhibit 52, he wrote that the mark on the bullet he received was  
2 "6".

3 8. Therefore, the inescapable conclusion -speculation aside- on  
4 these facts is that, at least with respect to the neck and the  
5 Goldstein bullets, the evidence placed before the Judge and the  
6 jury consisted of other bullets substituted for the actual  
7 bullets which were removed from the victims.

8 9. This being the case DeWayne Wolfer had to have committed  
9 perjury when he testified that he matched test fires from  
10 Petitioner's gun, to the exclusion of all other weapons, with  
11 the Kennedy neck and Goldstein bullets.

12 10. Wolfer also committed perjury when he testified that he  
13 conducted further tests using a weapon that was of an identical  
14 make and model to Petitioner's pistol when as a matter of fact  
15 the pistol he used-H18602- was not an Ivar Johnson but a  
16 Richardson weapon. *(What is P's source?)*

17 11. Defense Counsel Grant Cooper was under a pending indictment  
18 throughout the Trial.

19 12. Defense Counsel, did no independent testing of Petitioner's  
20 gun but instead agreed to stipulate to the introduction of the  
21 ballistics evidence agreeing in every instance that the origin  
22 of the bullets was whatever the prosecution represented.

23 13. This stipulation followed ADA Fitts statement, on the  
24 record, before the Court, that the prosecution had no foundation  
25 for the ballistics evidence it was going to present.

Board of  
Inquiry 6-16-71

- 3 -

On June 10, 1968, Wolfer obtained a second H&R .22 caliber revolver from Property Division, Serial Number H18602. He obtained this weapon in order to conduct certain tests at the scene of the crime and to establish the distance at which Sirhan fired into Kennedy's head. He used this weapon, which was of the same class as the murder weapon, because the Sirhan weapon had been admitted into evidence at the Grand Jury hearing and was not readily available. He did not recover any bullets fired during the test described above.

On a date subsequent to June 10, 1968, Wolfer placed the three test bullets from the Sirhan gun he had retained in his personal custody since the Grand Jury hearing in an evidence envelope and mistakenly entered the serial number of the second weapon, H18602, on that envelope. This clerical error proved of no consequence because Wolfer testified at the trial that the bullets handed to him in the course of the trial and identified as Exhibit 55 were the bullets he had initially fired from the Sirhan gun and were those over which he had retained custody. He testified these bullets had been fired by him personally from the Sirhan weapon, Serial Number H53725; and neither Wolfer, the Court, the prosecutor, nor the defense noticed the inaccurate serial number on the evidence envelope, Exhibit 55.

Wolfer stated he did not violate Precept Number 1.

In regard to the application of Precept Number 2 in the Sirhan case, Wolfer stated that it is baseless, since he testified in court that he had used a different weapon for the sound and powder pattern test and testified, both on direct- and cross-examination, to that effect, explaining that a weapon from the same class, using ammunition from the same batch purchased from the identical store from which Sirhan purchased his ammunition, was similar enough to satisfy requirements for the tests he conducted.

Wolfer further denied violating Precept Number 3 in the Sirhan case. He stated his testimony regarding the lands and grooves on the bullets that were damaged in the Sirhan case could possibly have come from Sirhan's gun because he was able to establish class characteristics on the damaged bullets. He did not testify they came from Sirhan's gun and no other. Therefore, he did not violate Precept Number 3.

With regard to Precept Number 4, Wolfer stated he offered testimony in the Sirhan trial that the coating on the damaged bullets was the same as that of the undamaged bullets and that of the test bullets he obtained from the store at which Sirhan purchased his ammunition. He also testified that the damaged bullets taken from Sirhan's victims bore certain cannellure markings, or rings around the base, that are specific to the ammunition purchased by Sirhan. He did not violate Precept Number 4, which, correctly stated, should reflect that, although they may be similar, coatings on bullets of different manufacturers may be distinguished through spectrograph or chemical analysis.

*why no make + model gun + no gun number in this report?*

TEST FIRINGS

Test firings were conducted on June 11, 1968, using a weapon and ammunition supplied by the Los Angeles Police Department as being of the most nearly identical manufacture possible to that of the fatal weapon. An area adjacent to the firing range on the Los Angeles Police Academy was utilized. Personnel consisted of Drs. Holloway and Noguchi, Mr. DeWayne Wolfer and Sgt. William J. Lee. Preliminary studies were with a target composed of a single layer of muslin over 3/8 inch (9 mm) gypsum board. The muzzle was perpendicular to the target unless otherwise noted.

A firm contact firing shows a circular defect about 3/8 inch (9 mm) in diameter, surrounded by a concentric zone of powder deposition about 7/8 inch (22 mm) in diameter and sometimes having a multi-laminar configuration at the periphery. These are on the outer surface of the muslin. Also evident on the under surface is a concentric zone of pale soot deposition about 3 inches (7.5 cm) in diameter.

At a 1/4 inch muzzle distance, there is a 5/16 by 1/4 inch (7.5 x 6 mm) defect with transverse ripping of the fabric over a zone 1-1/2 inches (3.8 cm) in length and about evenly divided bilaterally. Also present is a concentric zone of dense, dark gray discoloration one inch (2.5 cm) in diameter with irregular "clouding" within a zone up to 2-1/2 inches (6.3 cm) in diameter. Several faint radial smudges are identified as corresponding roughly with the known land-and-groove characteristics of the test weapon.

A firing at 1/2 inch muzzle distance is similar in configuration except for the absence of ripping of the target fabric and absence of land-and-groove "puffs." Visually detected powder residue is present in a zone having a maximum diameter of about 6 inches (15 cm).

At one inch distance there is the usual central defect and dense but comparatively homogeneous smudging up to a radius of 1-5/8 inches (4.2 mm).

A firing at 2 inch muzzle distance shows fairly homogeneous but comparatively lighter smudging up to a radius of 2-1/4 inches (5.6 cm). Discrete tattoo particles are now seen in a central zone up to 7/8 inch (2.2 cm) in radius.

The 3 inch distance firing shows pale mottling of powder residue within a radius up to 2-1/4 inches (5.6 cm), as well as finely dispersed powder granules up to a radius of about 1-3/4 inches (4.4 cm).

At 4 inches there is a pale smudging zone up to 1-3/4 inches (4.4 cm) in radius. In sharp contrast, discrete powder tattoo particles are identified out to a radius as much as 2 inches (5 cm).

Target configuration was then changed as follows. A single layer of muslin was placed over several crumpled thicknesses of the same fabric. Additional firings at close contact, loose contact, 1/8 inch (3 mm), 1/4 inch (6.5 mm), all show patterns similar to those on the original target.

A series of firings was then performed using geometry simulating that of the fatal gunshot wound to the head, as determined by previous studies. The post-auricular region was simulated by the padded muslin described above. The ear was simulated by an animal ear obtained from an abattoir and with the hair removed.

With the test weapon at an angle of 15 degrees upward and 30 degrees forward (to correspond with goniometric data) and at a distance of one inch (2.5 cm) from the edge of the right "ear," the test pattern is most similar to the powder residue pattern noted on the Senator's right ear and on hair specimens studied. Similarity persists, on the 2 inch (5 cm) distance firing, with respect to the distribution of discrete powder granules.