

Chapter 2: GETTING AWAY WITH MURDER

“WE COULD HAVE KILLED PEOPLE” —Mark Fuhrman,
former LAPD detective, best-selling author

One undeniable fact in the 1994 killing at 875 South Bundy is that somebody got away with murder. Most people think it was O.J. Simpson. If all you know about the case is what you heard from reporters and expert commentators, you are probably one of them. I know I was.

Driving before dawn to work at a Ford design studio near Greenfield Village, I heard the jolting news on my car radio, “Nicole Simpson, estranged wife of actor/color commentator O.J. Simpson, was found stabbed to death...” As I stopped for the light at the intersection of the I-39 service drive and Rotunda, I flashed on the mental image I’d had of the ’89 incident involving O.J. and the woman who was now deceased. I had been stopped at the same light in ’89, en route to the same studio when that picture was first brought to mind by a radio news reporter describing Nicole as a “white female, later identified as the wife of O.J. Simpson.” This time, with the dead body of the woman and a younger man laying beside her, I saw Paul Robeson in my mind’s eye in place of the other black football hero and actor. I envisioned him on stage with a bloody dagger in his hand and a dead white woman with blond hair at his feet. I kept thinking, *Othello!*

Who didn’t?

Naturally, everyone I worked with pretended not to have an opinion on the case—you know, innocent until proven guilty and all that. It was much too soon to talk about *Othello* with no proof that O.J. had killed his ex. But what do you do with images alive in the popular culture that spring to mind with a key word or phrase? How do you get around the way the human brain is wired to “see” complete mosaics instantaneously with the stimulus of a few familiar tiles? Isn’t that what happened to Shakespeare’s Moorish general? Wasn’t it false bits of information from a trusted source that lead him to inflict the ultimate punishment for wrongdoing on

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someone who had done no wrong? Wasn't the person really responsible for the woman's death someone else? Nobody seems to remember that part of the tale. In America, sex and color still count too much. They are the "tiles" that color everything we think about men and women.

We have become quite sophisticated in the language we use to disguise our true thoughts and feelings about race, but the essential messages usually come in loud and clear. For instance, everyone knows what is meant by the "candle power" of the jury that found O.J. "Not guilty" and the one that found him "Responsible." These and other racist code words complete the picture formerly drawn with one of Mark Fuhrman's favorite words. If you're an OJI, you've probably gotten a taste of "the black experience" whatever color you are.

That attitude is no different at its core now than it was in the mid-'60s. That was when a modeling supervisor in Ford Motor Company's Styling Center named Vic Clark greeted me with a warm smile, a hearty handshake and the words, "Welcome aboard! I knew a ol' boy named Jasper back in Indiana. Now, that was one nigger that didn't mind workin'."

People like Vic still run things in too many places, but we can't always tell who they are and what pictures they're pumping into our brain to help us process our thoughts. Who, for instance, generated those stories about O.J. before he was arrested, stories that had me and everyone I knew saying, he did it? Right, Mark Fuhrman. Remember the blood-drops leading *up* the driveway (they actually went the other way), plus the bloody knife and the bloody ski mask police found in his bedroom closet (pure BS)? What about the gloves in his size (that didn't fit), the dark clothes in the washer (Arnelle's underwear) and the knit cap?

I could see him wearing the cap. Hell, I had seen him wearing it. Millions of people shared that vision from his role in *The Naked Gun*. That's why the cap never made sense to me. It convinced me that O.J. had to have been out of his mind to wear it.

According to the media, there was no doubt of his guilt since he could have been innocent only if he was framed by cops. I asked myself, what cop would do that to a famous multi-millionaire who could summon the best legal resources anywhere to his aid? Who in the LAPD could hate

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O.J. that much, be that close to the evidence and feel that secure? Who could be so intelligent and so arrogant as to think he could convince the DA, misdirect the defense, and fool the whole damn world, all at the same time? Who could be so knowledgeable, so ambitious and so sure of the American mass media as to think he could use them to serve his personal ends the way Joe McCarthy and Ho Chi Minh did to serve theirs? Who would think that he could falsely implicate a man for murder, a man whose name is a household word, without putting a national spotlight on himself? What kind of man would want to put himself in that position? There couldn't be anybody like that on the LAPD, could there?Nah!

O.J. did it, I thought. He must have, but....

Okay, so he flew into a jealous rage after seeing his ex with a younger man. Why did he take the time to dig up that cap before assaulting them? How could he have lost both gloves? What, specifically, set him off? For a black man of his status who had been busted and quietly forgiven in the national press for beating his white wife, it must have been BIG! He had to know that the police would think he did it. And why would a black, internationally famous, ex-football star and actor use a knife?Why would he use a knife? Doesn't he know about Paul Robeson's best known role, and the picture of him with a dagger in his hand. Hasn't he ever heard of Shakespeare's *Othello*?

I was sure that all of these questions would be answered when the prosecution presented its case. In that I like to think of myself as a fair-minded person the way everyone else does, I told myself that I would reserve final judgment until I heard all of the evidence. Still, I couldn't ignore what I heard until I'd heard it all. Marcia Clark's opening was so impressive that it took a special effort to listen to the defense. What could they say to refute the evidence? So much of it. So scientific. So macroscopically and microscopically particular to Orenthal James Simpson. How could he not be guilty? How could one begin a rational process of evaluation with an honest presumption of innocence? It couldn't be done.

It was not, however, the defense that started my turnaround from OJG to OJU (undecided). It was Marcia Clark, Christopher Darden, and Brian Kelberg. The prosecutors failed to answer any of the questions about the

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motive and the weapon required to complete the logic of the physical evidence. If the condition of the bodies told them it was a rage killing, where was the evidence of rage in O.J. that night, or the mind-altering substance or event that would produce it? Not only did the prosecution serve up incidents that could have meant anything you wanted them to, they made it clear that they never—not for one instant—considered anyone but O.J. as a suspect. Where could they possibly go from there?

I ran into the same thing when I joined the Court TV Discussion Group and tangled with some very bright and single-minded OJG's. They were the ones who turned me into an OJI.

The essence of proof is that it eliminates all but one possibility. If you consider only one possibility you can come to only one conclusion. There is no rational process of evaluation which can follow from that and no rational grounds upon which anyone can challenge it. All you can do is add more evidence or take some away. The conclusion has to stay the same, even when the coroner's testimony points to a suspect with a military background—someone who knew how and when to use both ends of a certain kind of knife as different kinds of weapons—someone who could procure such a weapon without calling attention to himself—someone who enjoyed drawing blood and watching his victims die.

In my effort to fill the gaps left by the prosecution and the defense, both of whom made the same error of early exclusion, I ran into a wall that couldn't be scaled, bypassed or ignored. It's an attitude about the case characterized on both sides by the automatic rejection of any suggestion that the killer may have been *someone in particular* other than O.J. Simpson. It took me a long time to see it myself, which I never would have if I hadn't worked for a Klansman at Ford named Vic Clark, and the killer hadn't used the butt of his knife to incapacitate *one* of his victims. None of us wanted to accuse someone of murder before a worldwide audience without good cause. All of which was lucky for the man who became the number one best-selling author in the country after the verdict against Simpson in the civil trial was announced. That man, who, in one way or another is connected to every scrap of evidence against O.J as a wife-beater and a killer, is Mark Fuhrman.

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Anyone with as much as a passing interest in the case that made Fuhrman a hero to many who once despised him, has seen all of the evidence and heard all of the arguments against Simpson. Everything he said in his defense has been angrily rejected, stubbornly attacked, aggressively investigated and exhaustively explored—in that order. His every gesture that could be shown as evidence of guilt has been shown as evidence of guilt. We know every incriminating fact there is about the five blood-drops identified as his at the bloody murder scene and the blood he admits was his at his home. We know about “his” size 12 Bruno Maglis, his ill-timed cut finger, and the rare gloves and carpet fibers. We’ve seen the photographs and videotapes, we’ve heard the audiotapes, and we’ve heard from numerous expert witnesses. We have everything we need to conclude that O.J. Simpson butchered two people. That is, we have everything except a solid motive, a credible weapon and a clear opportunity. What’s missing is a line of reasoning that excludes any other possibility.

Where is the evidence that excludes Mark Fuhrman? I’ve heard that he had an alibi which was confirmed by the LAPD, the FBI and F. Lee Bailey’s private detectives. I’ve heard Bailey’s top investigator Pat McKenna say that he was sure Fuhrman planted evidence but that he did not think the killer did. Bailey himself said that he “knew,” Fuhrman didn’t do it. However, no one I know of has documented the evidence to support that conclusion. According to Fuhrman’s own testimony, only his wife can confirm his alibi, and no one asked her to do it. The law, of course, cannot compel her. However, I fear for her life if she or her husband should ever want a divorce.

Planting ideas was every bit as important in the O.J. Simpson case as planting physical objects. “Spin doctor” Fuhrman, like Shakespeare’s spin doctor, Iago, was unquestionably on top of that, from the “ski mask” supposedly found in O.J.’s bedroom closet (item 17 in his notes) to the “haphazardly” parked Bronco. Evidence or ideas that were planted or shaped in some way by Fuhrman and his partner Brad Roberts influenced everyone closely involved in the case. What you get from most “informed sources” as a result, is what you can expect when you begin with your conclusion and work backward through the “relevant” facts.

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That kind of reasoning may be helpful in exploring possibilities. But when you have to jettison troublesome little facts that don't add up to your conclusion and force-fit conjecture that does, it's time to consider a different approach. It's time to take the evidence as it exists, for and against the accused, and see what other scenario can be constructed. Then you have to throw rocks at it, and see how it holds up.

In the absence of facts, some speculation will have to suffice, but it should be dependent on facts or subject to verification. For example, I could not find verification of Fuhrman's shoe size for years, despite trying everything I know to get it. Based on his height, I assumed that his feet might fit into a pair of size 12 Bruno Maglis. Either they could or they couldn't. There was no reason for a question like that to have remained a mystery forever. But I sure didn't have the answer until I bought a copy of Fuhrman's book and figured it out from a photo of him in Nicole's front yard with a size 10 envelope by his foot.

Based on the fact that Fuhrman was a police officer, I assumed that he had the ability to monitor cellular phone conversations with a police scanner. That, too, can be determined beyond any doubt. Based on the fact that he was an ex-Marine, I assumed that he had training in the use of both ends of a certain kind of knife as different kinds of weapons. Based on the fact that he enjoyed blood sports, I assumed that he used a knife with that kind of handle to skin and gut his prey. A Marine Corps survival knife and a good hunting knife both have the same kind of handle, so I know that he must have been comfortable with the feel of both of them. Ditto a German Stiletto.

The fact that he said he enjoyed killing people and was one complaint short of making the Christopher Commission's list of the LAPD's most violent cops, tells me something else. It tells me that he probably had the first-hand knowledge he said he did of how it feels to take a human life. His police record shows that, in front of civilian witnesses, he pumped five bullets into an ATM robbery suspect, planted a knife by his hand and screamed, "Die, nigger! Why won't you die!" He did this in front of two other cops who weren't necessarily his buddies. What happened when the only witnesses were his buddies, or when there were none? In the words of Mark Fuhrman, "dead men tell no tales."

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Whoever killed Ron Goldman did it after a short fight. Think of a round in boxing. Believe me, two minutes is a long time in that kind of physical contest. The pattern of bloodstains on Ron's shirt and pants suggest that he was on his feet for much longer than that after his initial wounds were inflicted. That is consistent with a short fight in which he was taunted and tortured long after he could put up a fight. Mark Fuhrman's taped characterization of his attitude toward fighting, killing, torture, and Jews, was as close to a confession as was ever heard in the case. It was what the autopsy report said about the killer.

Fuhrman told Laura Hart McKinny that he killed people in Vietnam, but he told F. Lee Bailey that he never got off the ship. He told one psychiatrist that he had been a machine-gunner. He told Bailey that he had been a military policeman. Because Judge Ito sealed his military records, there is no telling what he really did. All we have is his word on tape that he enjoyed killing people and watching them suffer—and complaints from a few survivors in California that agreed with him.

Until I began the final chapters of this book, I thought the timeline was open to debate. I was wrong. There is a systematic way of eliminating the speculation. Until I discovered that process, I was willing to allow that the defense's timeline witness might have been mistaken. Still, the prosecution's timeline rested on the testimony of a man whose powers of observation and recall were demonstrably unreliable. It assumed that Allan Park's hindsight was 20/20 when he didn't recall seeing the Bronco before he saw O.J., and irrelevant when he didn't recall hearing the Bronco return. The fact that he recalled seeing another car that wasn't there would tend to support O.J.'s alibi. The fact that he *never said he saw the Bronco*, even when he was leaving for LAX, would also tend to support O.J.'s alibi.

Paradoxically, a Bronco that never moved during the killing works against the most plausible theory that O.J. was framed. The only way a perfect frame could work, would be if O.J. didn't have a solid alibi and the people setting him up knew it. By the same token, the setup didn't have to be perfect if the killer was sure the prosecutors would argue imperfect evidence as though it was perfect. It had to be a cop who knew people like Gil Garcetti, Marcia Clark, and Christopher Darden in 1994 as well as we

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have come to know them since. It had to be someone who knew how to reel in Marcia Clark from a sea of deputy prosecutors in advance of the murders, with ironclad assurance that he would get her. Warrant problems + spouse abuse allegations = Marcia Clark, up front, on the scene and eager to help the cops. She was a star prosecutor who'd never lost a case and one of only six or seven prosecutors permately assigned to handle high profile cases.

In California, the rage killing of one person would not normally carry the penalty of death. The murder of two people in a particularly brutal way is supposed to, on grounds of "special circumstances." In other words the double homicide could have been an attempted triple homicide, with the media and the law as weapons selected by the killer to torture and kill his third victim, O.J. Simpson.

The only way all of the evidence in the case makes sense is if you see it as a made-for-television drama staged to make the accused and his chief accuser look like something they weren't. You have to see it as a grisly publicity stunt by which Mark Fuhrman sought to call attention to himself and launch a new career as a best-selling author and media personality.

For two years, my theory had gaps of its own, left by an absolute refusal of anybody with the resources to investigate the possible involvement of Fuhrman in the murders, to do so. For OJG's the MFG idea was too silly to contemplate. For OJI's it was too risky.

Here is what I mean by, risky:

- 1). O.J.'s Alibi—If the only way that a premeditated plot to frame O.J. could have worked for Fuhrman is if the Bronco had been stolen and returned, O.J.'s alibi goes with it.
- 2). Phillips' Call—Fuhrman said he wasn't on call that night. If he had no way of knowing he'd be called to the crime scene by his boss, Ron Phillips, he couldn't have planned the killing or carried out a successful frame.
- 3). Fuhrman's Alibi—If an investigation proved that Fuhrman was a speaker at the Police Protective League picnic he was supposed to have been attending at the time of the killing, his alibi would prove that he didn't do it.

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4). Other Loose Ends—A real investigation of Fuhrman as a murder suspect could prove that the shoe didn't fit worth a damn, either literally or figuratively.

The only reason that the evidence against O.J. ever looked impressive is because he was the only suspect. When there was no more proof that he committed the murders than there was that Fuhrman did, there did seem to be evidence that pointed to both men and some that pointed only to Fuhrman. Moreover, the quality of the evidence against Fuhrman has always been on an entirely different level. The facts and circumstances that incriminate him could not have been altered, anticipated, manipulated or misrepresented by another party to frame him. Not so with the evidence against Simpson.

Much of that evidence, in explicit or implicit form, can be characterized as look-alikes—duplicates or close enough approximations to be identified as O.J.'s by description or type. The Swiss Army knife, the German Stiletto, the expensive Italian shoes and the sports utility vehicle that Robert Heidstra saw on Dorothy all fall in that category. Even some hair and fiber evidence was made up of *types of hair and fibers* traceable to someone other than Simpson if anyone had cared to do it. And the blood? If the possibility of tampering by Mark Fuhrman or Brad Roberts did not exist, neither would much doubt of O.J.'s guilt. Only it does exist. In fact, with a little inside help here, a purloined key there, and the right spin on the wrong questions, it would have been easy for either of them to do it.

The balance of evidence falls entirely in favor of Simpson and decidedly against Fuhrman:

Item: The shoeprints left by the killer implicate O.J., but could have been worn by someone else for that purpose. They could have been worn by a man with motive, means, opportunity and size 12 Bruno Magli shoes. They could have been worn by a man with contacts in Nicole's inner circle who knew how much the Bruno Maglis resembled shoes O.J. wore to his daughter's dance recital. If you don't know it now, you will learn that Mark Fuhrman fits that description in every respect.

Item: Strong evidence suggests that two knives were used by one man to cause the different kinds of bruises on the victims' skulls and the bloodshed

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that made the shoeprints possible. All of which points to an ambidextrous military history buff (combined sword and dagger fighting style of 16th century Italy—home of the Stiletto, with the long blade held in the right hand and the short blade in the left). That’s Fuhrman, not Simpson.

Item: The long-bladed knife with the heavy handle and hammer-like butt used to incapacitate Nicole was not the one O.J. purchased at Ross Cutlery, but one just like it. The way it was used points to a military man. The way the short knife was used to torture and kill Ron Goldman, points to a martial artist who enjoyed making people suffer. That’s Mark Fuhrman—who searched O.J.’s house and said he found evidence of a missing Swiss Army knife after another detective found the Stiletto unused.

Item: The German Stiletto could have left wounds consistent with a Swiss Army knife and vice versa. Therefore, had either knife been found by Fuhrman or Roberts in their search of O.J.’s home, nothing could have stopped them from pulling a switch. “The” murder weapon could have been found with Ron’s, Nicole’s and OJ’s blood on it in an alley one block south and two or three blocks east of Bundy, with no way for O.J. to prove it was a duplicate of the missing one. Imagine what Jeffrey Toobin would have said about the candlepower of anyone who believed a claim like that.

Item: I was so focused on the hammer-like quality of the weapon Nicole was hit with, I forgot about the thin blade that cut her until I saw it again during Dianne Sawyer’s interview with Fuhrman after the civil trial. While Stilettos may be advertised as hunting knives, I kept thinking that “the” murder weapon was a conventional hunting knife. I’ve seen lots of hunting knives and more Stilettos than I like to admit. I’ve seen only one like Sawyer had on the table during her Prime Time Live interview with Fuhrman. That’s when I remembered that I had seen it in O.J.’s criminal trial. It not only fits Fuhrman better as a weapon of choice, it’s one that O.J. could not have procured in secret. Fuhrman could have. What would a homicide detective like Fuhrman have to gain by procuring a knife identical to the one O.J. bought at Ross Cutlery, then searching his house for a murder weapon after O.J.’s ex was found with her throat cut? ...Give me a break.

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Item: The Rockingham glove points both ways. That is, it would if had fit O.J.'s hand. Several witnesses commented on how surprisingly large O.J.'s hands were. No one ever said that about Fuhrman's hands.

Item: Assume that O.J. dropped the glove in a bumbling rush to sneak into his house at 10:45 P.M. Does the "trail of blood," that Roberts pointed out at Rockingham, and the wet, sticky condition of the glove with no debris on it when Fuhrman reported finding it at 6:06 the next morning support that assumption?

Now assume that Roberts planted it.

Where was Roberts during and after Fuhrman's talk with Kato and before Fuhrman found the glove? Why did he make no reports of his activities? Why did Phillips stumble over Roberts' name on the witness stand and imply that his partner was Tom Nolan instead of Fuhrman? What was he doing with the blood on O.J.'s driveway before Dennis Fung intervened? How did he end up driving to Bundy alone? Why is there no record of when he came to Rockingham or how he got there? Why didn't we know until both trials were over that Roberts and Fuhrman were both involved with "finding" the socks on O.J.'s rug? Why didn't Robert Heidstra get a chance to hear his voice?

Item: Neither the bumbling rush theory nor the plant theory make much sense unless you assume that the killer or killers planted both gloves. Simpson's only reason to plant them would have been to prove they didn't fit his unusually large hands—which opens the question of what he could gain by leaving the cap and the shoeprints. The plant theory makes perfect sense if Fuhrman was the killer who gave one to Roberts to plant where he knew he'd find it. He had a good excuse (three bangs on Kato's wall) to look there. Fuhrman knew about the Rockingham glove before anyone else who wasn't directly involved in the killings. He is the only man who can be tied directly to that look-alike glove which held the look-alike knife that killed Ron Lyle Goldman and Nicole Brown Simpson.

Item: At Rockingham, Fuhrman followed a lead to the right-hand glove that he should not have known about because he wasn't supposed to be on the case, let alone at Simpson's estate without a warrant. His link to that

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glove and the undisturbed ground around it was his idea. He put himself there and negotiated some thorny high hurdles to do it. The idea that the Bronco was parked suspiciously “crooked” was Fuhrman’s idea. The “bleeding killer” theory was his, as well as the “people in need of assistance” inside the Rockingham walls—the shaky grounds for entering the estate that guaranteed Marcia Clark’s role in the case.

Everything that points to Fuhrman as a killer out to frame O.J. was exclusively within his control or the control of his friends. That is not true with any of the evidence against O.J., which is the essence of my problem with the case against O.J., and the core of my case against Fuhrman.

At every turn where the most improbable set of circumstances would have to exist to clear O.J. and implicate Fuhrman that’s what we find. That goes for the long list of rare characteristics the killer and his associates would have to have. The same goes for all of the missing, duplicate, altered, misrepresented or switched items of evidence that would have to exist at all the right times and places with access by all the right people. It would require misdirection and a knowledgeable use of the power of suggestion.

Perhaps you’ve noticed that a stage magician uses all of these things to take advantage of how human perception works—the tricks of the trade to make a convincing illusion.

That is not simply a tall order to fill; it is so unlikely by the laws of random probability as to approach the infinite. O.J. Simpson was framed by Mark Fuhrman for a murder committed by Mark Fuhrman with the assistance of his partner Brad Roberts, his old friend Ron Shipp, Nicole’s “best friend” Faye Resnick, and her sister, Denise Brown. The only member of that quintet I have any doubt about is Denise—but only the tiniest bit—and only because it’s hard for me to come to terms with sororicide for money.

From the outset of the case when O.J. didn’t appear to have an airtight alibi, something wasn’t quite right. He didn’t have a compelling motive either, not for a popular public figure who wasn’t under the influence of an enraging precipitating event or a mind-altering drug. Furthermore, if he had any reason to believe that a critical inspection of blood and trace evidence would hurt him, why did he hire the world’s leading forensic authority, Dr. Henry Lee, to do his own investigation?

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Dr. Lee, who is normally sought out by prosecutors, did not trust the integrity of any of the blood and fiber evidence (remember the cockroaches in the spaghetti?). The reasons he gave were never convincingly rebutted. His offer of his services to the prosecution in their “search for truth” was declined. Furthermore, his ability to do his job properly was rudely, deliberately and consistently sabotaged by the LAPD and the DA’s office. Had a civilian done as much to a prosecution forensic expert, he would have been tried, convicted and thrown in prison for obstruction of justice.

The idea that O.J. is guilty has corollaries, which, of course, are like in-laws. When you take one member of the family as your own, you have to take them all. Here is a short list:

- 1). On the day he got a “Dear John” voice-mail from Paula Barbiari, he secretly procured, used and disposed of an unusual knife identical to the one he was known to have bought at Ross Cutlery—or a large Swiss Army knife that no one can show he ever owned.
- 2). He kept, unused in his home, the twin of the German Stiletto used in the murders—or the large Swiss Army knife came out of a small knickknack box.
- 3). He put on a blue knit cap exactly like the one he wore in the movie, *The Naked Gun*, to help disguise himself.
- 4). He put on a sweatsuit of which there is no record and no trace of his ever having in his home, took off his Reeboks and sweatsocks and put on his dress socks and casual dress shoes.
- 5). He drove his white Bronco to an area where it and his distinctive gait would tell the neighbors who he was, regardless of what he wore on or over his head if he were seen.
- 6). He parked the Bronco on Rockingham, ran through a neighbor’s yard next to Kato Kaelin’s guest house while dripping blood on his driveway, jumped a fence, and accidentally banged into Kato’s wall three times.
- 7). He strolled back to the front of the house with the shoes somewhere other than on his feet and the sweatsuit with blue/black fibers still on his

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body, unconcerned that the chauffeur saw him coming from where he dropped the bloody glove.

8). He ran upstairs, cleaned himself up, and dispose of the knife, shoes and sweatsuit and all of its fibers—except for the ones he left on the socks—and was ready to go to LAX in less than 10 minutes.

Odd things do happen. Unlikely events are not the same as impossible events, as I am constantly reminded by the mind-bending coincidence of being in the same place five years apart when I heard the different news stories about O.J. and Nicole. Therefore, I can accept without much question three or four of those improbable corollaries to the proposition that O.J. did it. But even if some of them didn't cancel out others, how could I accept all eight? And that's the short list. The long list has several times as many improbable corollaries.

That brings us back to Mark Fuhrman with his violent hatred of black men and mixed couples. What on Earth was he doing on the police force, let alone on the case of a famous black man suspected of killing a white woman? Please don't say O.J. wasn't a suspect. Unless the killer is obviously someone else, the husband is always the number one suspect.

Rosa Lopez testified that she heard two men talking between the houses the night before, men whose voices she didn't know. The next day two men came by. One stayed in the car. The other one identified himself as Detective Mark Fuhrman. Both men spoke to her. *Immediately* after Fuhrman determined that she could not identify the voices she heard as his and Roberts', the two men left.

What bothers me about that visit more than the questions that weren't asked, was the potential for foul play. If Mrs. Lopez had disappeared that morning, never to be seen again, there were no witnesses and no reports to say that either Fuhrman or Roberts had ever been there.

Fuhrman denied, at first, that he talked to her about anything. When the logic of an ace detective not questioning a potential witness to O.J.'s goings and comings became untenable, he said he didn't realize who she was because the woman he talked to spoke perfect English. No other LAPD officer interviewed her about what she saw or heard. The LAPD sent a detective

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to talk only to Mrs. Lopez's employer, Mrs. Salinger, who wasn't even in the country on the 12th of June.

Not until Robert Shapiro's investigator, Bill Pavelic, erroneously reported that Mrs. Lopez saw the Bronco at the time Marcia Clark erroneously reported that the killing began, did Ms. Clark show any interest in Mrs. Lopez. Then she angrily accused the defense of outrageous misconduct in failing to tell her what she told them. The conduct of the district attorney's office in failing to talk to Ms. Lopez, except for the purpose of protecting Mark Fuhrman and attacking her, has never been an issue.

Fuhrman, of all the officers on the force, had the only opportunity to "discover" the most dramatic evidence against Simpson. The testimony of Rosa Lopez supports the idea that he might have been there before he was called "at home" by Phillips. In his own words, "I'm the key witness in the biggest case of the century. And if I go down, they lose the case...The glove is everything. Without the glove, bye, bye." He didn't mention the splintered wood by the Bronco or the bloody fingerprint on the gate until much later. He never did mention the partial print on a lens of Judith Brown's glasses or the fact that the lens disappeared.

For a long time I believed that the shoes may have been O.J.'s at one time despite his denials. The trouble was, IF—and that was a big IF—O.J. had owned those "ugly ass" Bruno Maglis, how could he have owned up to it when the media were unanimous in saying ownership proved guilt? I wondered what would have happened if the people bringing us the news hadn't been telling the world ahead of time what the evidence had to mean.

That is now a moot question because I now know the photographs were faked.

But what of the cap that had to be his or one of his kids', and the gloves Nicole bought "for O.J.?" What of the timing of the cut finger? What of Nicole saying that O.J. was going to kill her? What could these things mean if not what they appear to mean?

If someone had set out to frame O.J., he would have known all of these things and anticipated how they would look with O.J. accused of murdering Nicole. He would have to have known the criminal justice system and the

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kind of evidence most likely to be given weight by the DA. He would have to have been willing to bet his life that the LAPD and the DA would zealously pursue the obvious clues left for them to pursue (District Attorney Gil Garcetti: "...truly the giant mountain of evidence that we have produced in court over these many weeks points to only one person—and we know who that person is."). It had to have been somebody who trusted other officers, and officers of the court, to back him "without having to say a word." It had to have been someone secretly affiliated with Faye Resnick, Denise Brown, and spouse-abuse expert, forgery expert, friend of Denise and Faye—Ron Shipp. Did such a person exist? Yes. Mark Fuhrman.

A frame-up, by definition, makes an innocent person look guilty. What kind of a frame would it have been if the evidence didn't shout, "O.J. did it? Since a murder that a man didn't commit could never be proven, the evidence against him would have to be circumstantial. The specificity of the evidence would have to be extreme. The amount would have to be overwhelming. It wouldn't be enough for the killer to wear size 12 Reeboks that thousands of men could have worn. They had to be rare shoes traceable to O.J. Simpson, whether he ever wore them or not, as long as they were "missing" when police went looking for them. It couldn't have been a pair of gloves that anyone could have owned, they had to be rare gloves traceable to O.J. Simpson whether he ever wore them or not. For DNA processing in the LAPD lab—where anything could happen with the theft of one key—a strangling wouldn't do, especially with the knowledge that O.J. was given Swiss Army knives and had recently purchased a German Stiletto. Only a knifing would insure the proper picture in the frame and lots of blood on the scene to insure impressions of "missing" rare shoes.

These are "little things" that only a brighter-than-average man who pays close attention to details would have considered important, a man exactly like Mark Fuhrman.

If O.J. was the victim of a frame-up, the people behind it would have required several things: They would have required intelligence, as in smarts, and intelligence, as in access to biographical and tactical information and the ability to gather information on the fly. They would have required specialized training in silent kills, special knowledge of the victims, and

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specialized knowledge in homicide investigations. They would have required a thorough understanding of the Los Angeles County District Attorney's Office, and how to get the prosecutor they wanted to handle the case up front.

They would have required access to the incriminating items of clothing; close proximity to Rockingham and Bundy; access to both properties, transportation to them and between them in a vehicle that could be mistaken for a white Bronco. They would also have required patience and a simple, long-range plan that could be modified as needed over many months of waiting, if necessary, for unmanageable elements of a successful attack to fall into place. The plan would have to include one or more people who could be called on at any time for the appearance of an alibi but the alibi would have to be vulnerable to a critical inspection.

Enough of these things applied to Mark Fuhrman to have justified an objective investigation of him as a murder suspect in June of '93. He could have learned everything he needed to know about O.J. and Nicole through police records, tabloids, gossip shows, mutual acquaintances like Ron Shipp, Faye Resnick, Denise Brown, or the personal relationship he boasted of having with Nicole for two years before her death. Although the shoes did not have to be Bruno Maglis, they probably were. Nicole bought Bruno Magli brand shoes for herself at Bloomingdale's in New York. Faye Resnick went shopping with her in New York. Therefore, Faye Resnick could have furnished the shoes and gloves as well as the cap.

If Fuhrman was as good at planting evidence as he said he was, getting the evidence would have been no trick at all.

As far as smarts are concerned, Mark Fuhrman had enough to get dozens of people who should have known better to vouch for him after his violent, racist attitudes, on record since 1982, were disclosed. He got the Police Protective League (the LAPD union) to go to bat for him, and millions of others to believe in him and to attack anyone who didn't before the McKinny tapes exposed him for the violent racist he was from 1985 to 1995. He showed that he could plan, organize and carry out extremely complex tasks. In the eyes of most Americans, he "proved" on the witness stand that he was a good cop falsely accused of racism by an unscrupulous defense team.

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For most people, even if he had been a racist at one time in the distant past, that had nothing to do with the evidence against O.J. Simpson. Mark Fuhrman persuaded two thirds of a continent that anyone who said his racism did matter was too stupid or too blinded by his or her own prejudice to see the truth.

Fuhrman's book, *Murder in Brentwood*, should have jogged some memories about the origin of that idea. The book begins, in earnest, with a phone call from Phillips and moves swiftly to the murder scene where he gives no hint of having known Nicole intimately. He then shows how he found the evidence and made the deductions that proved O.J.'s guilt. You'd have to be pretty dense not to see how right he is on the facts that say O.J. is the killer. They're all there, all those items large and small that had to be there if O.J. did it—all those items missing from the prosecution's case that would have resulted in a guilty verdict had other officers only read his notes and done their jobs accordingly. It must have been extremely frustrating to him that they didn't.

It must have driven him batty that the evidence he worked so hard to establish as the end time of the killing was read by Marcia Clark as the beginning. Unless you assume that her line of reasoning was purely arbitrary, you have to wonder what rational basis she may have had for her decision. Do that, and you run smack into an eyewitness who saw a man in a dark sweatsuit getting out of a light-colored sports utility vehicle between 875 S. Bundy and the San Diego Freeway.

The witness is why she latched onto Kato Kaelin's guess that O.J. was wearing a sweatsuit and why she wouldn't let go of that idea no matter what. It's why she accepted the 10:15-10:20 time at which Pablo Fenjves said he heard the dog's "plaintive wail." She did believe, at first, that the killing was over by then and all the other witness had gotten the time wrong. When it finally dawned on her that the other witness couldn't have been as far off as she thought, she split the difference and changed her end time to the start time. That's the only explanation I can muster that fits all the facts. More about those facts later.

Back to the other kind of intelligence for a moment....

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Some of the most damaging evidence against O.J. came from police records, photographs and tapes of him and Nicole on the telephone. The estranged couple had regular conversations on cell phones where numerous aspects of their public and private lives were discussed with various people. As Newt Gingrich can testify, cordless telephone conversations could be monitored on police scanners. That is not to say the homes of Nicole, O.J. and Ron weren't bugged, which they may have been. It is only to say that sophisticated monitoring equipment wasn't always necessary.

O.J. and Nicole made and received all of their calls that night on cordless phones. Thus, all of the requirements for a successful ambush of Nicole and Ron were met.

After learning what Dr. Lee had to say about the blood evidence, my first thought was that O.J.'s cut finger may have been a trigger that either set the plan in motion or carried it to its conclusion. After a careful study of the blood-drops identified as O.J.'s at Bundy and Rockingham, I saw that it was a complicating factor that nearly derailed it.

One method of dealing with the last-minute problem would have been to reverse, in the minds of the authorities and the press, the order in which the blood-drops at each location appeared, and the direction of travel they showed at Rockingham. LAPD detectives were trained to recognize direction by the shape of the blood-drops. With small drops, an observer would have had to get close to the source. When two detectives reported that the Rockingham blood trail was going up the driveway, no one questioned it. Why would they if the question had already been settled and it was what they expected to see? Once they were told what they were looking at, that's what they saw.

If someone had noticed the true direction of the blood-drops before Roberts could obscure it, all they had to do was say, "Really? I could have sworn they were going the other way." Simple mistake. No big thing. Fuhrman could then argue that O.J. must have realized he was bleeding before he got home and cleverly planted his own blood-drops at the last minute to suggest he was going out instead of coming in.

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All that Fuhrman would have needed was an alibi. Any story he could give his wife to justify his lie to Marcia Clark that he was at home, would have taken care of that.

One simple, flexible plan would have proceeded in three stages: The first would be to lay groundwork for the assassination of O.J.'s public image before the news of the murders broke. The second stage would be to arrange various scenarios around times when O.J. was scheduled to be in town, to procure or simulate incriminating personal items, and to choose a murder weapon and style of killing that could be linked to him. The final stage would be to keep an eye and ear on the three principals with the appropriate surveillance equipment, to keep in touch by cellular phone, to refine the plan as obstacles and opportunities present themselves, and go when the necessary conditions were met.

There is more than enough evidence to say that's more or less what happened.

So, what are we to do with O.J.'s apparent lie to police about his cut finger—the one he told police he cut a second time “by accident” in the same place while he was in Chicago? ...The same thing we are to make of innocent Desdemona's lie to Othello when he questioned her about a handkerchief he'd given her which he knew she didn't have. It was an act which falls so near the center of normal human behavior that, under the circumstance, it would have been remarkable if he'd done anything else.

Remember that story we learned as children about George Washington and the cherry tree? Why, as children, did we think that was so special and why, as adults, are we so inclined to consider it apocryphal? Because the natural thing would have been to lie to avoid a spanking. Saint Peter, the first saint of the Christian church and the most trusted apostle of Jesus Christ, denied knowing his rabbi, friend and mentor *THREE TIMES* when it looked as if it would be his ass if he told the truth. If OJ lied about anything that would appear to incriminate him, is it reasonable for us to have expected him to do what a saint couldn't?

That's one reason we have the 5th Amendment; to protect us from our survival instinct. It's a big reason why this case is so important, and why

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conservatives and libertarians should be as outraged as anyone by the “liberal” media and the government’s treatment of O.J.

It looks to me as though O.J. cut himself on purpose in Chicago before he realized that someone may already have discovered his blood on his property. Only an innocent man too frightened and confused to think straight would do a dumb thing like that. But who could have tipped him about the blood? Not Lange, Vannatter or Phillips, unless one or more of them lied. That leaves Roberts and you-know-who. A friendly off-hand whisper to Arnelle or “accidental” loud talk with his partner would have done the trick. On the other had, what is our rational basis for thinking that Phillips, Vannatter and Lange wouldn’t lie about O.J.?

Fuhrman’s known lies, in contrast to Simpson’s, are consistent with a man who thought he could get away with murder. He must have known that Kathleen Bell heard him say he wished he could gather up “all the niggers in the world and burn them.” He must have known that she knew how he said it. He must have known that he told her what he would do when he saw a nigger driving with a white woman. He couldn’t have forgotten that he told Natalie Singer, “The only good nigger is a dead nigger.” How could he have forgotten what he did to Roderick Hodge (“I told you I’d get you, nigger!”)? And how is one to interpret his boasting to Laura McKinny about his joy in torturing people, his skill in planting evidence and his team of officers who covered each other so well that they could have, in Fuhrman’s words, “killed somebody”? Could he have been referring to his old partner, Brad Roberts, who made no report of what he did at Bundy or Rockingham, and whose name appears nowhere on anyone’s official report? Wouldn’t you like to know more about that?

Fuhrman hated blacks, Jews, strong women in general, and in particular, white women who had sex with black men. His lies on tape were smart ones, meant to be heard and used in a movie. They convey the message he wanted to get across without getting him arrested. These were the actions of a man who saw himself as a tough, heroic figure and wanted the world to see him that way, too, with only enough risk of getting caught to make it exciting.

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We're all familiar with the kind of man who does great harm to people because they have the wrong-colored skin, the wrong religion, or the wrong sexual inclinations—the kind of man who acts out his hatreds. We know that some people will do anything to get attention or be the center of attention. We've seen the phenomenon call Munchausen by Proxy, in which a firefighter start a fire or a nurse puts a patient on the brink of death to be seen as a hero rushing to the rescue. We know about greed-driven miscreants who will commit any act, including murder, for money.

The double homicide at 875 S. Bundy could not have done more for Mark Fuhrman's ego and his new career as a writer and professional celebrity than if they'd been planned with those goals in mind. It guaranteed that Geraldo, Oprah and Larry King would want him on their guest list, which guaranteed that his book would become a national best-seller. It gave him a unique chance to be everything he demonstrated in the McKinny tapes that he wanted to be.

Whether the infamous murders in Brentwood were more a case of psycho-racist wish fulfillment, Munchausen by Proxy, or a scheme to become rich and famous, nobody had a better motive or complex of motives for committing them than Mark Fuhrman. And nobody has been better protected from criminal investigation by the judges and the prosecutors of the County of Los Angeles and the State of California, not to mention the FBI, ABC, NBC, CBS and CNN.