

## Chapter 33: IMAGE ASSASSINATION

"FIRST IMPRESSIONS COUNT." —Old adage, author unknown

*In 1966 I was one of 25 competitively selected students in a high profile, one-of-a-kind industrial sculpting class. Over the previous six months, the instructor, Paul Schiloff, had recommended most of the other students for jobs as clay modelers at Chrysler. I decided to see what I could do on my own, and lined up an interview with Ford. On the evening before the big day, a drunk driver speeding in a parking lot ran me down on the concrete steps of a building. I spent a week or two in a hospital and ended up with my leg in a cast.*

*When the cast came off, I had a bad limp. It had nothing to do with how clay model cars were made, so I told Mr. Schiloff that I was going to Ford again. The older, wiser son-of-a bitch took me aside and said, "You know how important first impression are." Being black for all 19 years of my life, I sure did. "If you go there with that limp, it'll prejudice your case." Being 19 and stupid, I thanked him and waited for the limp to go away.*

*About 3 months later, when it didn't go away and the first class was gone except for me, a Congressional delegation came by to check things out. No African-Americans were in the second class, unlike the first where there were five of us, so I knew why they wanted to talk to me before they left. I told them how long I'd been there. They were astonished. They wanted to know why. When I told them what the instructor had told me, he looked me straight in the eye and said with wounded conviction, "Jasper, I never told you that! You could have left any time you wanted to."*

*The Congressmen believed him, the brilliant instructor who greeted them at the door, not me the obviously slow student he introduced them to on their way out. You could see it in their eyes. Enough evidence was available, including the freaky IQ score that got me into the first class, to tell them the truth, but they didn't have time to examine it. They never saw me as I was. They saw a picture of me drawn chiefly by the man in charge of their first impressions.*

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People often ask how O.J.'s attorneys and private investigators could have missed some of the exculpatory evidence I tell them I found. The answer is easy. They're human. They were able to do only so much with the time, information, and first impression they had of an evidence-planting conspiracy by the police *after* the bodies were found. They didn't have Joe Bosco's *A Problem of Evidence*, Freed and Briggs' *Killing Time*, Lange and Vannatter's *Evidence Dismissed*, Chris Springer's *If O.J. Didn't...*, or Mark Fuhrman's *Murder in Brentwood*, to work with. They didn't have Jamal, Hargrove, Dianne, Peggy, Christine, Pat, Chameleon, Kitty, Phil, Hhhana, Ted, Sandra or Maggie. They didn't have a big city homicide cop for a big brother. They didn't have the people they needed to put them on course when they went astray.

A "mountain of evidence" says that Mark Fuhrman, Ron Shipp, Faye Resnick and Denise Brown worked as a team in an image assassination plot to prepare the way for a double homicide and frame-up that included Brad Roberts. A mountain of evidence says that Fuhrman, Shipp, Resnick and Brown carried out a systematic deconstruction of O.J. Simpson's life in the court of public opinion. As the old saying goes, "If the shoe fits..." In this case, everything fits, including the shoe.

First came the pictures....

The power of suggestion is the power to create images so real to us that we behave as though they were real. For instance, one of the most valuable things elite combat troops are taught is to see themselves as invincible. That idea is as formidable a weapon in combat as a grenade launcher with an inexhaustible supply of grenades. Mark Fuhrman understood that principle well, and used it to perfection.

Try to "look at the pictures" I'm going to draw with words like "nigger" and "wife-beater" that most of us saw in our heads early in the case whether we wanted to or not. But set aside those harsh words for a moment, if possible, and consider "harmless" ones like "crooked" and "haphazard" that Fuhrman used to describe how O.J.'s Bronco was parked. Once that image was planted, that's what we saw, even when we were looking right at it and should have been able to see that it was within the normal range of how most of us park most of the time.

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Ask anyone who followed the case closely to draw a picture of the Bronco's parking angle from memory, and I'll give you odds that an overwhelming majority of them will draw something in excess of 2-degrees. Most drawings I've seen have shown at least double that. Some have shown 10 times as much. Marcia Clark's diagram shows no angle (remember, the actual 2-degrees help O.J.) but an extreme distance from the curb.

That subtle and not-so-subtle pattern of image-planting against Orenthal James Simpson has channeled our thinking from the start—the start being Fuhrman's letter to the Brentwood city attorney in 1989. Even most of the people who believe O.J. is innocent of murder are certain he's a wife-beater. How many times have we seen and heard the evidence that says so? And where did we see and hear it?

Apart from sheer repetition, what locks us into seeing the whole picture before all of it is revealed boils down to a decision to accept early impressions as true. Johnnie Cochran called that form of prejudice a "rush to judgment." Psychologists call one variation of it the Primacy Effect (a tendency to be swayed by first impressions), which is what happened to most people within a day or two of the murders when they heard so much that said O.J. was a wife-beater and a murderer.

Make no mistake, the killer knew enough about prejudice and police procedures to know how the evidence would be seen by the Robbery/Homicide detectives who were sure to get the case. Tom Lange's first-day conclusion that, "There was no other evidence to pursue," is a perfect example. It didn't help Lange or Vannatter's evidence processing ability that Denise Brown screamed, "O.J. did it!" as soon as she got the news that her sister had been killed. I doubt that one experienced homicide detective in a thousand would have seen things differently. The operative word is, "experienced." An inexperienced detective on the scene would have been better equipped to imagine other possibilities.

Psychologists call that specialized leap to conclusions, Functional Fixedness, a tendency we all have to see a familiar solution to a problem in a few familiar elements. Like any other manifestation of prejudice, it's a vertical jump into a deep groove that's very hard to climb out of because it usually serves us well. That is, we rarely get to see how it hurts us.

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Everybody jumps to conclusions. It's the fastest way of filling in what's missing when we know what's there and it really does serve us well most of the time.

View fifty photos in order. Let's say the first one features a rose, the 22nd a rat, the 50th a can of tomato soup. Somewhere in between is a picture of a man wearing a pair of Bruno Magli shoes. They are only pictures, but pictures of familiar subjects that had other ideas and sensations attached to them before you saw them in the context of the viewing sequence. You might flash on the fragility of the rose, the smell of the rat and the taste of the soup. But if you put the rat 49th and associate it with the smell of a rat to a great enough extent, it will undoubtedly affect the "taste" of the soup.

Now you're dealing with a conditioned response, wherein you have no more control over your reaction to the photo than Pavlov's dogs had to the ringing of a bell. If you look at the photos often enough, you may only have to look at 1 percent of number 1 to "see" the whole flower, 3 % of number 22 to see the whole rat and 2 % of number 50 to taste the soup. If you view them often enough in sequence, you will only need to look at 1 percent of the first picture to see 100 percent of the others. Not seeing them will be the challenge.

In some situations, the familiar part of the familiar subject we get to look at first is all there is. At other times we see what isn't there. The picture we have concluded is a "fragile" flower might be plastic, the stinky rat might be made of chocolate. The appetizing can of soup might be a fifty-gallon drum of toxic waste. The Bruno Magli shoes on the man's feet could have been a computer composite.

Now, be honest, who did you "see" wearing the Bruno Maglis?

Remember the man in the hotel who ironed his socks? I gave that simple logic problem to nine modelers, designers and engineers in a row who never solved it because of one false assumption or another that they started with. I practically gave the answer to one of the brightest people I knew and he still didn't get it until I walked him through it one step at a time. He then started to argue with me until the ineluctable truth of the matter smacked him in the face like a wet tuna. Most of the others reacted the

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same way. That is the power of prejudice, the conclusions we start with before we can sort out the relevant facts and put them in the correct order. No one is immune to that power. All we need to set it off is the right trigger—the right suggestion that we don't question and can't ignore.

What matters here is the groove of certainty some people had to fall into with respect to O.J.'s guilt before any plan to frame him could succeed. Fuhrman had to turn exculpatory evidence, like the way O.J.'s Bronco was parked and how his blood-drops were deposited on his driveway, upside down. If he could make evidence of O.J.'s innocence look like evidence of guilt simply by *saying up front* what he wanted people to see, think what could have been done with something that looked like the real thing.

Think what could have been done with the shoes O.J. wore to the recital if an amateur (fake-proof) photograph hadn't been taken. Think what could have been made of the mood he was in when he left the recital if a passing stranger hadn't made a video tape that contradicted Denise Brown's testimony. Think what could have been made of the German Stiletto he bought if Fuhrman or Roberts had found it, or a Swiss Army knife with a 3.5" blade if O.J. had owned one.

We all like to see ourselves as capable of reserving judgment until all of the facts are in. But let's face it, how could we do that when, in 5 days, all of the evidence necessary to convict the average guy 5 times over, was already in and we were getting it 5 times a day?

Here we had the 35-year-old former wife of a 49-year-old former jock found with her throat slashed all the way to her spinal column. Propped against a fence and a tree trunk a few feet away, lay the butchered remains of a 25-year-old stud. We had shoeprints matching O.J.'s shoe size, blood-drops running *up* his driveway, an *unscheduled* flight to Chicago, a bloody glove *found* by his house that matched one *found* at the murder scene. We had *a bloody ski mask found in his bedroom closet* and daily reports of the bloody weapon found near his hotel in Chicago or somewhere near his Brentwood estate. Where were all those stories coming from? From numerous, independent sources, *we assumed*.

While we were waiting for the weapon to appear, it was easy to see O.J. with it in his hand, skulking around in the dark knit cap left behind at

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Bundy. Anyone who'd seen him in *The Naked Gun* had seen him skulking around with an identical cap on his head and a deadly weapon in his hand. And wasn't he working on a movie where he was trained by Navy SEALs to kill with a knife? Didn't he do a scene where he cut a woman's throat?

These were only a few ways we could "see O.J." as the killer.

A vague image of black men, in general, as bestial users and abusers of weak-minded or physically-overpowered white women, was already a firmly established part of the collective American subconscious. The black pimp and his white whore; the black rapist and his white victim are the strongest images Americans have of a sexual relationship between black men and white women. A white woman with "black children" is one whose sexual relations with a black man are indisputable. But when was the last time you went into a bakery and saw a wedding cake topped by a white bride and a black groom? When was the last time you saw a movie with a black pimp where he wasn't threatening, beating or killing a white whore? How often is the pimp's weapon of choice a knife?

To put O.J.'s face on the pimp with the knife required no more imagination than picturing him in the *Naked Gun* cap. For millions of Americans, the generality alone would suffice. For millions of others, the famous black man's high-profile attraction to white women and their high-profile attraction to him told the entire story: *When two white women came to their senses and rejected the obsessed, hot-tempered brute, he snapped, and killed the closest one he could find.* Case closed. Minds closed. End of story.

For the better part of a week after the killings, we were still hearing reports that brought to mind images of Nicole as Desdemona and Orenthal as Othello (who accused his wife of being a whore before he killed her). But in this version of the drama there was no Iago, the original "spin doctor" who murdered by proxy with contrived circumstantial evidence and lies to advance himself. Instead, we were confronted with something that looked like reality, pictures of Nicole's white face with a bruise that she said O.J. put there in 1989. But the most chilling image of her as the victim of O.J.'s primitive fury came to us first by way of our ears, in the form of her 911 call in '93. Once we heard that, we could see a whole series of savage beatings going all the way back to the incident with the baseball bat that

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Mark Fuhrman responded to in '85. The '93 call to 911 let us "see" a furious wife-beater with a lethal weapon in his hand threatening Nicole's life.

But hold on a minute. What did that 911 tape in '93 really prove?

It proved that O.J. had a distinctive voice, one that Robert Heidstra heard in person when he was detailing a car for the Salingers. It proved that the voice everyone heard on that tape over and over again in an angry, excited state—the state that Robert Heidstra heard the voice at Bundy—was easily identifiable as O.J.'s. It proved that Heidstra did not recognize the Bundy voice as O.J.'s and probably thought he heard a black man (if he ever said that) only because he was convinced of O.J.'s guilt by all the other evidence. That recording was Marcia Clark's audio equivalent of the Chris Darden glove-fitting fiasco, only no one picked up on it and no one could accuse O.J. of acting. The voice that answered the Hey! Hey! Hey! in the killing cage at Bundy, did not fit O.J. Simpson.

Who did it fit? Anybody we know? Anybody with a smaller foot than Fuhrman's? Anyone who testified in the criminal or civil trial? Could it have been someone whose deep, mature voice Heidstra hadn't heard before or since, unless, perhaps, he tuned in to *Prime Time Live* with Dianne Sawyer in 1997 and heard Brad Roberts vouching for Fuhrman?

What do you suppose Roberts sounds like when he's upset and talking fast and loud? What would Heidstra have said about his voice if Marcia Clark had put him on the witness stand? Why do you suppose she didn't?

...Where were we? Oh, yeah, the 911 tape. O.J. the mindless black savage....

What were we to think? Perhaps Orenthal had confused himself with Othello and murdered his ex-wife in a jealous rage. He must have. As most white people of my acquaintance put it, "He did it." As many of the black ones put it, "The nigger did it!"

The racial epithet served only to elicit the image of a black man that fit the facts we were all getting from trusted news sources across the board. The image that went with the epithet is what mattered, not the word itself. Any word that elicited that image would do. We had been seeing it in

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television talk shows for years, and it's how nearly all of us saw O.J. for awhile. It is how he was pictured on the cover of *Time Magazine*. In the eyes of most Americans, if not on their lips in mixed racial company, that's what the Juice had become.

Then that image got worse.

We were hearing how O.J.'s alibi kept changing from day to day. First he was in Chicago. When that didn't wash, he was with his house guest, Kato Kaelin. When Kaelin wouldn't go along with that lie, he was oversleeping...or was it chipping golf balls or taking a shower? Then he cut his finger in Chicago. After that he cut it on his cell phone before he left. As Judy Muller, an outraged National Public Radio commentator put it after getting a sneak preview of O.J.'s interrogation by Vannatter and Lange, "How do you cut yourself on a cell phone?" More to the point, what were the odds that he would innocently cut himself around the same time his young ex-wife and her younger current lover were slain with a sharp cutting instrument? Now, the Juice was a wife-beater, an n-word, *and* a liar. A stupid, arrogant liar.

As it turned out, the commentator got it wrong, though her version of his story is known by more people than his story and it has colored how most people have heard his story.

As the evidence against O.J. accumulated and each piece of damaging misinformation was replaced by even more damaging facts, I, along with most other North Americans, saw no way he could be innocent. But with all of that, it was still a circumstantial case with crucial bits of evidence missing. Wasn't there supposed to be proof of motive, means and opportunity before there could be proof of guilt? How could there be so much circumstantial evidence without some of it adding up to proof of any of those things?

Every day, I expected to hear what had driven O.J. Simpson to such savagery, how he'd been subjected to mind-altering drugs or an event so upsetting as to tip him over the edge. I kept expecting stories that showed how close to the edge he was that night. I expected the weapon, the shoes and the other clothes he wore to the slaughter to be found. I expected a parade of

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unassailable witnesses to come forward with testimony that they'd seen his bloody finger before he said he cut himself in Chicago, that they'd seen him wearing the cap or the shoes before the murders, or driving the Bronco between Bundy and Rockingham, or climbing out of it at Bundy or Rockingham....

*None* of those things happened.

Only after months of waiting in vain for those pieces of the puzzle to materialize, which I was sure they would, did the least bit of doubt begin to seep into my brain. Even where the odds are a million to one against something happening, one time in a million it does. You never know when that time will be, so why not keep an open mind? Still, the cut finger story was too much for me. Cut finger, cut throats; related people, same time. They had to be linked somehow to the same event. But the only way that connection could figure in the exoneration of O.J. Simpson was if it were part of a well orchestrated plot by the killer and at least two others to frame him. Fat chance, right?

For a likely killer to be innocent, an unlikely killer had to be guilty. The more likely the accused, the more unlikely the alternative. A conspiracy made it that much tougher. For me to believe that one existed, I had to see a man at the center of things with an *incredibly long list* and *improbable combination* of unusual physical, intellectual and emotional characteristics.

He had to be a detective on the scene the first day with an extra ration of brains and guts, a gift of gab, and well-placed allies. He had to have towering ambitions, a colossal ego, a number of specialized skills and an obsessive desire to be in the spotlight. He had to be roughly O.J.'s height and build. He had to be able to wear a size 12 shoe. He had to have ready access to a light-colored SUV and the false appearance of an alibi. He had to enjoy seeing people suffer and bleed. He had to be familiar with the work of Gordon W. Allport, who wrote the book, *The Nature of Prejudice*.

I needed to see proof that such an unlikely person existed. I had to see proof, not just evidence, that he had the motive, the means and the opportunity to do the killing and the framing and the skill and effrontery to lie about it in court....

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Guess what? *All* of those things happened....

However, before I could justify the effort to follow up on any hare-brained notion that O.J. might have been framed by a 6' 2" killer cop with a lust for blood, a high IQ, a size 12 foot, etc., I had to see proof that he was telling the truth about his cuts. As much as I respected Dr. Lee's credentials, his word alone wasn't going to do it. He had to show me, and he did.

If blood at Bundy fell from O.J.'s finger, it had to have blown westward from Chicago, traveled back in time, hovered close to the bloody shoeprint and dripped on and off like a hand-controlled faucet. Dr. Lee's conclusive demonstration told me something else about the blood on O.J.'s driveway from his first cut. It said that the killer knew about it before the killing—that someone was hidden on or near the Rockingham estate with a direct line of sight to the Bronco. It told me that the spotter had the tools and the know-how of professional surveillance and that the exact location of the "unknown vehicle" seen by O.J.'s neighbors around the time of the murders warranted a closer look.

Now, back to the 3 elements of guilt in solving a murder mystery:

### 1) MOTIVE:

Unless one is prepared to argue that the bestial nature of black men in general and their total lack of control where white women are concerned drove O.J. to madness and murder, he had no motive. It would have been a totally irrational act for a man of his standing on the national stage. He had nothing to gain materially or emotionally and everything to lose, not the least of which was his public image.

According to Nicole's deposition in her 1992 divorce case, O.J. struck her once, and we know *all* about that...Or do we?

How do we know that the '89 incident wasn't engineered by Fuhrman and Shipp, as part of a plot to "blacken" O.J.'s image? The part Shipp played in '95 as a witness to O.J.'s previous tendencies toward violence against Nicole, is the same part that his friend, Mark Fuhrman, played in '89. Without Fuhrman's report about an alleged domestic dispute call in 1985—for which

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there is no record—there would have been no charges brought against O.J. in the 1989 incident.

The facts behind the marks on Nicole's face were in dispute. She said that O.J. hit her, which she may have honestly believed whether he did or not. He said that he wrestled her away from him when she attacked him, then went after Michelle, the maid, who she did not catch up with (more about that later). What's not in dispute is the feud she had with Michelle from then until it reached a head in March of '94 when Nicole punched (not slapped) her in the face.

Whatever happened between O.J., Nicole and Michelle when one of them called 911 in '89, was not cool, not pretty, and not a part of any *pattern* of escalating violence on the part of O.J. Simpson. Dr. Lenore Walker, the world's leading authority on spouse abuse, was prepared to testify to that against her own best interest. The only clear pattern of escalating violence was in the tales told by Mark Fuhrman, Faye Resnick, Ron Shipp and Denise Brown. Then, of course, there was all that hearsay testimony, like the call to the abused women's shelter that was supposed to have come from Nicole, and the letters and diary supposedly written by her.

The problem with all the testimony that O.J. abused Nicole is the lack of physical evidence to back it up and the out-of-character portraits of the couple that accompany it. By all accounts, Nicole was physically strong and psychologically predisposed to attack rather than to cower. All available evidence says she used 911 as an offensive weapon against O.J. when she was extremely angry with him, and a preemptive strike to defend herself against anything he *might have done* when he was extremely angry with her. But what did *he* do?

He pleaded no contest to the charge of beating his wife after Fuhrman's letter to the city attorney painted a picture of him with a deadly weapon in his hand. The alternative was a public trial that would have ruined his career. No one was interested in what O.J. or the maid had to say. The 911 tape had the sound of a woman in distress and flesh smacking flesh. Most people "heard O.J. slapping Nicole." Fuhrman's subtle hints of a vicious black pimp and the foolish white whore under his control were all the more effective because they were subtle—but not so subtle that I thought

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he would be foolish enough to reprint it in full in his book. It contained too many unnecessary references to color, included exclamation points at O.J.'s every alleged utterance that underscored his celebrity status and his right to do whatever he pleased with Nicole. Nevertheless, he did print a slightly edited version of the letter in full. The following is a copy of the original. Note the context in which he uses the word "wife" :

"...I observed two persons in front of the estate, a **black male** pacing on the driveway and a **female wht** sitting on a veh crying [*Editor's note: He did not note, at this time, a shattered windshield or a Westec security officer*]. I inquired if the persons I observed were the residents, at which time the **male black** stated, 'Yeah, I own this, I'm O. J. Simpson!' My attention turned to the female who was sobbing and asked her if she was alright but before she could speak the **male black** (Simpson) interrupted saying, 'she's my wife, she's okay!' During my conversation with the female I noted that she was sitting in front of a shattered windshield...."

I have to stop it right here; my bullshit detector just went tilt.

Don't ask me how all of that stinky stuff got past the city attorney's nose. Ask Jeffrey Toobin how it got past his. His wife was personally acquainted with one of Fuhrman's "male black" victims. Toobin, celebrated author of *The Run of His Life: The People v. O.J. Simpson*, knew Fuhrman's record. He knew about Kathleen Bell, Natalie Singer, and Roderic Hodge. He'd heard the McKinny tapes. How is it he never offered so much as a tiny hint that he doubted anything Fuhrman said about the "male black" O.J. Simpson? How is it that a nazi's account of what happened between O.J. and Nicole in 1985 was allowed to stand as the only version anyone is supposed to take seriously?

Anyhow, after Fuhrman's first appearance at Rockingham, Nicole used 911 an average of twice a year. Her mother said that she could convince anyone of anything, which may have worked in '89, but in '89 she seemed, on the surface, to have a case. When O.J. was on trial for murder, the media portrayed all of the responding officers, except Fuhrman, to her eight previous calls, as insensitive to her desperate cries for help. That is hard to reconcile with the fact that her other calls resulted in no trips to the hospital, no photos of bruises or abrasions, no sign that she was ever in physical danger. In danger of losing the kids and her \$10,000 a month

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allowance in a court battle? That's more like it. It fits the facts we know.

What's left if there was, indeed, no sign of battering for the police to report, is a private portrait of O.J. not much different from the public one. Some people as familiar with the private man as the rest of us were with the public one, never could see him as a villain even though they thought he was guilty. In the words of Nicole's younger sister, Tanya, "...You don't understand. O.J. is a wonderful guy. He just fucked up."

### 2) MEANS

Where there is speculation aplenty about where the murder weapon went, only Fuhrman seems to have understood the importance of determining where it came from. "Somewhere" doesn't get it. It must have come from a particular place. Before the murders, O.J. was thought to have two kinds of knives in his house that could match the wounds in the bodies and be traced back to him. The killer, without knowing for sure if he would be able to get into O.J.'s house and find them both, would have made the kills with that in mind so that a case could be made for either knife. If O.J. did the cutting, he must have used the Swiss Army knife for some of it. But what did he use to do the hitting? Why does the blunt-force injury to Nicole match the blunt end of a knife that could have done the stabbing and the pounding?

The question of the missing weapon should have ended the case against O.J. before it started. As a celebrity, he lived in a glass house. If he was not known to have had the knife, and there was no supplier from whom he may have obtained it, how could he have used it?

Remember Mark Fuhrman's words of advice about details and reserving judgment; that's what separates people who score high on tests of abstract reasoning from those (like Peggy) who score exceptionally high. Mark Fuhrman is undoubtedly an exceptionally high scorer. Fuhrman, who described in his book every detail of the wounds that would have been left by the blade and the hilt had the weapon been a Stiletto, had this to say about the weapon Nicole was hit with: "He tries to regain control of the confrontation by attacking Nicole with a pounding blow to the head. Nicole falls limp...."

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No, you did not miss the part where the great detective describes the blunt force weapon O.J. used to land the "pounding blow" which left the imprint of a German Stiletto butt plate in Nicole's scalp. In his scenario, O.J. doesn't even produce the knife until Goldman mysteriously pops up inside the locked gate sometime later. Fuhrman doesn't explain how Nicole's lipstick got on Ron's cheek or how so much of her hair got on his shirt and pants. Those are the details he was smart enough to miss. But what he did show was a photo of Lange, Vannatter, Darden and Clark with Clark holding Allport's *The Nature of Prejudice* and Darden pointing at something inside. They obviously didn't get it.

### 3) OPPORTUNITY:

With Fuhrman, time and space would have been no obstacle to hiding the evidence. For all we know, he could be jogging every day in the killer's sweatsuit (if it was a sweatsuit). The knives could be mounted on his living room wall above the fireplace, with bronzed Bruno Maglis on the mantle as bookends for *Outrage* and *Murder in Brentwood*.

The way Fuhrman tells it, time was not a problem for O.J., either. It wouldn't have been if so many people hadn't latched on to the idea that Allan Park's failure to notice the Bronco meant that it wasn't there when he arrived. Try fitting this Mark Fuhrman story into a 4 minute window of opportunity: "...His mind is racing; he's got to get rid of this knife! Knowing the area well, he drives just a few blocks to a dirt alley and picks a location overgrown with grass and debris. Pulling over quickly, he opens the passenger window and throws the knife out. Speeding off, he strikes a fence or pile of discarded wood. The force of the collision wedges a piece of wood into the front of his car....Out of control and remembering he has a flight to catch, Simpson drives recklessly back toward his house...When Simpson arrives at his home, he sees the limo waiting for him at the Ashford gate. He pulls the Bronco to an abrupt stop at the curb by the Rockingham gate. The sudden braking of the car dislodges the piece of wood that was picked up in the alley; it falls onto the parkway. The Bronco is parked haphazardly, but Simpson either does not notice or does not have time to correct it."

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So, O.J. got rid of a knife he never had a couple of blocks southeast of Bundy (the only area that fits the description), dumped it out of the passenger side window, crashed into the wood, made a mad dash for Rockingham, saw around a blind corner, parked haphazardly, opened and closed the Bronco door and Rockingham gate without a sound, left blood-drops on the driveway, lost the glove, washed the clothes... This is image assassination with a figurative smoking gun Super-glued to the assassin's hand.

The question is not, how can Mark Fuhrman be guilty of framing O.J. for murders he committed himself; it's how can he not be? When I started my investigation of Fuhrman as a murder suspect, I counted five ways, any one of which would have meant he was innocent if it applied to him:

1) *If, as a United States Marine, he somehow missed exposure to the lessons I received in the Army on the use of a knife as a silent weapon to stun and to kill.*

Joe Bosco said of Dr. Henry Lee in his book, *A Problem of Evidence*, "In the some six thousand homicides he's investigated in his career, Dr. Lee has never seen a situation where there was this much evidence of violent struggle, with two full-grown victims, and so little evidence of trauma to the alleged lone perpetrator. 'Have to be some kind martial-art superhero do that,' Henry says in his inimitable style." Dr. Lee was a martial arts instructor.

Fuhrman had extensive training in the martial arts, and years of pleasurable experience in inflicting "blunt force trauma" as a military and civilian policeman. He had more than enough hand-to-hand combat skills to do what was done to Ron and Nicole without sustaining visible injuries.

2) *Fuhrman would have to be innocent if he was on duty or if he could not have anticipated being called in on the case ahead of all the other detectives who were on duty.*

Fuhrman's role in the investigation was a foregone conclusion because it was built into the system. He wrote, *"I wasn't on call..."* which means he was on his own....He also said something about knowing that Phillips would *"need the extra help,"* without saying what happened to the detectives who *were* on call, or why a junior detective with 2 1/2 to 3 years of experience would be called first. In the very next paragraph he wrote this about the

## Chapter 32 A CURRENT NOVEL EVIDENCE

case he was about to investigate: "*By anticipating certain challenges, I thought I would be better prepared to meet them.*" If anyone could have anticipated the call that put him in initial command of the case, it was Mark Fuhrman.

3) *He may have been innocent if his feet were too big or too small for him to have left the size 12 Bruno Magli shoeprints.*

I learned, by way of photos in Fuhrman's book and a note in the autopsy report, that the envelope containing Juditha Brown's glasses was #10. In one photo, Fuhrman's shoe and the envelope were resting close together on the same plane. From there I worked out the size of the shoe in the photo with basic drafting techniques. If the envelope was a #10, the shoe on the foot next to it was size 12. That's right, THE SHOE FITS!

4) *He may have been innocent if he showed no indication of "guilty knowledge."*

Fuhrman's book is a warehouse full of guilty knowledge, that is, *innocent* information he would try to avoid if it implicated him; the killing time, the blood-drop locations on Rockingham, the full text of his part in O.J.'s public branding as a spouse abuser, etc. What interested me most was the case he would make for what Nicole was hit with. I looked for him to avoid the subject to whatever extent possible. He did. The arguments he used against the Stiletto from Ross Cutlery that he didn't find, challenged the blade and the hilt in elaborate detail; it ignored the butt altogether. In this instance, the blunt end of the knife is doing the pointing—at Mark Fuhrman.

5) *Fuhrman could not have been guilty if he had an airtight alibi. Was his omission in his book of where he was during the crime a case of excluding irrelevant data, or one more example of guilty knowledge? Regardless of the evidence against him, he could not have committed the crime, any more than O.J. could have, if he were somewhere else at the time. The killer would have had to create the appearance of an alibi, but it couldn't have been airtight. Did Fuhrman's alibi have substance and depth or was it a facade?*

The investigation of Mark Fuhrman's alibi consisted of seven (7) questions in the criminal trial and seven answers by Mark Fuhrman. All I knew about it for two years was what I could recall of his testimony before I thought of him as a suspect. Then, I learned how to use the Netscape

## Chapter 33: IMAGE ASSASSINATION

"search" function properly when going over the 45,000 pages of transcripts and there it was, not in F. Lee Bailey's cross examination where I was looking for it, but in Marcia Clark's direct. Within days of my discovery, I got an e-mail from another OJI who'd found the same seven questions and answers you read in Chapter 18. All of this happened in October, 1997.

However, what I could not find out about Fuhrman's alibi and why Pat, Peggy, Paula, Christine and I were so frustrated about it for so long, is an object lesson in conspiracies of silence. The information had been there all the time, available to anyone in the world with access to the internet. Yet, those of us who wanted it most couldn't get it from anyone who knew the answer or could have told us how to get it.

As of September, 1997 when I thought this book was nearing completion, this is all I could say about Fuhrman's alibi, some of which was based only on poorly recalled testimony I hadn't heard right in the first place: I learned that *"everybody seems to know he had one, yet no one can or will say how they know. I haven't found it in any transcript, any magazine article or any book, including Fuhrman's. I can't find it anywhere on the World Wide Web. What I have found, with one pivotal exception, is ridicule, silence and bitter hostility toward anyone who has dared to ask the question."*

After Fuhrman's "vindication" in the civil trial, he went on a TV talk show to promote his book. An audience member asked him the forbidden question. He said he was at a service station "in the desert." How do we know when or if he was really there? He paid for his gas and a soft drink with his credit card. His credit card....

Let's see...

- 1). Tracked down alley where stick came from; didn't take stick from alley.
- 2). Found bloody glove; didn't use it.
- 3). Saw socks on bedroom floor; didn't plant them.
- 4). Used credit card; didn't fake it or lie about it.
- 5). Followed leads to O.J.; didn't frame him.

Looks a tad like "smoke and mirrors" to me.

## IAGO IN BRENTWOOD

Speaking of smoke and mirrors, where do you suppose the Police Protective League directors took Fuhrman to celebrate the testimony that won him so much praise in O.J.'s criminal trial? Would you believe The Magic Castle? Why do you suppose the men who gave him his bogus alibi thought he would appreciate a magic show, of all things, after his performance on the stand? Could it have been because he had put on such a good one himself? I wouldn't rule that out. A good magician needs good assistants. In the Protective League, he had all he needed to appear to be somewhere he wasn't on the evening of June 12, 1994, with hundreds of people to vouch for him. That's a pretty good trick.

The most fascinating thing to me about Fuhrman's alibi is how he convinced so many people he had one when he didn't. He testified that he was at a Police Protective League barbecue, a hundred and fifty miles away at around 8:00, and home at 10:30. Why tell someone in a studio audience that he was at a gas station "in the desert"? And how, after all of this, could so many people be convinced that his alibi was airtight? Don't forget the Primacy Effect. At the time of his testimony, Marcia Clark was arguing that the killing started at 10:15, too early of him to have made it to Bundy. That's where so many people got the idea about his alibi. Long after the details were forgotten, the "fact" that he had an alibi stayed with them.

Mark Fuhrman boasted of his skill at planting evidence against "niggers" and working with cops who covered for each other so well that they could have gotten away with murder. He wanted to show everyone what a brilliant detective he was. He had always sought the "big arrest." He loved danger. He loved public attention. He thrilled to blood-and-gore action, up close and personal. He admired Nazi Germany and harassed a cop who married a Jew. Despite his perjury conviction, he eventually got nearly everything he wanted, through the murder of a Jewish man along with the white mother of two black children, and the undoing of the children's father. Had the McKinny tapes not come to light, he would have gotten it all. As popular as Fuhrman was from sea to shining sea after his crowd-pleasing face-off against F. Lee Bailey, who knows how far he could have gone in politics? Yet, when I tell most people that he framed O.J. for the murders he, himself, committed, they look at me sideways, squint their eyes and ask, in sincere bewilderment, "But what would have been his motive?"

## Chapter 33: IMAGE ASSASSINATION

There's not much you can do with that—but it tells you a lot about the American mass media and the human mind.

Television was in most American homes for a decade before the first African-American appeared in an ordinary commercial. It took another quarter-century for the first African-American to star in a series where his or her choice of love-interests was not dictated by color. That happened in the mid-'80s. The star who did it was O.J. Simpson.

TV hasn't been the same since. Every time we turned on the set, we saw other black people doing what white people did, limited only by their desires and abilities. They sat on the Supreme Court and led generals in war, not as first and only exceptions to the rule but as examples of the new rules that everyone was expected to play by. They had tennis shoes named after them. They starred in their own top-rated shows. They had fans of both sexes and all races, which made them ideal pitchmen for all kinds of products and services. One of the most well-liked by men and lusted-after by women, was O.J. Simpson.

Paradoxically, a key-part of mainstream conservative thought held that the overall picture we saw in the "liberal media" of blacks was true where black criminals were concerned. They saw the Constitution being misused to favor criminals over their victims and the police. Most people saw themselves as conservatives and criminal suspects as criminals. They saw defenders of black criminals as idiots or demagogues using untrue or irrelevant charges of *racism* to quiet legitimate discussion of the relevant issues... Enter a white racist cop named Mark Fuhrman and a black murder "suspect" named O.J. Simpson.

## IAGO IN BRENTWOOD