

## Chapter 35: 20 QUESTIONS

“WHEN YOU ELIMINATE THE IMPOSSIBLE, WHATEVER IS LEFT, NO MATTER HOW IMPROBABLE, MUST BE THE SOLUTION.” —Sir. Arthur Conan Doyle’s Sherlock Holmes

*It does not take a Sherlock Holmes to solve the Bundy murder mystery. It does take someone willing to consider the chance, no matter how remote, that there is a mystery.*

The sensational murder in Brentwood was hardly a “perfect crime.” On the contrary, its success was pinned to well-understood imperfections in the human condition. We humans have imperfect perceptions and recall, we make irrational deductions based on emotions and preconceived ideas. We rely on internal and external clocks set to widely different times. We leap to rigid conclusions based on shaky, preliminary information. Our motives are not always pure, and our best estimates of the truth can be easily shaped by stereotypes, subtle suggestions and popular opinion. We know that the press will report whatever looks like news from an authoritative source at the earliest possible moment. This is the stuff of which successful murder/frame-ups are made, the imperfections in ourselves and our institutions that we can predict and exploit to simulate truth or brand a truth-teller a liar.

The crime for which O.J. Simpson was robbed of his good name was like a game of horseshoes between the Hatfields and the McCoys, with the Hatfields doing the judging. The side pitching the idea that O.J. was guilty didn’t need a ringer to win. Occasional sounds of metal striking metal were close enough for the judges to “see” one every time. Otherwise, close was invariably close enough.

When several witnesses put the start of the attack on Ron and Nicole after 10:30, and one pegged it at 10:15 to 10:20, Prosecutor Marcia Clark went with the one closest to 10:00. She said, 10:15. The media repeated,

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10:15. When Robert Heidstra said he saw a light-colored sports utility vehicle heading south, Chris Darden said it was a white Bronco. The media repeated, white Bronco. They ignored the direction. When an FBI shoeprint expert identified the shoes worn by the killer as Bruno Maglis, the type of shoe O.J. wore to his daughter's recital was close enough for Detectives Vannatter and Lange to decide that he had worn the Brunos, too. They made a point of referring to the amateur photo taken of him a few hours before the murders in shoes very much like the killer's as proof that he was lying about the shoes he said he wore when he returned from the recital. Not exactly a match, but close enough.

When photos of questionable authenticity appeared to show O.J. wearing Bruno Maglis in '93, the media called O.J. a liar for denying their authenticity. Expert witnesses for the plaintiffs testified under direct that the Flammer photos were "100 %" genuine, before admitting under cross that they could have been 100% wrong. The ability to make utterly convincing fakes is no secret among professional photographers. Just grab one, and you'll get the same answer: With enough time, expertise and motivation to go with the proper equipment, not even an expert could tell a fake from the real thing.

There it is; the only way to be sure the photos were unaltered, is if they were taken by amateurs with nothing to gain and processed by strangers within a week or so. Flammer was a professional photographer. His photos were "forgotten" until the last week of December, 1996 when the networks paid him mega-bucks for the right to show them and O.J.'s photo expert proved that he did not know how the alterations were made. Flammer had the same publicity agent/professional photographer/buddy as Harry Scull whose photo appeared in the *National Enquirer* earlier in '96 for the first time anywhere. Flammer's photos were allowed into evidence so late in the civil case that the defense could not mount an aggressive response. That did not stop Dan Abrams of Court TV from announcing on the day he saw them that they proved "O.J. Simpson is a murderer."

O.J. was framed. We know that because of all the oddball facts and circumstances that would have to be present to support that claim, all of which were eventually found to exist.

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We now know enough about what happened and who was involved to be pretty sure of how the murder/frame-up plan was supposed to work. We can tell what did and didn't go according to plan by how easily some evidence fits into place and how convoluted the argument has to get to include or exclude others. Another tip-off is the quality of the evidence relative to the time and resources available to craft it and put it where one would reasonably expect to find it. Look at what happens when events and interpretations of evidence that no one could have foreseen get grafted onto the story of O.J. the murderer...

Denise Brown and her sister Dominique, who both attended Sydney Simpson's dance recital with O.J. and Nicole were the only people who claimed to have recalled seeing O.J. in Bruno Maglis. After the recital, Cora Fischman asked her husband Ron to take a photograph of O.J. and his daughter together. The photo he took showed O.J. in shoes that fit the general description of Bruno Magli Lorenzos and looked too much like them to be a coincidence. Cora told police they were loafers. Others called the shoes he wore to the airport Italian loafers. Bruno Magli Lorenzos were expensive, Italian, suede high-tops. The man who sold them at Bloomingdale's called them boots. Only an amateur photo taken on the spur of the moment without Denise Brown's knowledge proved that the expensive, suede, high tops O.J. wore to the recital were not Bruno Maglis.

Marcia Clark combined one piece of solid evidence (blue/black cotton fibers on the victims' clothing) with Kato Kaelin's mushy memory of what O.J. was wearing before the killing and hammered out a conviction that he wore a sweatsuit with blue/black fibers. *Pay attention to this one. If you live to be a zillion years old, you will never see a better example of how sheer repetition of a discredited idea, can become an article of faith for the masses.* It's a microcosm of how Hitler, Stalin, Pol Pot and other leaders of genocidal regimes before and after them were able to do what they did through their control of the media. You really should study this process. It should be mandatory reading not only in law school and journalism school but in 9th grade history. It's no coincidence that "history buff" Fuhrman was able to control the media to the extent he did with his role in the case, or that he said what he did about genocide. He did study the process.

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Marcia: WHAT WAS THE DEFENDANT WEARING AT THAT TIME?

Kato: I **DON'T KNOW** THE EXACT CLOTHING. I **THOUGHT** IT WAS A SWEAT OUTFIT.

Marcia: SWEAT OUTFIT, LIKE SWEATSHIRT OR NYLON-TYPE?

Kato: A WARMUP, I **BELIEVE**. I MEAN, I **AM NOT POSITIVE** ON THAT, BUT I **THINK** IT WAS A WARMUP OUTFIT.

Marcia: COULD YOU—CAN YOU REMEMBER WHAT KIND OF MATERIAL IT WAS, OR COULD YOU TELL AT THE TIME?

Kato: **NO**, I COULD NOT.

Marcia: WHAT COLOR WAS IT?

Kato: IT WAS **DARK**.

Marcia: **BLACK**?

Kato: A **DARK** COLOR.

Marcia: WAS IT **BLACK**?

Kato: I MEAN IT WAS DARK OUT, SO IT WAS A DARK COLOR. I MEAN, IT **COULD HAVE BEEN** DARK BLUE **OR** **BLACK**.

Marcia: ONE OF THOSE?

Kato: **RIGHT**.

Marcia: ALL **RIGHT**. DID IT HAVE LONG SLEEVES?

Kato: **YES**.

“...it was dark out,” meaning dark outside. Meaning O.J. had changed clothes since Kato saw him inside a half-hour earlier. What was different? A blue jacket.

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Kato said dark. Marcia suggested black. Kato suggested blue. That's all Marcia wanted to hear. If it could have been blue or black, it could have been green, gray or brown, but blue *and* black gave her the color combination of the fibers—not that it mattered if Kato was only guessing about the sweatsuit. It was, undoubtedly, the closest thing he could think of to what he did remember. We know that he was wrong about this, the only objective test of his memory we have against what we know O.J. wore to the recital and what he wore to the airport. We know that he wore black dress slacks, a white T-shirt and denim jacket to the recital, and stone-washed jeans, a white sports shirt and the same denim jacket to LAX. Similar, but not identical, except for the jacket.

Q: OH, MR. KAELIN, DO YOU REMEMBER WHAT THE DEFENDANT WAS WEARING WHEN HE WAS ABOUT TO LEAVE FOR THE AIRPORT, WHEN HE WAS GETTING READY TO GET INTO THE LIMO?

A: *I'M NOT POSITIVE. I THINK* IT WAS SWEATS. A SWEAT OUTFIT.

Q: OKAY. DO YOU THINK IT WAS THE SAME SWEAT OUTFIT YOU SAW HIM WEARING EARLIER THAT NIGHT WHEN YOU WENT TO McDONALD'S?

A: *I COULDN'T SAY.*

That's what he tried to tell her in the first place; he couldn't say. She insisted on a guess, so he gave her one. He was wrong about everything except the long sleeves and the color. That's the part she kept, and the media has been repeating as fact ever since—the part that was proven by independent witness and the airport security camera to be wrong.

That's how we get O.J. at Bundy in dress socks, dress shoes and a sweatsuit with blue/black fibers that didn't appear in the Bronco, the Bentley or his home. That's how the dark sweatsuit O.J. was photographed wearing came to be identified as proof that he and his housekeeper were lying about him never owning a sweatsuit with blue/black fibers. And do we know for sure what color those fibers in the pictures were, the ones that were supposed to prove he was lying? We sure do. They were gray/black. Thus, the follow-

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up question about the same sweatsuit, even though she knew he didn't wear a sweatsuit to the airport.

Her goal was to repeat the idea that he wore a dark sweatsuit on the night of the murders often enough for people to literally "see" what she was saying. It worked. The dress shoes and the sweats go together with O.J. like cowboy boots and a hula skirt. *The blue/black fibers prove that O.J. did not wear the sweats* and there is zero evidence that he ever owned them. Yet, millions of people are belligerently and unalterably convinced he's a killer partly *because of* the blue/black fibers and the photo of him in the gray/black sweats.

Surely no one would have planned for the evidence to be read that way any more than they would have planned for Ron Fischman to take that photo of O.J. and Sydney; for O.J. to cut his finger; for the limo driver not to see the Bronco; or for Kato to investigate the thumps by himself instead of calling O.J., and not to open one of the gates.

Put O.J. in the sweatsuit that existed only in the "maybe" vault of Kato's memory and the shoes that left the bloody imprints at Bundy and what do you get? Key parts of the puzzle that don't fit worth a damn. Conclusion: Something went wrong with the plan.

No sweatsuit was planned to be matched with bloody Italian shoes, and the bloody Italian shoes were intended to be identified as the dress shoes O.J. wore to the recital. If Ron Fischman hadn't taken his photo, Agent Bodziak's identification of the Bruno Maglis would most likely have been reported on CNN and other major television networks like this...

*The shoes O.J. wore to the recital a few short hours before the brutal murder of his estranged wife and her young male friend, matched the description of size 12 Bruno Magli Lorenzos. These are the rare, expensive, Italian shoes that tracked the blood of the victims to the rear of Nicole's condo—a rich man's shoe that several eyewitnesses positively identified as the ones they saw O.J. wearing at the recital. As you know, Simpson, a wealthy man, wears size 12 shoes. He cannot produce the Bruno Maglis he wore that night and claims he never wore them—that he never owned the shoes identified by a string of credible witness, beginning with the slain woman's sister, Denise Brown.*

*In a dramatic courtroom gesture, Ms. Brown glared at the defendant and, barely able to control her tears and her anger, positively identified the missing*

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*shoes as the ones she saw that night on Orenthal James Simpson's feet. The defense claims that witnesses who followed Denise on the stand were biased by photos of the killer's shoes and Ms. Brown's insistence that they belonged to O.J. However, our independent experts...*

Can't you just hear that? Can't you hear the ace reporters and expert commentators for all the major networks (except NPR's Renee Montaigne and CNN's Greta Van Susterne, who deserve medals for their fairness) poo-pooing the defense claim of a bandwagon effect? Something of the sort did happen regularly... No, invariably. It happened with all of the other items of incriminating evidence that could have been said to belong to O.J. barring ironclad proof to the contrary.

In the Chris Darden glove demonstration that I saw, the gloves didn't fit. According to most of the ace reporters and commentators I heard, I was fooled by O.J.'s acting. And remember Robert Heidstra's description of the vehicle he saw going south on Bundy? Remember Darden saying, "Okay. So when this white vehicle that looked like a Bronco with tinted windows..."? Read the transcripts. Darden was describing O.J.'s Bronco, not Heidstra's testimony. Yet, most expert reporters and commentators called it the way Darden did. That's what you get with the shoes minus Dr. Fischman's snapshot showing that O.J.'s expensive, Italian loafers were not Bruno Maglis.

The killer had more brass than brains, but enough of both to kill two people and to anticipate popular reaction to whatever he and his four associates did to frame an innocent man. The Bandwagon Effect they created around the idea that O.J. Simpson would have, could have and did butcher two human beings lies on the outer ring of clues that point to the real killer. The circle inside the ring is where all the clues were planted against O.J. There are plenty of gaps in the circle—places where the killer's mistakes with the stick, the socks, the blood, the gloves, the time, the Bronco, the clothes, the shoes, the dogs, the witnesses and his own testimony leach out, join together, and form an air-tight circle around him. But to get a Lion, a Tiger or a Bear to look at it is a whole 'nother animal.

Marcia Clark was all three in one. The killer had to know in advance that he would get someone like that to head the prosecution against Simpson

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before the plan to frame him for the murder of Ron and Nicole could go forward. That was another of the high order of improbabilities that got in the way of *my willingness to believe* that O.J. may have been set up. After seeing that the qualities of high tolerance for police misconduct and tainted evidence was shared by everyone on the prosecution team, I imagined that those qualities were requirements for the job. Looking at Gil Garcetti, the possibility did not seem all that remote. But would it be a sure enough bet to stake everything on?

No. There were too many honest, dedicated deputy prosecutors around who would not have stood for the lying and cheating that went on under Marcia's stewardship of the case. If any of those people had been put in charge, they would have insisted on going after the truth no matter where it led. To get around that, the system had to be structured in a way that Fuhrman could shop for the prosecutor he wanted with a reasonable expectation of success.

Guess what? The system was set up that way.

Guess what else? Marcia had a reputation among cops with a penchant for lying a little to recover—or to plant the evidence they needed to make their case in court. When a cop needed help in that department, she was the one to call. Fuhrman was going to need help in that department. There was never a doubt that she would get the call, adopt his views and fight like a Tiger to win.

The following exchange took place in May of '97:

Tiger—Every bit of hard evidence against OJ is linked in one significant way or another to Mark Fuhrman. His actions and whereabouts at Rockingham link him to all of the evidence discovered there and his “discovery” of the matching glove links him to all of the evidence at Bundy. He is the only person who can be linked directly to the bloody glove that held the knife that slashed Nicole Brown Simpson's throat. Even the theory of a bleeding killer came from him. Ever wonder where the false story of bloody clothes and a bloody ski mask found in OJ's closet came from... the story that convinced so many people

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before his arrest that he had to be the killer? See Fuhrman's notes, item #17.

None of the above means much by itself. But, if Fuhrman did commit the murders and frame OJ for it, the foregoing conditions would have to have been met. Fuhrman is linked to these murders. He went out of his way to link himself to these murders. Yet, you say to me, "YOU cannot link Fuhrman to these murders because he is a man YOU despise."

Wow.

Please note the wildly irrational motive you have assigned to my interest in Mark Fuhrman as a murder suspect—despite his central involvement "in a case in which there was more damning evidence than in any case in history." The ideas that follow from that assessment are automatic. Yet, if you, Tiger, hard-core OJG supreme, suggested to any 10 OJ-literate people at random that Fuhrman should be investigated for murder, what would you bet that 9, if not all 10, will assign the same motive to you?

Don't bet; you'd lose.

Most people's reaction to the idea that Fuhrman might be the killer has nothing to do with the motives of the person presenting the idea. It's the idea itself that leads almost everyone to the same conclusion about the motive of anyone who presents it. Those most passionately committed to the belief that OJ is innocent are the most leery of any MFG scenario (the OJI's in our group who gave me the hardest time about it were Trille, Connie and Maggie). The criminal defense team summarily rejected verifiable stories that Fuhrman was a Nazi until the facts were investigated by two LA County Assistant DA's and summarily rejected by Marcia Clark. They were slow to believe Kathleen Bell and they NEVER made a thorough investigation of Fuhrman's alibi for the murders.

They weren't that interested.

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They had already made up their minds that it was a drug hit, and Fuhrman, because of the moistness of the right-hand glove, MUST HAVE found it when he was called to Bundy and hidden it in a plastic bag. Therefore, he couldn't have been the killer. That is what I believe F. Lee Bailey was talking about when he told Fuhrman, "We know you didn't do it," and nothing more was said when Fuhrman replied, "That's right." It made the point that Bailey was trying to make, namely, Fuhrman found the glove at Bundy and planted it at Rockingham.

You said that Fuhrman's word is not involved here. What were you thinking? He said he didn't commit the murders. He said he didn't plant the glove. He said he didn't plant any evidence. He said he theorized the killer was bleeding (bitten by the dog). He said that he found those dress socks on the floor of OJ's bedroom. He said that OJ Simpson was a murderer and he proved it. If you don't think that Fuhrman was vital to the case against OJ, take him out of the equation and see what you have left.

Now, on to your list of reasons for rejecting Fuhrman as a murder suspect. I will answer as many as I can before I have to crash. Please keep in mind, that I am giving you the short answers because that's all I have time for; not because that's all there is. To put my reply in context I am including relevant portions of my last letter and the lead-in to yours....

I SAID:

Yes, I did see everything you did, and yes they are obvious—the same way it's obvious that my foiled clay model wheel covers are brushed aluminum or polished chrome. Remember, most of the objections to an MFG scenario you've listed are what made me an OJG for the bulk of the prosecution's case (It took a lot for me to get around to looking at Fuhrman as a suspect). You may also want to remember that a frame that looks like a frame is worthless. It has to make the framee look guilty to savvy people like you as well as to the average cuss. At the same

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time, it has to make the framer look as though he couldn't have done it if he'd wanted to. That's just for starters.... From this point on your numbered points will be answered by my REBUTTAL:

YOU SAID:

Let me outline my reaction to YOUR proposition that MF may have committed these crimes to set up OJ. Let's, for the moment, even accept the concept that MF hated OJ to an extreme for whatever reasons, and wanted to frame a national football hero for murder. Here is my reasoning for totally and completely rejecting this theory. I am not talking about the trial, in which only some of the evidence came out; I am talking about MY reasoning based on what we knew as people hearing it all:

In order to carry out this perfect crime, the following would have had to take place (in no particular order):

1. To get to OJ, MF would have to kill a white woman in a manner so brutal as to stage a "rage killing." Nicole was nearly decapitated, and Ron was stabbed over and over. The style of the murders was that of someone totally filled with hate. I doubt that MF hated Nicole—or Ron—with enough passion to kill them just to get at OJ, — BUT — this is NOT an impossibility....just a reasonable doubt.

REBUTTAL: If the object of the killing was to make OJ look like the killer, an experienced homicide detective would know better than anyone what police and prosecutors look for in a crime of passion. Nicole was stabbed and slashed enough to pass as the victim of a "rage killing," but all things considered, she was dispatched fairly efficiently with the kind of wound to the neck that is consistent with a "sure kill" taught by the military. The blow on the side of her head was severe enough to cause brain injury. It was consistent with the butt on the handle of a military survival knife. The prosecution displayed a knife with that kind of handle. If that was the knife used by

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the killer, it was also consistent with the order and style in which a man with military training would take out two quick, young people in the heat of battle. A person without that training is not likely to ever think of the butt of a knife as a better weapon than the blade in a life and death struggle. A well drilled soldier—or Marine—would. Nicole's killing was not dragged out. Ron's was. He was tortured. My question to you is this: why is it so hard for you to believe that a Nazi may have tortured and killed a Jew?

2. To frame OJ, MF would have had to be SURE of the following—because if these things were not exactly as he planned—he was risking his own life if found out:

a. OJ was home alone at the time of the murders.

REBUTTAL: A police scanner could have told him everything he needed to know.

b. OJ had no guests in the house at the time of the murders.

REBUTTAL: A police scanner could have told him everything he needed to know.

c. OJ spoke on the phone to no one between 9:30 and 11 PM. He called no one, and no one called him. In short, NO ALIBI of any sort.

REBUTTAL: A police scanner could have told him everything he needed to know.

3. Somehow, MF would have had to have samples of OJ's blood with him to plant on the Bundy walk, so it could be found by the first detectives at the scene. Of course, OJ's blood had not yet been taken from him, so where did he get it?

REBUTTAL: False assumption. The blood planted at Bundy could have been Ron's or Nicole's. At that point, the only thing it had to be was red. All he had to do then was plant the idea that the killer was bleeding from a wound on his left hand. The rest could be taken care of in the lab, or discarded as a theory if a blood sample switch couldn't be arranged.

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4. MF would have to know that OJ had an open cut on his left hand so he could plant this blood on the left side of the shoe prints.

REBUTTAL: Right you are. He would also have needed someone well-placed to watch the house and car before the plan was set into motion, during its execution and after it was finished, in which case OJ's cut finger would have been observed. Three conspirators with cell phones (an active killer and two observers) would have been enough to do everything [*Editor's note: —Except to identify the shoes he wore to the recital as Bruno Maglis, to confirm the exact time of Ron's arrival at Bundy without having to rely on a chance call from Nicole's mother, and to establish a false maximum end time of the killing the moment he arrived*].

5. MF would have to have known that OJ wore Maglis, size 12, and worn them at the murder scene. He would have to know that OJ's Magli's would "disappear" and ownership would be denied by OJ.

REBUTTAL: The Harry Scull photo supposedly appeared in print 9 months prior to the murders. If the intent of the crime was to implicate OJ, Fuhrman would have had that much time to see how well the shoes would fit into his plans. He would have had to answer only 2 questions: 1) Would they fit his own feet or the feet of a partner? 2) Could he be sure that the police would not find them? If the answer to both questions was yes, it didn't matter what OJ said about the shoes. As long as they were presumed to be missing, it would be only natural for most people to assume that he'd worn them to Bundy [*Editor's note: With Denise as a partner, all the killer really had to know about the Bruno Maglis was how rare they were, and how much they resembled shoes O.J. would and did wear to the recital. The men responsible for the Scull/Flammer photos were almost certainly opportunists who knew nothing of the murders until the rest of us did*].

6. He would have had to get and wear OJ's gloves and knit cap to the murder—and would have had to have hair samples from

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OJ, and carpet fibers from the Bronco BEFORE going to Rockingham.

REBUTTAL: Carpet fibers from the Bronco could have been deposited anytime by anyone or any creature that had ever been in the Bronco prior to June 12, 1994. They were bound to be wherever Kato, the Akita's, dog hairs were. All the killer had to do was bring the cap and gloves with him (assuming that the cap hadn't been left outside by one of the kids) and leave them where they could be found. He could have picked them out of the garbage, stolen them from Nicole or gotten someone else [*Faye Resnick*] to do it. For all we know, the gloves belonged to Ron Shipp (hair consistent with his as well as OJ's) or Mark Fuhrman (Caucasian hair in one of the gloves never checked against his). Once again, if the object was to incriminate OJ, the killer had to secure incriminating items in one way or another (a cap without scalp hair like OJ's and a pair of gloves without hand hairs like his, would have been obvious plants). Fuhrman could have worn latex gloves next to his skin to do the killing, just as Johnnie Cochran did in court, or another pair of gloves and a ski mask to cover his face.

7. MF would have had to bring OJ's uncollected blood to Rockingham and splatter it in the foyer. Remember OJ admitted having a cut in the police report, and then denied it during the trial.

REBUTTAL: Why would MF have had to plant OJ's blood on Rockingham if his spotter had seen him bleed before the killing? He had to know only that it was there. Let OJ worry about explaining it.

8. MF would have had to smear blood from the victims in the Bronco. He never opened it.

REBUTTAL: How do you know that he never opened it? The Bronco was not secure. As far as we know, he had plenty of opportunity, up to and including the time he got the call from his "good friend" Ron Phillips to join [*lead*] the investigation.

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9. He would have had to know how OJ would react after the murders—with his attempt to commit suicide, and/or flee.

REBUTTAL: Why? What is so odd about a man with the world by the ass on Saturday, who gets dumped by his girlfriend on Sunday, falsely accused of murdering the mother of his minor children on Monday, who has his character thoroughly trashed by Tuesday, most people believing that he's a monster by Wednesday and being convicted in the press by Thursday—what's so odd about a guy like that, with no apparent way of clearing himself, seriously thinking about ending it all on Friday?

10. MF would have had to predict that OJ would miserably fail a lie detector test.

REBUTTAL: The only lie detector test Fuhrman had to concern himself with was his own. By having a confederate plant most, if not all, of the evidence he could have safeguarded himself against any charge of planting evidence. As long as the examiner didn't ask him questions about his use of the murder weapon or his alibi, he'd be in good shape. That is only one way he could have beaten the machine. There are others which require time to prepare—which is also what an innocent man would have required for an accurate reading. Fuhrman, who had a good understanding of what a polygraph was and how it worked, arranged to take the test on his own initiative, with the tester of his choice, when he felt he was up to it. Robert Shapiro, who knew nothing about polygraphs, talked OJ, who knew nothing about polygraphs, into taking one less than 2 full days after he learned of his wife's murder. If you believe MF passed his test, you have to accept his reason for waiting over a year to take it. If you accept that (which you did) how can you then say that OJ failed the test that Bailey stopped before he completed it on precisely the same grounds?

11. MF would have to have known that some of OJ's attorneys would not believe he was innocent.

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REBUTTAL: If MF and his accomplices did their jobs right, none of OJ's attorneys would believe he was innocent. Again, the whole point of planting evidence is to make an innocent person appear to be guilty. If you are a white racist with a bad record who is attempting to set up a black icon and interracial sex symbol for the murder of a white woman and her white lover, you know the evidence will have to stand up to close inspection. If it doesn't, you're dead.

12. He would have had to know that a white Bronco would be seen leaving Bundy at the time of the murders.

REBUTTAL: A) Time of murders? What time was that? Nicole's busted watch was stopped at 10:03. If the coroner was kept away from the bodies long enough to blur the actual time of death, it might have been fixed by the broken watch. If it hadn't been for the prosecution's reliance on Pablo Fenjves' wailing dog at 10:15, and the fact that the dog continued to bark for half an hour, it most likely would have. B) White Bronco? Which white Bronco? The one like OJ's, AC's and Marcus Allen's that Jill Shiveley claimed to have seen OJ driving through a red light near Bundy at 10:50? Was it the one like Marcus Allen's that was reported to the prosecution by neighbors to have been parked on Bundy with its lights on for several minutes until 10:00? Was it the white Bronco like Marcus Allen's that two people saw heading away from Bundy shortly thereafter? Or do you mean the light-colored sports utility vehicle Heidstra saw at 10:45—the one Darden said was a white Bronco and Heidstra said, under oath, was, "something like a Jeep or a Blazer," and "light... could be white," like Mark Fuhrman's Scout?

13. He would have to know that OJ's niece would acknowledge that OJ told his mother he was guilty.

REBUTTAL: Sure. A nobody said that a relative of hers that we all know said to his sister who told the nobody who, for a small fee, told a newspaper...

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14. He would have to predict that the entire African-American community would refuse to support OJ, and that his best friend, AC, would not even show up in court to stand by him.

REBUTTAL: Huh?

15. He would have to predict the ludicrous appearance of Rosa Lopez.

REBUTTAL: Ludicrous? She looked to me like a poor, uneducated woman from El Salvador outgunned by the English language and a piss-poor Spanish interpreter. She looked like a woman trying to defend herself the best she could against a savage attack by an “asshole” (Heidstra’s characterization) who could have had her imprisoned for who-knows-how-long if she said the wrong thing. Fuhrman, by the way, did anticipate Ms. Lopez’s appearance. He interviewed her long enough to know that she could not identify him. At that point, he left (why then?) and swore (at first) that he never talked to her—a potential eyewitness to OJ’s return from his deadly trip to Bundy.

16. He would have to be certain that NOT ONE WITNESS saw the Bronco at Rockingham during the time of the murders.

REBUTTAL: He only had to know how the LA County DA’s office would treat anyone who said they saw it. Rosa Lopez said she saw it. Look what happened to her. Could MF have predicted that? Ya durn tootin’.

However, it’s a problem that arose only because of two things he couldn’t have predicted: 1) Allan Park’s inability to say whether or not he saw the Bronco, and 2) Marcia Clark’s decision to use that as proof of its absence. From that, came the prosecution’s decision to go with Pablo Fenjves’ 10:15 to 10:20 “plaintive wail” time as the start of the deadly hammer and blade attack rather than the end of it. It is also why they decided to ignore the stick, the broken watch and the anonymous woman’s tip about the two bodies phoned in around 10:30.

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10:30 to 10:45 puts the call smack in the middle of the killings, before there were two bodies to report. From 10:15 to 10:30 puts it before the killings but makes it look like they ended much earlier.

If the plan had been to trick the authorities into believing the murders happened much closer to 10:00 than 10:30, the surveillance essential to any murder/frame up would have shown that no one (who couldn't be called a liar) saw the Bronco between 10:00 and 10:20.

Had that timeline been established, there would have been no need for Marcia Clark's convoluted story about OJ driving up and parking the Bronco without Allan Park seeing or hearing it. OJ would not have had to sneak in through the front and, in a mad rush, accidentally bang into the air conditioner on the side three times without tearing his face off. With the Bronco parked before 10:23, OJ could have walked out at any time before Park arrived and simply tossed the glove where MF "found" it with the intent of coming back when the heat was off to dispose of it properly.

In that scenario, the thumps that led MF to the glove would have required no extraordinary explanation. In the words of Pat McKenna, "I had a billion guys call me that own air conditioning companies, or work on air conditioners, and they told me, especially with the window or wall units, 'it's the condenser. Sometimes it shuts down and when it gears back up it shudders the whole thing.'"

17. He would have to have known that Allan Park saw a black man in a dark sweatsuit at Rockingham minutes before his constant ringing was answered.

REBUTTAL: Park could not say what the man was wearing. Cochran asked him if it could have been a robe and he said yes. He said nothing about a sweatsuit, which never made sense for OJ to have worn with the dress shoes or for Fuhrman trying to frame him with the dress shoes.

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The ringing of the bell was the regular driver's signal to OJ that he had arrived, whereupon he always let himself in and started packing whatever had been left outside. OJ never answered him. There was no need to. They had a regular routine. Park's early arrival would not have been an issue for the people who set Nicole's Swiss Army watch back to 10:03. They knew OJ didn't have an alibi and wasn't talking to anyone on the cell phone he'd been using all day [*Editor's note: a discrepancy of a minute or two would be more realistic than an exact correlation because people seldom have precisely the right time on their watches*]. As far as MF knew on the night of June 12th and the morning of the 13th, anything involving the Bronco parked on Rockingham after 10:08 (driving time from Bundy to Rockingham) would work for a solid frame.

18. He would have had to know that OJ would deny owning such a sweatsuit, and that a film of him in it would be available, and a witness would say OJ never gave it back after the filming.

REBUTTAL: I doubt that Fuhrman intended to portray OJ in a sweatsuit. That was Marcia Clark's idea. Dark clothes, yes; sweatsuit, no.

The sweatsuit made sense to her only because she was convinced OJ was the killer and Kato believed, though he wasn't sure, that Simpson had been wearing a dark sweatsuit when they went to McDonald's. The fact that the dark fibers on Ron's shirt and OJ's socks were consistent with a dark sweatsuit has no relationship to the sweatsuit in the picture or the one the witness said was given to him. That one was gray and black.

That means the blue/black fibers that were found could have led anywhere including a police officer's uniform. Not one of them was found in the Bronco where OJ supposedly sat down long enough to put a bloody shoeprint in the carpet. It didn't go with the dress socks and rare Bruno Maglis that were crucial to tying OJ directly to the murders (the shoes had to be rare, traceable to OJ and not in his possession). But it was one of

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those things he had no control over. Once the fibers were found and Marcia Clark decided that they went with the shoes, he was stuck with it. As goofy as it was, it didn't hurt him a bit, especially when all the media pundits agreed that OJ's ownership of the shoes and the sweats (for which there was no proof) was "proof" of his guilt—and OJ, for some strange reason, denied owning them.

19. He would have had to know about the photos and letters left by Nicole.

REBUTTAL: Right you are. But whose idea was it to write those letters, hers, her divorce lawyer's, Faye Resnick's, Ron Shipp's or Mark Fuhrman's? As "Nicole's private cop" [*or with Faye Resnick as his private junky*] and a friend of Ron Shipp, there isn't much about Nicole that Fuhrman couldn't have learned.

When OJ was cheating on her, she had him followed. Yet no PI has ever been identified as doing the work for her. That leaves cops. One likely candidate is Ron Shipp, who, like Rodrigo in *Othello*, was obsessed with her. Another is Mark Fuhrman, the man Shipp talked to on the phone at Rockingham when he was told of the murders [*Editor's note: An LAPD business card belonging to a uniformed friend of Mark Fuhrman named Gonzales was found in one of Nicole's desk drawers a month after her death. The same officer made a detailed report of blood stains inside the Bronco on the 13th that could not have been seen from the outside and were not seen by four people who were inside the Bronco later*].

20. He would have had to have the cooperation of everyone involved in this case to cover up his complicity, assuming he could have miraculously done all of the above.

REBUTTAL: I know. It would have to go something like this, "Jasper—I can go on and on. I cannot even recall all of the evidence — in a case that took over a year to present. The problem is, you are floating a theory without a smidgen of

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evidence to back it up, just as Cochran ran his Colombia drug lords crap. If you don't think that OJ's investigators ran a total check on Fuhrman's whereabouts on the night of the murders, you have to be naïve. If there was an iota of circumstantial evidence to connect Fuhrman to Bundy, Cochran and Bailey would have given it to every reporter in the country."

You cannot link Fuhrman to these murders because he is a man you despise. You have to question why you are desperately trying to deny the guilt of a murderer in a case in which there was more damning evidence than in any case in history. My reasoning was not blind. I did not presume that Simpson was guilty because that pleased me. On the contrary, I would have been thrilled if there was ONE SHRED of exculpatory evidence to show that he did not do it. I did not presume that Fuhrman was uninvolved—I concluded that it was not a theory that made any sense."

Every OJG I know, from Dan Abrams to Keith Zlomsowitch—every one of you who could help to sell MF's version of events to whomever it was in your power to influence, did whatever was in your power to do. What empowers any of us to act as we do has everything to do with how we see things. Fortunately, some OJG's like Kathleen Bell, Robert Heidstra, Denise Pilnak and Natalie Singer couldn't be made to see how to lie. That couldn't be true of everyone who wanted OJ to be punished for murder—a crime for which they could not see "ONE SHRED of exculpatory evidence..." A conspiracy of shared perception is no less potent than a conspiracy of evil intent. Indeed, no one could ever persuade the great majority of people in any country or region or community to do anything cruel or unjust if they didn't see what they were doing as right. More than that, they would have to see no possibility that they could be wrong.

Your move, my friend. —Jasper

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