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**RE: Colonel James E. Sabow, USMC**

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## **Synopsis**

*This document has been prepared by Dr. J. D. Sabow as a synopsis of fifteen years of his investigation into the murder of his brother, Colonel James E. Sabow, USMC. Col. Sabow's career spanned nearly 29 years during which he flew 221 combat missions in Viet Nam in an A-6 Intruder, served as commander of the Third Marine Air Group and was the recipient of numerous medals and citations including the Bronze Star for Valor.*

On January 22, 1991, in the backyard of his base house at MCAS, El Toro, CA. Colonel Sabow was found by his wife, dead from a gunshot wound to his head. The NCIS and Base Headquarters immediately designated his death as "suicide". In fact, within one hour after they arrived at the crime scene, they called Dr. Sabow and informed him that his brother "committed suicide." Against Department of Navy Regulations (SECNAVINST), his body was taken to the Orange County Coroner rather than to the nearby Balboa Naval Facility and Hospital for a post-mortem examination. The medical examiner at Orange County ruled the death a suicide, in spite of overwhelming autopsy evidence to the contrary.

The decedent's brother, Dr. David Sabow, a prominent neurologist from Rapid City, SD became suspicious of foul play due to a number of inconsistencies. He shared his concerns with the NCIS, as well as a number of senior Marine Corps officers. He became ever more suspicious when relevant documents, including the autopsy report were denied him by the Marine Corps.

Having become aware of Dr. Sabow's concerns, El Toro base commander, Brig. General Tom Adams summoned him to El Toro for a meeting. Dr. Sabow accompanied by Sally Sabow, the Colonel's widow, sat through a 5-hour vicious and grueling session. Dr. Sabow was assured that Colonel William Lucas who was the chief legal officer at El Toro at the time his brother's death, would be present to answer pertinent questions that bothered the Sabow family. However, in his place, Colonel Wayne Rich, a Reserve Marine Corps officer, took his place. Wayne Rich turned out to be a special Assistant Attorney General from Washington and he dominated the meeting. Both General Adams and Colonel Rich accused Colonel Sabow of being a "crook and felon" while two other Marine Corps generals in attendance, David Shuter and J.K. Davis remained silent. This, in spite of their glowing "Fitness Reports" of Colonel Sabow during his almost three decade career. Furthermore, the representatives of the NCIS, as well as General Adams and Colonel Rich, repeatedly stated: "There was not one shred of evidence, other than that proving, that Colonel Sabow committed suicide."

Three months after that meeting, Dr. Sabow received a package in the mail that included the following:

- Handwritten notes of a “script” of the meeting in which the plan was to convince Dr. Sabow and Sally Sabow that: “Colonel Sabow was a ‘crook’...Dr. Sabow may talk to the LA TIMES...” Later, Colonel Wayne Rich had admitted under oath that he made these notes while talking to officials in Marine Headquarters, Washington, DC while preparing for the meeting with Dr. Sabow.
- A memorandum from the JAG Department of El Toro investigating ways to have Dr. Sabow’s medical license revoked, per orders of General Adams
- A letter from General Adams to the South Dakota Medical Governing Board asking them to revoke Dr. Sabow’s medical license

Dr. Sabow became increasingly involved in the investigation of his brother’s death. Even in the early stages of that investigation, the evidence he had gathered pointed to murder rather than to suicide. Then, almost one year after Colonel Sabow’s death, Dr. Sabow received a copy of the autopsy report. That document proved beyond any doubt that Colonel Sabow was murdered. One of the most startling findings was that Colonel Sabow had inhaled a large quantity of blood and predominantly into his right lung. Yet, the autopsy stated that there was no remaining brainstem for it was demolished by the shotgun blast. This meant that Colonel Sabow had inhaled a substantial amount of blood into his lungs before he was shot, for breathing is impossible without a brainstem. Furthermore, since most of the inhaled blood was in the right lung, then the decedent must have been lying on the ground on his right side while he breathed.

The evidence continued to mount and finally Dr. Sabow acquired skull x-rays that were taken during the autopsy by the Orange County Medical Examiner. The x-rays demonstrated a large *depressed* occipital skull fracture behind the right ear, which had to have resulted from an external blunt force trauma. That proved that Colonel Sabow had been bludgeoned at the back of his head behind his right ear. These x-rays were sent to several universities and were reviewed by specialists who were professors of neurosurgery and neuro-radiology, all of whom confirmed that Colonel Sabow had, in fact, received a severe blow to his skull before the shotgun blast was triggered. It was seen as a “typical external blunt force trauma”.

In the meantime, more evidence was being acquired which included:

- Statements from an NIS eyewitness that immediately after the death, an unidentified person removed a club from the crime scene. He reported this to his superiors but he was instructed to ignore it and never to repeat it.
- The most senior MP on the base, who was one of the first at the scene of the crime, swears that there was no chair on top of Colonel Sabow when he arrived. However, sometime later a chair was placed over the victim’s buttocks in an attempt to give the appearance that the decedent had been sitting in the chair when he shot himself.
- A Master Sergeant in charge of the records department at El Toro, informed me that a computer hard drive that contained sensitive refueling records of non-military aircraft and other non-military activities, had been purposely purged.

Dr. Sabow, at enormous personal expense to his family, his profession, his health and his finances, has devoted his life to pursue not only the killers of his brother but also to expose the military and civilian officials who were involved.

Through major efforts and the help of a very influential friend, Dr. Sabow was able to convince California Congressman Duncan Hunter, Chairman of the House Armed Services Committee, to evaluate the evidence he had assembled over the many years of his investigation. Chairman Hunter concluded that indeed the evidence that he reviewed pointed to the fact that Colonel Sabow was murdered. Through the Congressman's efforts, the Defense Authorization Act for Fiscal year 2004 included a section ordering Secretary of Defense, Donald Rumsfeld to conduct an independent investigation into Colonel Sabow's death and to follow very specific directives.

These directives were outlined at a meeting on March 12, 2004 convened by Chairman Duncan Hunter to discuss the delay in the start of the investigation. In addition, Chairman Hunter gave specific directives to have been followed by the DOD in concurrence with the legislation. Principal Deputy Secretary of Defense Charles Abell, representing Secretary Rumsfeld at the meeting, assured Mr. Hunter that the DOD would adhere to all of these orders. Paramount among these were the following: Iowa State University would conduct the investigation; all experts identified in Dr. Sabow's investigation would be identified, interviewed and written reports of their opinions would be made part of the final report; and Dr. Sabow would be included as part of the investigation, at least in a limited role.

The DOD ignored each one of these orders. In place of Iowa State University, the DOD employed a Jon Nordby, PhD, who was recommended to them by the FBI. Dr. Nordby interviewed not one expert, and Dr. Sabow was completely excluded from the investigation, despite the mountains of evidence he had collected over the years.

The Pentagon presented this "Final Report" to the Senate and House Armed Services Committees in early January 2005. The report has shown the Pentagon's wisdom in choosing Nordby to undertake the investigation. Despite strong and convincing evidence to the contrary, Nordby denies that Col. Sabow was struck with a blunt instrument. He refutes the opinions of all the experts who stated that a depressed skull fracture is present. In a highly unusual move, he spent a massive portion of his report trying to discredit Dr. David Sabow's investigation and conclusions, in addition to Dr. Sabow personally.

The so-called method of the suicide that he and the DOD have alleged would have placed the shotgun alongside Col. Sabow's right leg, with his left hand holding the muzzle in his mouth, and with his right hand pulling the trigger. Dr. Nordby's conclusions defied logic when he could find no gunshot residue on the Colonel's right hand, or even on the right leg of Col. Sabow's pajamas. Or when he could not explain the blunt force trauma to Co. Sabow's head. A separate forensic investigation by an expert retained by Dr. Sabow completely destroys the credibility of the Pentagon report drafted by Dr. Jon Nordby. This obvious picture of someone else placing the gun muzzle in Col. Sabow's mouth, and then pulling the trigger completely escaped Dr. Nordby's forensic observations. Dr. Nordby likely thought that his attempt to destroy Dr. Sabow's reputation and investigation would mask his own failures and his bizarre conclusions.

In the course of this so-called investigation, Jon Nordby made several statements to Dr. Sabow that were highly troubling. Without any discussions with the world-renowned professionals who provided opinions and were included in Dr. Sabow's investigation, Nordby dismissed their conclusions outright by stating that they had no "forensic background" even though their opinions were based on their professional specialties and experience. For instance, five neuro-radiologists and three neurosurgeons who stated that the skull x-rays clearly showed a large depressed skull fracture and was typical of an external blunt force trauma, Nordby stated that every one of them was in error and that there was no depressed fracture.

Therefore, when Dr. Nordby requested that Dr. Sabow send him the shotgun that was at the crime scene, Dr. Sabow refused, now believing that Dr. Nordby was hired to manufacture a cover-up of what he now believed to be a murder.

Dr. Sabow researched the expertise and credentials of forensic experts from across the country, and chose one to examine the shotgun and clothing of the decedent for gunshot residue, as well to conduct an overall assessment of the evidence. He chose a forensic expert from California, Bryan Burnett, and sent the evidence to his laboratory.

Mr. Burnett, Director of Meixa Tech Forensic Consulting Group, will provide the results to all committee members in a detailed report. His findings concerning gunshot residue were acquired using a scanning electron microscope (SEM), which is the most sensitive method available for the detection of GSR. The findings of the Meixa-Tech Consulting Group include the following:

- The shotgun leaked GSR from the breech and trigger housing which would have been deposited on the hand of anyone shooting that weapon. However, the Orange County Sheriff's Forensic Laboratory, which investigated the death scene, reported that Colonel Sabow's right hand was devoid of GSR.
- The GSR would have been deposited on the pants leg of the pajamas worn by the decedent, for the breech would have been in contact with the pajamas. Had Dr. Nordby's suicide conclusion held any credibility, a massive collection of GSR would have blown back on the thighs of the decedent, if he had shot himself, because from three to five gallons of explosive gases are discharged from the muzzle. The skull cavity has a volume of approximately 1 1/2 quarts. Since there was no exit wound from the skull, at least several gallons of gases which contained the elements of the GSR would have to be blown back out the entrance wound and would have inundated the decedent's thighs.
- No GSR was present on the thighs or any portion of the pajamas.
- No GSR was found on the decedent's right hand according to the NCIS crime scene investigation.

**The findings clearly indicate that Colonel Sabow did not fire the shotgun.**

The evidence of Col. Sabow's murder is overwhelming. Why he was murdered and why there has been such a massive effort by the government in undertaking this cover-up is another matter. In summary, Colonel Sabow was Chief of Operations for Marine Air, Western Area. Shortly before his death, he learned of criminal activity by higher officials at El Toro Marine Air Base and others, involving illegal

*Colonel James E. Sabow, USMC*

weapon shipments to Latin America, and drug shipments into various military bases on the return flights. He was intent on exposing these activities.

The cover-up involves the DOD, the FBI and others. It is more than possible that solving the murder of Col. Sabow will lead investigators to those in the military who were involved in the illegal activities spoken of here. The DOJ, which has chosen to look the other way, at some point will be compelled to ask: WHO and WHY. This is perhaps not the first time the U.S. government has failed to seek justice for its citizens. But Col. Sabow's murder and the subsequent cover-up by high military officials should be brought to light, if not for Col. Sabow's family to receive justice, then for the American people who deserve much better from their officials. What is obvious from this entire chronicle is to what extent militarism has overcome our country and how covert intelligence operations are used to carry out the militaristic agenda.