

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

.....  
HAROLD WEISBERG,

Plaintiff,

v.

Civil Action No. 75-0226

U.S. DEPARTMENT OF JUSTICE,  
et al.,

Defendants  
.....

AFFIDAVIT OF MALCOLM OLIVER PERRY

I, Malcolm Oliver Perry, being first duly sworn, depose as follows:

1. I presently reside in Seattle, Washington. I am Professor of Surgery at the School of Medicine, the University of Washington, Seattle, Washington.

2. I received a Doctor of Medicine degree from the University of Texas Southwestern Medical School, Dallas, Texas, in 1955. I served my internship at Letterman Hospital, an Army general hospital located in San Francisco. After that I served two years in the Air Force. I also served a four-year residency in surgery at Parkland Hospital, Dallas, Texas.

3. In November, 1963, when President Kennedy was assassinated, I was an Assistant Professor of Surgery at the University of Texas Southwestern Medical School. I was also an attending surgeon and vascular consultant for Parkland Hospital and for John Smith Hospital at nearby Fort Worth, Texas

4. After being informed that President Kennedy had been shot, Parkland Hospital paged Dr. Tom Shires, Chief of the emergency

surgical service. Because Dr. Shires was away, I responded to the call.

5. When I reached Trauma Room No. 1, I found Dr. Charles Carrico, a senior surgical resident, already attending to the President. As the senior surgeon present, I took charge of the President's care.

6. Dr. Carrico was preparing a proper apparatus to assist the President's respiration. The President's upper clothing had been removed. I did not detect a heartbeat and no blood pressure reading could be obtained. Because any treatment required an effective airway, I performed a tracheotomy, making a transverse incision through a small wound in the front of the President's neck.

7. I am a vascular surgeon and an expert in vascular damage. In November, 1963, I was Parkland Hospital's vascular consultant.

8. When the doctors attending Governor Connally noted the proximity of a wound in his thigh to an artery, I was called in as a consultant. I examined the wound and the X-rays with care. There was a fragment about a half-inch under the skin and about three or three and a half inches from the wound. This fragment had to have travelled on a very flat trajectory from that point of entry not to have penetrated any deeper than it did.

9. By the time of President Kennedy's assassination, I had had experience with a large number of gunshot wounds. I had knowledge of various kinds of ammunition. I enjoyed hunting and had loaded my own ammunition.

10. At the time I examined Governor Connally's wound, it did not appear to me that this fragment had been left by a bullet which had then made its way back out of the wound. It appeared to me that the wound was too small to have been made by a bullet. The

medical opinion provided to the Dallas police and included in their report was that this wound was caused by a fragment. (See Exhibit A)

11. Subsequently, more than three months after President Kennedy was assassinated, I testified before the Warren Commission. The Warren Commission did not ask me about my observations on Governor Connally's injuries.

12. Other Dallas doctors also testified before the Warren Commission. Prior to our testimony we were interviewed by federal agents. These federal agents showed me a copy of the President's autopsy.

13. When Warren Commission counsel Arlen Specter took my testimony, his questioning was conjectural. Consequently, so were my responses.

14. Commander James J. Humes, the Chief pathologist at the Bethesda Naval Hospital, phoned me twice after he examined President Kennedy's body. Dr. Humes did correctly understand me to indicate that the President's anterior neck wound could have been a wound of entrance rather than of exit. However, the Warren Commission counsel, Mr. Specter, did not ask me to testify to evidence indicative of the President's anterior neck wound having been a wound of entrance.

15. I did indicate this possibility when I testified that, "Its edges were neither ragged nor were they punched out but rather clean." The questioning at this point was restrictive and eliminated some of my medical knowledge which relates to whether the bullet identified as Warren Commission Exhibit 399 caused or could have caused the neck wound. An example of the restrictive nature of my questioning is, "based on your observations of the neck wound alone,". (Emphasis added)

16. I was not asked, for example, if I observed any bruising of the edges of the President's anterior neck wound. Such bruising can be indicative of an entrance wound. When I wiped this wound prior to making the incision for the tracheotomy, I did observe bruising.

17. Instead of asking me about this, the Commission's counsel emphasized interest in my initial public statements right after the assassination. Mr. Specter represented to the Commission and to me that these statements were not available at the time I testified but asserted that they would be obtained and presented to me. However, I was never called for further testimony.

18. The assassination of President Kennedy was a time of great emotional turmoil, particularly for those of us who were caught up in events of such magnitude and who tried but could not save the life of the President. Because of this, when I was called to testify months later I could not testify with certainty as to the exact language I had used in my initial statements to the public.

19. I have now examined a transcript of what I said at a press conference arranged by the White House press office and held only a short period of time after I had attended the President. At this press conference I did state that the President appeared to have been shot from the front.

20. Mr. Specter's questioning in which he limited me to my "observations of the neck wound only" eliminated other factors that relate to whether or not this wound could have been caused by the bullet identified as Exhibit 399 and whether or not it could have had the history attributed to it of having caused the seven non-fatal injuries of both victims and to have lost so little metal and been otherwise so unscathed.

21. I have knowledge of other of Governor Connally's wounds. It appears that more metal was deposited in the wrist wound than



can be accounted as missing from the bullet which is Warren Commission Exhibit 399. This is also the opinion of other of my fellow doctors who attended Governor Connally.

22. Also relevant is the bruising of the President's pleura. The pathologists in Washington, D.C. appear to have attributed this to the emergency treatment in Dallas. No experienced surgeon would have caused such bruising in an adult. In fact, we are exceedingly careful to avoid it and do avoid it even in performing tracheotomies in children who have much smaller bodies and chest cavities.

23. At the time I attended President Kennedy, I was experienced in performing tracheotomies. When Commissioner Allen Dulles asked me, "How long did this [procedure]" require?," I estimated that it took "a matter of three to five minutes, perhaps less," because "I have done them at those speeds or faster when I have had to."

24. To the degree I could, I sought to inform the Commission of what bore on injury to the pleura prior to the tracheotomy. I testified that "I noticed there was free air and blood in the right mediastinum and although I could not see any evidence, myself any evidence of it in the pleura of the lung the presence of this blood in this area could be indicative of the underlying condition." It was also my testimony that "This occurred while I was doing" the tracheotomy. I observed the indication of damage while performing the surgery. It was not a consequence of the surgery.

25. Mr. Harold Weisberg has twice interviewed me in Dallas. When he interviewed me on or about December 1, 1971, he asked about the bruising of the pleura. I told him that I had wondered if the cause was either fragmentation of a bullet or the force of any such fragmentation.

26. Mr. Weisberg has sent me a copy of what is identified as the report of a 1968 panel of experts' review of photographs, X-ray

films, documents and other evidence pertaining to the assassination of President Kennedy. Their interpretation of the President's X-rays confirms the belief that I held at the time I treated him. Under the heading "Neck Region," this panel of experts report that three X-rays show the subcutaneous emphysema to which I had testified. They locate it where I located it. They then note that "several small metallic fragments are present in this region."

27. However, all the Warren Commission questioning was based upon the assumption that the bullet causing the President's anterior neck injury did not strike bone and that it had not fragmented in his body.

28. This is an example of what I meant when I stated above that the questioning of Warren Commission counsel Arlen Specter was conjectural. At the point in the questioning where Mr. Specter several times asked me to testify to my "observations of the neck wound alone," he also conjectured about a bullet "passing through the President's body striking no bones," thus conditioning and limiting my responses. (Quotations are from Warren Commission Hearings, Volume III, pp. 372-373.)

29. I believe that the facts enumerated above bear on the scientific testing which was done, or which should have been done, to determine all that could be established about the murder of President Kennedy and the wounding of Governor Connally, including but not limited to the number of shots fired, the number of bullets that caused injuries to both victims, what bullet or bullet fragment caused each wound, and whether or not the bullets or bullet fragments could have had a common origin.

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MALCOLM OLIVER PERRY, M.D.

KING COUNTY, WASHINGTON

Subscribed and sworn to before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 1977.

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NOTARY PUBLIC IN AND FOR  
KING COUNTY, WASHINGTON

My commission expires \_\_\_\_\_.