

LETTERS

The Warren Commission Report and Its Critics

Sir: In his article on the Warren Report and its critics in your November issue, Jacob Cohen invokes the testimony of Secret Service agent William Greer among his "proofs" of the existence of a small bullet-entry wound in the back of the President's head. He quotes a passage of Greer's testimony without supplying a citation. Let me supply it for him: 2H 127.* A reading of that page makes it quite clear that it was the back wound that was under discussion and only the back wound; the words "or back of the head" seem to be nothing more than a stenographer's mistake. But on the very next page of the same volume (2H 128) we find this passage of testimony:

Specter: Did you observe any other opening or hole of any sort in the head itself?

Greer: No, sir; I didn't. No other one.

Specter: Specifically did you observe a hole which would be below the large area of the skull which was absent?

Greer: No, sir; I didn't.

Is there any doubt that Greer did *not* corroborate the existence of that small entrance wound in the back of the head? It remains only for Cohen to explain whether he is a careless student of the testimony or whether, in quoting the passage of Greer's testimony that he quoted, he was seeking deliberately to mislead your readers.

Cohen also invokes the testimony of Kellerman; he neglects to say that Kellerman described the wound as situated in the hairline (the schematic drawings, Commission Exhibits 386 and 388 in your Figures 1 and 3, place it considerably higher) to the right of the ear (2H 81). Taking that literally, that would place the small wound in the sideburn or above the right cheek. Since the testimony is, at best, ambiguous, Cohen might at least have qualified his claim that Kellerman referred to a small hole at the base of the skull.

Is the Sibert-O'Neill report to be considered as evidence of a small wound in back of the head, as Cohen suggests? He quotes a sentence from their report dealing with X-rays purporting to show the path of disintegrated fragments of a missile, but he maintains careful silence on the really salient point—

* Hearings Before the President's Commission on the Assassination of President Kennedy.

that nowhere in the Sibert-O'Neill report is there any mention of a small bullet wound in the back of the head.

Singular, is it not, that if such a small wound of entry existed, the two FBI agents rely on X-rays, but make no reference to the actual wound, to infer that the missile entered the back of the skull?

Greer did not see this wound but he explains that he did not examine the head closely. What of agent Clinton Hill, who was called in expressly to view the wounds? Hill (like Sibert and



O'Neill) does not mention the existence of a small wound in the back of the head, nor does counsel Specter ask about it.

At this point, the apologists for the Warren Report invariably fall back on the notorious unreliability of eyewitnesses. I hope that Jacob Cohen will not try to fall back on such a facile and evasive alibi. But if he does, then let him explain how it is that in the detailed autopsy diagram of the damage to the skull (CE 397 on page 46 of Volume XVII) *there is no small bullet wound.*

"Just Isn't Valid"

Turning to the other autopsy diagram (your Figure 5), Cohen puts forward Curtis Crawford's theory of how the wound that should have been diagrammed by a dot in or near the neck was inserted considerably lower. Indeed, the theory may have seemed to have a degree of plausibility. But theories have now been outstripped by

events. According to the *New York Times* (11/25/66), Dr. Boswell now states that he made a diagram error—a dot that placed the wound incorrectly. (He would have been more careful had he known that the diagram would become public record, he says.) So, while we can still admire the ingenious rationalization offered us by the resourceful Crawford via Cohen, it just isn't valid. And I suspect that many other such exercises in extrication performed with unflagging eventfulness by the diehard faithful eventually will prove to be specious, too.

Whatever the cause, we have a misplaced back wound on the autopsy diagram—misplaced in a way that corresponds so miraculously with the "mistaken" descriptions given by the federal agents, with the position of the clothing holes, and with the chalk-mark on the back of the stand-in for the President in the re-enactment of 5/24/64—marked, according to the Warren Report (WR 97), "at the point where the bullet entered." Cohen, like Boswell, asks us to be guided not by the position of the dot but by the measurements written in the margin ("14 cm.," etc.). But he fails to acknowledge that the measurements in the margin are given *only* for that wound and not for any other marking on the diagram (and in a different handwriting from that of the other marginal notes).

Arguing against a shot from the grassy knoll, Cohen points out that photographs of onlookers standing with their backs to the knoll, about three seconds after Kennedy was first shot, show them looking straight ahead, not back toward an explosion. Hasn't he seen photographs of onlookers in that position who threw themselves to the ground, to shield a child or children with their bodies?—"apparently the bullets had whizzed directly over their heads," said a story in the *Dallas Morning News* of 11/23/63 (p. 3).

The Commission's friends have a hard row to hoe; perhaps that is why they try constantly to shift the onus to the critics, demanding that they construct a better hypothesis than the Commission did, on the foundation of confused, contradictory, uncertain, and unknown "evidence." It is a measure of their desperation and inability to rescue the Commission that they seek to foster an illusion of parity between the Commission and its critics. The real situation is stated succinctly in

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a letter to the editor of *Saturday Review* of 11/19/66:

One must have a clear idea of the role of the Warren Report critic. The critic is permitted to select facts, because if only one fact contradicts the Report on one of its conclusions, the whole Report is cast into doubt. Thus anyone who has found some legitimate complaint about the accuracy of the Report deserves to be heard. Only until every critic is answered on every point can the Warren Report be judged valid.

Another letter in the same issue says:

Mr. Fein would have us believe that, everything considered, the inadequacies of the critics and those of the Commission cancel out in a strange equation where the critics are left with nothing and the Commission comes out with a compelling reasonable credibility.

To Mr. Fein I would add Mr. Cohen, Mr. Crawford, and Mr. Bickel, among others. Their sophistries may be more sophisticated than those of the Commission, which has not condescended to speak out in its own defense by refuting with facts the charges of the critics, but they will not do. The spokesmen for the Warren Report have not succeeded in rehabilitating that tainted document; and those who were not taken in by the original indignities to the facts certainly will not be seduced by the misrepresentation of evidence, the facile improvisations, and the pseudo-logic of the Cohens. Nor by the smears and innuendo, wisecracks and demagoguery, to which some of the Commission's friends resort in an effort to divert attention from the bankruptcy of their arguments.

I have limited myself to commenting only on a few of Jacob Cohen's claims, since one of my colleagues has already written a massive and devastating rebuttal, disposing of his other points.

SYLVIA MEAGHER

New York City

Sir: Professor Jacob Cohen's analysis of the Warren Commission Report . . . is a fascinating piece of work—and most persuasive.

For Mark Lane's views I have nothing but contempt. The man seems little more than an opportunist interested in his own ends. Edward Epstein had presented what I still believe to be a fair-minded critique of the manner in which the Commission did its work.

But Professor Cohen has attacked the problem by applying logic to the

known facts and it is the most impressive rebuttal I have seen on the subject.

You deserve a bow for this eminently useful public service.

NORMAN E. ISAACS
Executive Editor
The *Courier-Journal*
The *Louisville Times*

Louisville, Ky.

The Times and Anderson

Sir: The article by George S. Mitrovich in the December issue of *Frontier* seems in essence to contend that while the *Los Angeles Times* was fair to all other candidates of both parties, it was not fair to the candidate [Lieut.-Gov. Glenn Anderson] to whom Mr. Mitrovich is administrative assistant.

Mr. Mitrovich's candidate, far ahead of most Democrats in the early polls, apparently was determined to lie doggo and create no news, and succeeded.

Although it is *Times* policy to treat all candidates fairly, news is the sole criterion by which we allot space. Perhaps in seeking to explain the election results Mr. Mitrovich should look inward.

NICK B. WILLIAMS
Editor
Los Angeles Times

Twenty-five Sad Years

Sir: Pearl Harbor Day.

What is the news, twenty-five years later?

Three main items.

First, Japan and Germany, the Axis enemies for whom no epithet was foul enough, have never been more sleek, prosperous, or highly regarded by Americans than they are today.

Second, we must expect next year to pay upwards of \$10 billion in addition to the \$58 billion already allotted to making war in a tiny Indochinese state.

Third, we shall have to cut poverty-welfare, education, and like programs by several billions to help to provide the enlarging costs of Vietnam.

How are Americans taking the news? Just fine. There are few outcries and protests. Americans regret that Vietnam is so expensive. But the struggle is accompanied by

Addendum

An article in *Frontier* on the pollution of San Francisco Bay ("Tarnished Jewel," November) identified Mellier Scott, Jr., only as a research city-planner. Scott is a member of the staff of the Institute of Governmental Studies at the University of California, Berkeley.

prosperity. And much of the cost can be borne by the poor anyway.

On Pearl Harbor Day it is plain that the slaying of human beings on a far-off battle ground is billions of dollars more important to Americans than the welfare of their neighbors and fellow-citizens.

W. H. FERRY
Santa Barbara

The Tax Protestors

Sir: In 1966, for the first time since the inception of the Los Angeles County Tax Appeal Board four years ago, those taxpayers who had their assessments increased significantly were notified by mail in time to prepare a protest. As a result the protests have increased tenfold over last year, and the appeal board is faced with a backlog of hearings which threatens to grow into an immovable traffic jam by the time March 23 rolls around—which is the legal time-limit for the hearings.

The basis of your protest must be your belief that your property was assessed higher than comparable properties nearby. It's no good contending that all comparable surrounding properties were over-assessed (which, as a practical matter, is the real basis of all the ruckus). Your case must be presented "solely on its own merits"—whatever that can mean in such a context.

Nevertheless, this year's hearings are a definite improvement over former ones. Since 1962 the hearings have gained a reputation as "just a kangaroo court to whitewash the assessor"—and the sting of that accusation (if indeed it produced any sting) might have been instrumental in the improvement. In any case, the first session, which opened on Friday, October 7, 1966, was ably presided over by one Thomas G. Neusom, an astute Negro attorney from the Adams district of Los Angeles.

As a matter of fact the first session had hardly got under way on that opening day when the assessor's "equal-treatment-for-all" posture was exposed as a dangerous illusion. Only two or three cases had been heard when Chairman Neusom found himself compelled to overrule a deputy assessor who maintained that the one-bedroom home of a certain protestor was "comparable in value" to similar homes nearby which contained two and three bedrooms. This patently capricious decision had been reached from a "clerical appraisal" back at the office rather than from a physical examination of the premises.

With assessments such as this being uncovered this early in the hearings a serious doubt is cast on the validity of the entire assessment roll of roughly three quarters of a million properties. Chairman Neusom's courageous and critical attitude has brought a refreshing change from the "let's-not-create-a-sensation" approach of former appeal boards.

GEORGE H. FISHER
Secretary, Southern California
Taxpayers Council for Simplified
Government

South Gate