

Chapter 1 Why Specter and I Never Met

Arlen Specter and I never met. Ordinarily our never meeting would be usual, not unusual, but with Specter it was a bit unusual. Aside from the fact that when he heard what I had written about him in *Whitewash: The Report on the Warren Report*, which is really *Whitewash I*, it would be unnatural for him not to want to know exactly what I did say about him. He was in political life and all politicians want to know what can be used against them.

And I spent many hours on Philadelphia on it – if he did not buy the book.

Which is largely about him and his work.

Specter had many opportunities to meet me if he had wanted to, as he did not.

In 1996 and 1997 I spent much time on a popular talk show on the major radio station of that area, *WCAU*. It was a clear-channel station with the maximum a power allowed. I heard from many people who listened to that Jack McKinney show from as far away as the central part of the country. I was also on McKinney's popular show often, in person and over the phone. One night when I was in the studio, after the show was over, Jack told me that in addition to the calls he had taken and I had responded to there had been seventeen thousand callers who did not get through. The large audiences and the popularity of the subject-matter led to more than twenty requests from area radio stations and a few TV stations for the two of us to appear together. Specter turned them all down. McKinney, too, had tried to get Specter to be with me on his show. He told me that Specter; a Philadelphia district attorney had turned him down.

Perhaps that was Specter's way of expressing his passion for truth: staying away from the truth that existed, preferring his manufacture of it. And avoiding any public confrontation with his actual truth, what he did not make up.

Specter avoided another chance to be with me, face to face and before a very large audience, on the largest independent TV station of that period, *WNEW-TV* in New York City.

It had done and had syndicated an assassination show it titled *The Minority Report*. It gave the show that name because former Warren Commission lawyers had been invited but all refused to confront us. They had been invited and had declined.

After the success of *The Minority Report* some of those Commission counsels asked for a show and had been accepted. I was told that would be *The Majority Report*. I was told Specter was included. When I heard that, I told *WNEW-TV* "As the senior member of the minority, I would accept the reciprocal invitation I assume will be offered."

The producer, Paul Noble phoned to tell me I was included and the date of the filming. (That was before TV taping was used.) As I recall after so many years, the filming date was to be December 2, 1966. That happened to be the publication date of *Whitewash II*. It was just after Dell had reprinted *Whitewash I* as a pocket paperback. That book was a best seller in that form. It was the only Dell best seller for six months, according to the Dell monthly ads listing its best sellers. Hundreds of thousands were sold. The first print was of a quarter of a million and there then were four more prints that I know of.

Most of that book was more critical of Specter than it was of any of the other counsel or of any Member of that Commission. It was also more critical of what the Commission published that Specter wrote.

WNEW-TV people did tell me that Specter had been one who had asked for and was to be on the show.

But after I got to New York and went to *WNEW-TV*'s studios, I found none of them there. Not one! I was told that after they heard that I was to be on that show they all chickened out.

Perhaps Specter decided that the people in the largest population center in the country and all the many other people in the surrounding areas, also heavily populated, and were not yet ready for the truth of Specter's passion.

Specter was then Philadelphia's district attorney.

Then he was elected mayor. That was quite an accomplishment for a Republican in that traditionally Democratic area, especially for a Republican who had begun as the most liberal of Democrats, as a member of Americans for Democratic Action, known as the ADA.

Specter did go around and make speeches to his electorate. Once when it was at the University of Pennsylvania, it was when my young friend Howard Roffman was a student there. Howard then used to spend his summer vacations with us. When in high school he had written what, when he edited it, had become the best simplification of the official version of the assassination. It was published in a small quantity by Fairleigh Dickinson University and with no advertising or promotions of which I know. Howard's *Presumed Guilty* deserved a better fate.

Howard began spending his summers with us when he was in high school. We were impressed by his intelligence and the diligence with which he sought information and evaluated it. He had a free run here and he read and copied what he wanted in my files. By the time he was at Penn on a full scholarship, he was very well informed about the official fact of the assassination. That is not the same as the official version of the assassination.

When the time for questions came Howard asked questions that embarrassed Specter and when he proved that Specter's answers were not in accord with the official fact, embarrassing Specter even more, he told me that in no time at all Specter's bodyguards started to gather around him.

(Howard is now an executive of *Lucas Films*. After law school he clerked for a judge of the federal appeals court.)

Intimidating those who have the courage to question him and cast doubt on Specter's version of his heroic career on the Warren Commission is not what would usually be thought to be an expression of a passion for truth.

There is another form of Specter's passion for truth of which I also have personal knowledge.

Specter then was in private practice and was running for Senator. In the course of his campaigning he started to brag about his version of his career on the Commission. Aware of this was a

young reporter I'd known when he was in college. He phoned me to tell me what Specter was doing and saying that he knew was not in keeping with the official version.

I wrote Specter about that. Because in a law office the letter could get discarded before it reached him, so he could later say, if it was embarrassing, that he did not get it, I sent my letter by certified mail, with return receipt, to his home. At his home he refused my letter three times. I, after three decades, still have that letter, unopened, with the postal legends cited above.

This also does not seem to be a usual expression of a burning passion for the truth, but it is one of Specter's expressions of it that, like the foregoing, he does not mention in his book.

There is a much greater, more detailed version in Part Two of Specter's book. He says that is on the Warren Commission but it is really about Specter's genius and his heroism when he was all of a sudden put in charge of the most important part of that Commission's work. That part was the medical evidence, including the autopsy, and some of the shooting. In *Whitewash I*, I dealt with Specter's work in these areas in Chapter 12, *The Number of Shots* and Chapter 13, *The Doctors and the Autopsy*. I also examine Specter's passion for truth on the Commission throughout my two largest books, *Post Mortem* of 1975 and *Never Again!* of 1995.

But before we get into the text of what is really Specter's passion for boasting, a glimpse of the dust-jacket's blurb.

On the front, under the title and Specter's picture under it, is, in capital letters, "FROM FINDING JFK'S SINGLE BULLET TO QUESTIONING ANITA HILL TO IMPEACHING CLINTON."

(That was not "JFK's Single Bullet", it was first Arlen Specter's and his alone and then he wished it off onto the Commission.)

On the back cover, under pictures of Supreme Court Justice Clarence Thomas, who owes his seat to Specter on the left side with that of Robert Bork, who did not make the Supreme Court, on his right, is Specter, with a collection of microphones before him. Then there are five "REVELATIONS INCLUDE:" and again, first is "The first public disclosure of why JFK's autopsy surgeon burned his notes."

As we see when we get into this, not a single part of this *revelation* is any more than another Specter passion because, as we see in some detail, there were at least three earlier *public disclosures* of what is not true. These were in Navy Commander James Humes' testimony before the House Assassins Committee. Humes told the *Journal of the American Medical Association (JAMA)*, which printed it in detail. Humes' testimony was before the special body that was set up to see to the public disclosure of government information relating to the assassination of the President.

The relevant first-person testimony was, reluctantly but in considerable detail, that of Army Colonel Pierre Finck at the 1969 Clay Shaw trial in New Orleans. Finck appeared as a defense witness and his Kennedy autopsy colleague, Navy laboratory pathologist J. Thornton Boswell waiting invisibly to help Finck. This was a remarkable and a very strange thing all of it when there was no visible connection of the Army or the Navy with that trial and with the truth highly improper if not criminal backstop of Finck if needed.

This Finck involuntary confession, that they were ordered not to make the examination required for a complete autopsy, that they were ordered not to make the examinations required, is reported in full detail, with verbatim transcripts, in *Post Mortem*, Chapter 21, titled *Flatulent Finck and His In-Court Spelling Bee*, pages 239ff, and in *Never Again!*, especially in Chapter 25, titled *It Is Over, No More Questions – Pierre A. Finck*, pages 271ff., and Chapter 28, *Finck in New Orleans*, pages 307ff.

Finck's first-person testimony meant that the President of the United States, one of the most important and most powerful men in the world, was assassinated, the military ordered its pathologists not to perform a real autopsy. An essential task in any real effort to solve a murder and in any murder trial was not countermanded by the very military that he commanded.

Humes claimed that blood on Abraham Lincoln's clothing is what prompted him to destroy his notes because they had Kennedy's blood on them. Specter boasts that he was the first to make that testimony public. What is missing is in this part of Specter's account of his passion for truth is that, to Specter's personal knowledge, Humes' testimony was false. Humes first testimony on what he destroyed

and it was to Specter, and the Warren Commission, so to Specter's knowledge, it proved that Specter liked and used what is false in all details.

What I – and I alone – reported about Humes' is incredible, unquestionable and strictly prohibited violation of rules controlling autopsies. (See *Never Again!*, Chapter 13, *If It Isn't Written Down, It Wasn't Done*, pages 133ff.) It was all to Specter's personal knowledge because he not only prepared the Humes Commission questioning, he also questioned Humes before the Members of the Commission. He also questioned Boswell and Finck and they swore in agreement with all of Humes' testimony.

This later Specter claim to bringing to light Humes' important truth he knew was not true is documented in *Post Mortem*, particularly on pages 524 and 529.

What Humes certified he burned is on pages 524 and 529. Those are among the records relating to the autopsy and related information that the Commission had and did not use in their Report, which is Specter again because that was his area. And, whether or not Specter was related to that additional incredibility, I said activities in the autopsy room of the most important man in the nation would not have been tolerated if the autopsy had been of a Bowery bum.

What Humes said he destroyed that he did not say he burned was his notes. He did not say that until after I published what he swore to before Specter and the Commission, was what Specter preferred. Specter was and is silent about the Humes change that I forced out of him. The false version that Specter liked is that he destroyed his notes allegedly not to let traces of the President's blood to be misused, commercialized.

(This fabrication by Humes is farcical, as Specter also had to know, because Humes did not prevent commercialization of the President's blood. Not that he and Specter did not know that what Humes says he feared was totally impossible. Those notes were federal property that would not and could not be released. The President's blood and other body fluids were on the body chart the navy required in every autopsy. I also retrieved the original of that form where the Commission stashed it away in the belief it would never be found by anyone seeking it. That place was the vast file of what the Commission sent to the Government Printing Office to be printed and published – in twenty-seven large volumes! I

was able, helped by a tip, to have that and other hidden autopsy records given to me to examine and make copies of.)

But what he swore to before Specter and the Commission was that what he burned was his first autopsy report – and that he burned it and immediately wrote another one as soon as he heard that Oswald was dead. There would not be any trial; no trial meant there would be no cross-examination on anything he had in that second autopsy report that he eliminated from the first.

That he did not burn his notes I proved with receipts I had for them. These receipts appear in facsimile in *Post Mortem*. These also were hidden in the Commission records and they would not be found where they belonged. As above, they were where they did not belong. They would not be searched and they were where they should not have been filed.

The receipt cited above is one Specter did not use when he wrote his part of the Report. It differs in being, in three lines of handwriting, “accepted and approved this date George G. Burkley, Rear Adm. ME USN Physician to the President.” The receipt, drafted at Bethesda and on the Bethesda letterhead, includes, “autopsy notes.”

On the next page is a statement by Admiral C. B. Galloway that he had had “all the work papers used by the prosector and his assistants.” There is no more basic paper needed for an autopsy report than the notes on which the Report is based.

On the next page is the receipt by the White House Secret Service for what it received the next day, by Admiral Burkley. Before I obtained a Xerox of this receipt someone had placed a vertical line in the left margin along side of:

One copy of autopsy report and notes of the examining doctor, which is described in letter of transmittal Nov. 25, 1963 by Dr. Galloway.

This is quoted and cited above.

Aside from all of this, when asked by Specter when he testified, Humes testified that he then had those notes before him.

There is no doubt at all that Humes did not and could not have burned those notes in the fireplace of his recreation room. All these and other records were published in facsimile by me quite some time before Humes got away with Humes' perjury before the House Assassins committee. A fact known by Specter, as was Humes' testimony before the House Assassins Committee. That was the first place he used that known falsehood and got away with it. ✓

This is a documented proof of the grim truth about what did require – and did not get – the most diligent official investigation. It can be taken as another view of the “passion” Specter was motivated by in his quest for the alleged “truth.” This also provides still another definition of truth as Specter provides it.

While those cited above are not all the citations on this matter that I published they are more than enough to indicate how Specter felt and what he felt as pursued the demands of what he calls his passion for truth.

While saying than Humes was *JFK's autopsy surgeon* can be attributed to the headline-like intention of the blurbing, Humes was not selected by any Kennedy to do the autopsy and the Navy persuaded the widow to have the autopsy performed at the Bethesda Navy hospital. Were it not for this effective Navy intervention it is not likely that the autopsy would have been there. What was needed, because the assassination was a murder, was what neither Humes nor anyone else at that Bethesda Navy hospital had, was experience in forensic pathology. Whether the military doctors at the Armed Forces Institute of Pathology at the famed Walter Reed Hospital would have, as Specter does not even hint at, bowed to pressure not to perform any kind of real autopsy can only be surmised. But those at the Navy hospital who did bow to pressure from above, as was public and stated under oath by one of the three prosecutors who performed a sham autopsy, Finck, can only be guessed, but Humes was not *JFK's autopsy surgeon*. He was the navy's Commander James J. Humes and the sham autopsy he performed was not in the interest of and did not serve the needs of any Kennedy, dead or alive. ✓

The next Specter *revelation* is, “How Chief Justice Warren and the Commission were convinced that the Single-Bullet Theory was correct.” Not until he gets into his text does Specter drop his fraud of a “theory” and re-title its “conclusion.” Specter’s passion for truth, the truth he should have known because he was on the Commission staff and that fabrication, which is what that single-bullet myth really is, was Specter’s invention. But if by any remote chance he missed all that and more, it was first public in 1966, in Edward J. Epstein’s *Inquest*. The impossibility of that fabrication was first established in the first book on the subject, my *Whitewash I* (page 26). This impossibility is in greater detail in my 1995 book, *NEVER AGAIN!* (pages 301-305) and the fact that is not in his great passion for truth Specter knew about and perhaps just forgot to mention is that three Members of the Warren Commission did not agree with that Specter fabrication. Two went to their graves still refusing to agree with that. They were tricked into believing that a so-called “compromise” fashioned by Commission Member John J. McCloy incorporated their objections when in fact it was tricky language that did not include their refusal to agree with that tricky fake of Specter’s. His is all in much greater detail in my *Senator Russell Dissents*. That manuscript includes what Russell had written in advance to state at the Commission’s executive session that he forced on September 18, 1963. His objections were memory-holed and a required meeting stenographic transcript was not made. The original of Russell’s prepared statement I did not find in the Commission’s files at the Archives but the carbon copy is in the Russell archive at the University of Georgia at Athens, GA.

Senator John Sherman Cooper of Kentucky is the second Member who never dropped his refusal to agree to that Specter fabrication. He did an eloquent oral history for that Russell archive, also quoted in *NEVER AGAIN!*

Congressman Hale Boggs originally would not agree to that Specter invention but in the end he forgot this objection and did agree so the Report could be issued.

As Russell told me, Warren insisted on unanimity.

We will have more on this “revelation” of Specter’s.

Specter's next "revelation" is "the surprising reason that Judge Bork lost his confirmation battle" and the fifth is "Why the Clinton impeachment trial was 'partial justice'." There is more than we can use to make Specter's passion for truth an accurate and official account. But that is not relevant to the Warren Commission.

Specter glows on the inside flaps of his dust jacket. The front flap describes his book as "brutally honest." It says of the "controversies" on the back cover that Specter assessed "each through both a legal and historical lens." It boasts further that Specter even admits his own mistakes. Going into that would require a separate and very large book.

He then, in referring to then Attorney General Robert Kennedy says that Kennedy "would later call on Specter to serve on the Warren Commission."

Specter spelled the name wrong. In reality it was W-i-l-l-e-n-s. Howard Willens, who was placed on the Commission staff -- by Deputy Attorney General Nicholas deB. Katzenbach, not by Kennedy. In an officially released transcript of a telephone conversation Katzenbach said he would place a man on the Commission staff to be his "eyes and ears" there.

Robert Kennedy recused himself from any participation in the Warren Commission's work (*Post Mortem*, Chapter *Hades*, *Not Camelot*, holds a little but enough of my documentation of this.)

Kennedy also had nothing at all to do with the Commission's staffing and he did not "call on Specter to serve on the Warren Commission." Not directly and not indirectly.

But in Specter's "truth" this became Specter's fine self-promotion and the best of possible plugs for Specter's book. My, the Attorney General of the United States reaching out and of all the millions of people in the country he demands the service of a young and largely unknown assistant district attorney in Philadelphia.

On the back cover flap the book is described modestly as "this gripping masterpiece" that "offers a clear and honest vision for reforming the way Main Street and Wall Street are governed." We will not be able to do as much with Specter's "gripping political masterpiece" and its "clear and honest vision" on

the Warren Commission to go into those other subjects if Specter's boasting would require a separate volume.