

AFTER RECESS

(The meeting reconvened at 1:35 p.m. with the same participants present that were in the morning session.)

Mr. Purdy. We will try to conclude by three fifteen. Dr. Finck will be available tomorrow if we need any further questioning.

Mark, do you want to start with the introduction.

Mr. Flanagan. This taping session is now in progress. The time is 1:36 p.m. The date is March 11, 1978. The place is National Archives, Washington, D. C., room 503.

Staff members present are Donald A. Purdy. Mark Flanagan, our medical man, is also present. Mr. Thomas Canning from the photographic panel is also present. Archives personnel are Marian Johnson and Mike Lahey. We also have a court reporter here at this time.

This is a questioning session of Dr. Pierre Finck. We are now ready to begin. Staff counsel Donald Purdy will swear in the witness and begin the session.

Mr. Purdy. Dr. Finck, do you swear the testimony you are about to give is true to the best of your knowledge, information and belief?

Dr. Finck. I do.

Mr. Purdy. Please be seated.

TESTIMONY OF PIERRE A. FINCK

Mr. Purdy. Please state your full name and address.

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1 was it still in the process of embalming and so forth?

2 Dr. Finck. From what I remember the body had been
3 embalmed, reconstructed and closed.

4 Dr. Petty. Which came first, the embalming or the
5 closure and reconstruction of the body?

6 Dr. Finck. I would not know.

7 Dr. Petty. All right.

8 Dr. Finck. It was a long process, the embalming and
9 the reconstruction. It was a long process.

10 Dr. Petty. Because of why?

11 Dr. Finck. The process of several hours to reconstruct
12 and embalm. That by itself was time consuming.

13 Dr. Petty. The reconstruction of what portion of the
14 body required the most time?

15 Dr. Finck. I would assume the head.

16 Dr. Petty. And you were there for that entire process?

17 Dr. Finck. I remember, yes.

18 Dr. Petty. I see. All right.

19 Now there is one thing that has concerned us and we have
20 gotten into this previously today and that is something con-
21 cerning any restrictions that might have been placed on the
22 type of examination that was to be conducted. Were there any
23 restrictions that you know of insofar as the extent of the
24 autopsy was concerned?

25 Dr. Finck. There were restrictions coming from the

1 family and we were told at the time of autopsy that the
2 autopsy should be limited to certain parts of the body.
3 For example, autopsy limited to the head and modest extension
4 but there were restrictions.

5 Dr. Petty. The autopsy was limited then at least to the
6 head as far as you begin with.

7 Dr. Finck. For example, from what I remember we did not
8 remove the organs of the neck because of the restrictions.

9 Dr. Petty. Was an examination of the organs in the
10 thoracic area permitted?

11 Dr. Finck. Yes, because there was an extension after
12 those preliminary restrictions were mentioned. The lungs
13 were removed.

14 Dr. Petty. Were the organs of the abdominal cavity
15 also removed?

16 Dr. Finck. That I don't remember because I was really
17 focusing and concentrating on the aspect of the wounds. It
18 was my mission in that autopsy room, and my main mission was
19 to study the wounds so I cannot elaborate on the abdominal
20 organs.

21 Dr. Petty. Do you recall what sort of primary incision
22 was used to expose the organs?

23 Dr. Finck. That should be in the autopsy report. I
24 cannot recall now. I would say it is in the autopsy report.

25 Dr. Petty. Perhaps I might modify the question. Were

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6
1 the organs of the abdominal cavity exposed by means of the
2 primary incision?

3 Dr. Finck. I don't remember.

4 Dr. Petty. All right. Now if I understand you correctly,
5 then there was a restriction; that is, that the organs of the
6 h-ad or the head only should be examined, is that correct?

7 Dr. Finck. At the beginning there was that restriction.
8 As a matter of fact, when I reached the hospital, as far as
9 I can remember, the brain had been removed.

10 Dr. Petty. All right. And then you say that this
11 restriction was at least partially limited so as to permit
12 other examinations, is that correct?

13 Dr. Finck. Yes.

14 Dr. Petty. Now is it your knowledge then or concept
15 that someone must have been in communication with the family
16 so that these restrictions could be altered as it became
17 necessary?

18 Dr. Finck. It is difficult for me to answer that ques-
19 tion because we did what we were told and it is hard for me
20 to say -- well, the sequence is difficult for me to establish.

21 Dr. Petty. All right. Does anybody want to add anything
22 in this regard?

23 Dr. Finck. Maybe I can help you here. Maybe Admiral
24 Galloway who was in charge of the center, as I remember --
25 he was the one as far as I can remember communicating those

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1 restrictions to us.

2 Dr. Petty. I see. And the restrictions were modified,
3 however.

4 Dr. Finck. Yes.

5 Dr. Petty. As you went on.

6 Dr. Finck. Yes.

7 Dr. Petty. Does anyone want to add or ask further in
8 this particular area?

9 Mr. Purdy. Did you indicate why the restrictions were
10 modified?

11 Dr. Finck. I don't know but -- I don't know. I was
12 not the one making those restrictions so it is hard for me to
13 explain them except it came from the family.

14 Dr. Wecht. Pierre, in your subsequent testimony in the
15 trial I believe you were asked about the bullet wound in the
16 back and in the neck and why it had not been dissected out
17 and you stated that all of you had been ordered and that your
18 recollection was that it was an Army General whose name you
19 did not recall.

20 Dr. Finck. And I still don't remember his name. I read
21 my notes and I found in my notes an Army General and I don't
22 know who it was.

23 Dr. Wecht. I was just saying with regard to what
24 Charlie is asking you now, then you certainly remembered that
25 somebody did give you orders not to do certain things.

3
1 — Dr. Finck. I cannot say that it was this Army General,
2 I don't recall that precisely. I remember the prosecutors
3 and Admiral Galloway. As far as saying now so and so told
4 me that or didn't tell me that, it is extremely difficult.
5 There was an Army General in that room and I cannot really
6 pinpoint the origin of those instructions to comply with
7 those family wishes.

8 Dr. Baden. Dr. Finck, just so I understand, when you
9 arrived the brain had already been removed from the cranial
10 cavity.

11 Dr. Finck. As far as I remember, yes.

12 Dr. Baden. And at that point when you arrived, did a
13 decision have to be made as to whether to proceed further or
14 not in the autopsy?

15 Dr. Finck. Having only X ray films of the head, I am
16 the one who suggested the whole body X ray survey before
17 going further, as far as I remember, to rule out the presence
18 of an intact bullet in that cadaver. See, having a wound of
19 entry in the upper back/lower neck and at the time of autopsy
20 no wound of exit and only X ray films of the head showing
21 numerous metallic fragments, I am the one who asked for that
22 whole body X ray survey.

23 Dr. Petty. If you don't mind, I would like to go about
24 this orderly if I may.

25 Dr. Finck. I think I answered your question why was it

1 level of the external extreme protuberance that you just
2 pointed to, Dr. Finck?

3 Dr. Finck. Could you please repeat the question.

4 Dr. Baden. Approximately how far above the level of
5 the external extreme protuberance did you just point to on
6 Dr. Wecht's head?

7 Dr. Finck. We said slightly above it. I can't --

8 Dr. Baden. One centimeter, is that in the ball park
9 of where you pointed?

10 Dr. Finck. I think we have photographs to go by for
11 that.

12 Dr. Petty. We sure do.

13 Mr. Purdy. Dr. Finck, do you recall that measurement
14 from your memory, from the autopsy or from some other source?

15 Dr. Finck. I read my notes before coming.

16 Mr. Purdy. When did you write your notes that you gave
17 the location of the wound?

18 Dr. Finck. After the autopsy because -- I take it back,
19 correction. During the autopsy I took measurements but all
20 my notes were turned over to Dr. Humes, and after the autopsy
21 I also wrote notes but the notes I wrote at the time of the
22 autopsy were turned over to Dr. Humes.

23 Mr. Purdy. That includes all measurements?

24 Dr. Finck. Yes.

25 Mr. Purdy. Did you make all measurements of the

36
1 Dr. Finck. I am impressed by his background experience.
2 He has combat experience. He was a combat surgeon. I am
3 impressed by the thoroughness of his work. My comment on
4 what he wrote regarding the anatomic location of wounds
5 stating that on the basis of the photographs such a wound
6 seems to be higher than described in the autopsy report, my
7 opinion is that the man who can see the wound itself on the
8 dead body is in the best position to establish an anatomic
9 location as compared to others who refer to drawings, photo-
10 graphs, X ray films. Again we need those, that is the only
11 thing left, but when you have the choice in those various
12 types of evidence my first choice is the examination of the
13 wounds in place on the dead body to see where they are.

14 Dr. Davis. One follow up question that may have been
15 touched on already, I might have missed it in the previous
16 questions, but I believe that neither you nor the other two
17 pathologists who participated in the autopsy were ever
18 afforded an opportunity to review the photographs that were
19 taken at the autopsy until long after the written autopsy
20 report had been prepared, is that correct?

21 Dr. Finck. That is correct.

22 Dr. Davis. All right.

23 Dr. Finck. The photographs taken at the time of autopsy
24 were turned over to the U. S. Secret Service and we did not
25 see the photographs before writing our autopsy report which

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NSCA / RC 111

1 I remind you we signed 36 hours after the autopsy, it is a
2 short time. We signed that report on some date, the 24th
3 of November 1963. The first time I saw those photographs of
4 the autopsy was in January 1967 when we were asked to review
5 them at the Archives. I was specifically brought back from
6 Vietnam for that purpose.

7 Dr. Davis. And as far as the photographs taken at the
8 autopsy, do you recall whether or not any of the other
9 pathologists made a request to anyone to have an opportunity
10 to see these photographs prior to the completion of the
11 autopsy report prior to having to sign your name
12 to the report? Do you know if that request was ever made of
13 anyone?

14 Dr. Finck. I don't know.

15 Dr. Petty. Did you ever make such a request?

16 Dr. Finck. I don't remember.

17 Dr. Petty. You did not yourself?

18 Dr. Finck. I do not remember.

19 Dr. Wecht. Did anybody offer, Pierre, to show them to
20 you when you went to give testimony before the Commission in
21 ^{March} Charch of 1964?

22 Dr. Finck. The Warren Commission?

23 Dr. Wecht. Yes, or any member of the staff.

24 Dr. Finck. We were told at the time by I believe Arlen
25 Specter who was a counsel for the Warren Commission that

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1 Robert Kennedy, Attorney General, did not want the X ray
2 films and photographs introduced in the hearings of the
3 Warren Commission.

4 Dr. Wecht. Pierre, I would like to, unless somebody
5 has another question --

6 Dr. Finck. There is a question mark here. Is it Arlen
7 Specter or somebody else? From what I remember in March 1964
8 at the time of my testimony before the Warren Commission, we
9 did not have the X ray films and the photographs taken at the
10 time of autopsy. We did not in March 1964.

11 Dr. Wecht. Pierre, you will recall that you along with
12 Dr. Humes and Dr. Boswell conducted a supplemental examinatio
13 of a normal and fixed brain on December 6, 1963, which would
14 have been just about exactly two weeks after the autopsy. Th
15 last sentence in there states something like, Cranial section
16 of the brain are not made in order to preserve the specimen.
17 That is pretty close, I imagine.

18 Dr. Finck. Yes, I remember the spirit.

19 Dr. Wecht. Who suggested or requested or ordered that
20 the brain not be sectioned and in what context was the
21 preservation concept used -- to be preserved for whom, for
22 what purpose?

23 Dr. Finck. I don't remember who said that no sections
24 should be made. I don't recall the purpose. I think I
25 remember suggesting that a neuropathologist of the AFIP be

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Reference copy, JFK Collection: HSCA (RG 233)

1 duties as well where I performed autopsies of gunshot wounds
2 before 1959.

3 Dr. Baden. In your course as a general pathologist?

4 Dr. Finck. Yes.

5 Dr. Baden. As a general pathologist.

6 Dr. Finck. Yes, and interested in forensic pathology;
7 I always was.

8 Dr. Baden. When the cases were sent to you for review,
9 would you have occasion to review it for accuracy or what did
10 the review encompass? Your review of the cases, were they
11 sent to you to review it?

12 Dr. Finck. To send an opinion to the contributor wheth
13 we agree or we don't agree or we need additional information

14 Dr. Baden. Would there be many times in which you would
15 disagree with what the contributor's contribution was? The
16 reason I am asking you is relative to your point about the
17 prosector having the best opinion as to the Wounds Ballistic

18 Dr. Finck. I see. It would be hard to say in what way
19 I disagreed and for what reasons. There are difficult points
20 in that question.

21 Dr. Wecht. Pierre, what is your best recollection as
22 to the time, the circumstances under which you and your
23 colleagues Humes and Boswell first learned about the fact
24 that the tracheotomy wound that you had seen in the Navy
25 autopsy had been superimposed upon a bullet wound in the ne

1 Dr. Finck. From what I remember it was a phone call
2 from Dr. Humes to Dallas and that was after the autopsy.
3 Does that answer your question?

4 Dr. Wecht. Well, when you say after the autopsy, would
5 that be sometime on Saturday, November 23?

6 Dr. Finck. This is someone -- Stop the tape. I will
7 look for it.

8 Dr. Wecht. If I may tell you what you said, I know you
9 said, "I think on Saturday morning or sometime Saturday, the
10 23rd." If you want to find it, go ahead. I just wanted to
11 save you some time.

12 Dr. Finck. Would it be satisfactory to say it was
13 probably -- I know the phone call was made by Dr. Humes and
14 we signed the report on Sunday and I would say that phone
15 call was probably made on Saturday, the 23rd probably. Do
16 you want me to look for it?

17 Dr. Wecht. If you have it here and it is not too much
18 trouble.

19 Mr. Purdy. I am not certain that for these purposes
20 that is particularly important. We can have him check it
21 after the taping section.

22 Dr. Wecht. All right.

23 Mr. Purdy. But on the issue that that relates to I
24 wonder if you could go into a little more detail. You say
25 you were primarily there to examine the wounds. What area

1 did you do in probing the area and what did you find from
2 doing that?

3 Dr. Finck. The probing was unsuccessful.

4 Dr. Wecht. Could you describe in a little more detail
5 what "unsuccessful" means?

6 Dr. Finck. Well, you cannot go into a track when --
7 you know, this is difficult to explain. You can make an
8 artificial track if you push hard enough with an instrument
9 so you go gently to see that there is a track, and the fact
10 that you don't find a track with a probe may be because of
11 contraction of muscles after death.

12 Dr. Wecht. Was the probe done with a metal probe?

13 Dr. Finck. That is why I said probing was unsuccessful.

14 Mr. Purdy. How far into the body did the probe go
15 before you were afraid it might create an artificial track?

16 Dr. Finck. I don't know.

17 Mr. Purdy. What was your confusion that you had said --
18 I am not sure that you used the word "confusion." I think
19 you used a word to describe the state of mind when you could
20 not find the track and you could not find an exit wound and
21 you could not find evidence of a bullet. How did you resolve
22 that confusion that night during the autopsy?

23 Dr. Finck. By asking for the X ray films.

24 Mr. Purdy. And what was the answer?

25 Dr. Finck. There was no bullet remaining in the cadaver

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1 Mr. Purdy. What did you conclude about where the
2 bullet must have gone?

3 Dr. Finck. I don't know when that news came regarding
4 the wound of exit in the front of the throat. Part of the
5 tracheotomy decision, I don't know.

6 Mr. Purdy. Our previous testimony before the Warren
7 Commission indicates that it was the next day, it was
8 Saturday, November 23, when the phone call was made which
9 was, as you said, after the autopsy which means, is it not
10 correct, that you did not know when the autopsy was finished
11 that there was a wound of exit in the front of the throat?

12 Dr. Finck. Probably not. That sounds all right.

13 Mr. Purdy. When the autopsy was concluded, then what
14 did you think could have happened to the bullet if it was not
15 in the body and didn't exit the front of the body?

16 Dr. Finck. It is hard to say now but I don't know.
17 With no bullet shown on X ray films, a wound of entry in the
18 back, I don't know.

19 Mr. Purdy. Do you recall a phone call to Dallas during
20 the autopsy?

21 Dr. Finck. I don't know if there was a phone call to
22 Dallas during the autopsy.

23 Mr. Purdy. Did you recall any information during the
24 autopsy that you received about a bullet being found in
25 Parkland Hospital?

1 Dr. Finck. There was confusion along that line because
2 someone said it was on the stretcher of Kennedy and someone
3 else said it was on the stretcher of Governor Connolly so
4 here we are with confusion, but I don't know when that news
5 came.

6 Mr. Flanagan. Excuse me. I will have to interrupt to
7 change tape.

8 Dr. Wecht. Pierre, if I may ask that one question as
9 a corollary to Andy's, Mr. Purdy's last question, a sequel,
10 do you recall -- not necessarily directly to you, by phone
11 or even directly to you, but somebody addressing you about
12 just some information that came to be accepted among the
13 team in the autopsy room that evening that the bullet found
14 around the stretcher back at Parkland Hospital earlier in the
15 day, that information then relayed somehow that evening that
16 that bullet had in some way fallen out or been forced out of
17 the President's back by some pressure that might have been
18 applied to his anterior chest for external cardiac massage?

19 Dr. Finck. I recall vaguely the conceptk yes, but now
20 after being completed it is immaterial.

21 Mr. Purdy. When you learned that on the morning of
22 November 23 that there was evidence of a wound of exit in the
23 front of the neck, did that in any way conflict with the
24 conclusions you had reached during the autopsy?

25 Dr. Finck. No, because it was a wound of exit corres-

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1 ponding to the wound of entry. I had positively identified
2 in the upper back/lower neck so that made a bullet track with
3 an entry and an exit and I was satisfied.

4 Mr. Purdy. If you had known during the autopsy that
5 there was a wound of exit in the front of the throat, would
6 you have taken or exercised any different autopsy procedures
7 than you did do?

8 Dr. Finck. The interpretation would have been less
9 difficult at the time. I can't say what I would have done
10 if I had seen -- I would have asked for a whole body X ray
11 films anyway -- anyway -- to answer your question.

12 Mr. Purdy. Would you have done more extensive work in
13 the area of the trachea?

14 Dr. Finck. From what I remember there were restriction:
15 and this was the reason for not working in that area.

16 Mr. Purdy. Did you ask that you should be permitted to
17 examine the trachea more than you were permitted?

18 Dr. Finck. We were told to do certain things. I don't
19 recall if someone asked for permission to. I don't recall
20 that.

21 Dr. Spitz. May I ask something.

22 Pierre, do you remember seeing bruising of the pleurity
23 pleura at the dome?

24 Dr. Finck. On the right side?

25 Dr. Spitz. Yes.

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1 Dr. Finck. How can you measure something which is not
2 sharp?

3 Dr. Petty. Dr. Weston has a final question.

4 Dr. Weston. I just wanted to ask a final question,
5 Pierre. At the time this examination was done there was a
6 possibility that there was going to be a criminal prosecution
7 What is your practice as a forensic pathologist to stop short
8 of doing a short medical legal autopsy in face of criminal
9 prosecution notwithstanding the wishes of anybody else?

10 Dr. Finck. What you are saying, we should not have
11 listened to the recommendations --

12 Dr. Weston. No, I am not saying anything. I am asking
13 you if it is not accepted medical legal practice when you
14 anticipate a criminal prosecution to do a complete examina-
15 tion?

16 Dr. Finck. Yes.

17 Dr. Weston. Okay. Then the reason that you did not do
18 a complete examination was that you were ordered not to, is
19 that correct?

20 Dr. Finck. Yes, restrictions from the family as the
21 reason for limiting our actions.

22 Dr. Weston. But do you really believe that the family
23 has -- is this not physical evidence which belongs to the
24 state notwithstanding the wishes of the family when there is
25 a suspected criminal prosecution?

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1 Dr. Finck. Of course it is ideal. In those circum-
 2 stances you are told to do certain things. There are people
 3 telling you to do certain things. It is unfortunate.

4 Dr. Weston. The last question. What do you consider
 5 would be the personal consequences of you or any of the
 6 other members of the team had you chosen to withdraw from
 7 the examination and not complete the examination or sign
 8 your name to it in view of the restrictions placed upon you?
 9 Did you consider that at that time?

10 Dr. Finck. No. It is a delicate situation to say the
 11 least.

12 Dr. Weston. I understand that but it is still a deli-
 13 cate situation.

14 Dr. Finck. We were handicapped by those restrictions.

15 Dr. Weston. Okay. Those restrictions you mentioned
 16 were, as you remember now, Admiral Galloway?

17 Dr. Finck. Who passed them on to us as I remember so
 18 he should be consulted and asked who asked to have those
 19 restrictions.

20 Dr. Petty. Pierre, we want to thank you so very much
 21 for coming by. You are among lots of good friends. It is
 22 good to see you again.

23 Mr. Flanagan. Concluding this tape at 3:24.

24 (Whereupon, at 3:24 p.m., the meeting was concluded.)
 25