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14 November 1964

Mr. Louis Nizer
c/o Doubleday & Co.
575 Madison Ave
New York, N Y

Dear Mr. Nizer,

I have just been reading your special analysis and commentary in the Doubleday edition of the Warren Report, and I hope you will not be offended if I call your attention to several factual errors in your review.

- (1) On page xv, last paragraph, you say that the police radio sent out a description of the suspected assassin "based on Brennan's observations." The Warren Report has said "most probably based" on Brennan's description or words to that effect and has not been categorical, as you suggest, in explaining the source of the 12:45 radio alert.
- (2) On page xvi, fifth paragraph, you say that "one witness, Domingo Benavides, saw the shooting." The Warren Commission claims two eyewitnesses—Helen Markham and Benavides, but specifies that the latter did not feel that he would be able to identify the gunman and was not taken to the police lineup. As for Mrs. Markham, the Commission indicates that her testimony was inconsistent and unclear, and that she gave a false account of an incident related to her description of the killer of Tippit which she subsequently admitted. Consequently, even though Markham and Benavides say both have seen the shooting, I wonder if either of these eyewitnesses really throw light on the crime. In an article titled "The Other Witnesses" (New Leader, October 12) George and Pat Nash indicate that they have found two new eyewitnesses, apparently not known to the Warren Commission, whose accounts of the Tippit shooting are at variance with the account given in the Warren Report.
- (3) You refer in the sixth paragraph on the same page to Oswald's "rushing" and "hastening" to the Texas Theater. Perhaps you did not notice that the Warren Commission allows for the lapse of 24 minutes for Oswald to cover the rather short distance between the scene of the Tippit murder and the movie-house—rather excessive, one would think, for such a speed-demon.
- (4) In the last paragraph on the same page you refer to the card in the name of Hidell found in Oswald's wallet—by the arresting officers, according to the Warren Commission (page 181). Yet on page 15 the Warren Commission, describing Oswald's departure from Irving on the morning of the assassination, states that "his wallet containing \$170 was left intact in a dresser-drawer." Needless to say, it would have been impossible for the arresting officers to find on Oswald a wallet he had left intact in Irving.

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This is surprisingly careless, do you not agree, in a report which is a "model of clarity."

- (5) In the same paragraph you state also that by 10 o'clock on the day of the assassination had traced the purchase of the rifle to A. Hidell. ^{the FBI} Actually, by 10 p.m. the FBI had traced the rifle to Klein's in Chicago (page 118 of the Warren Report) and it was not until 4 a.m. that it was traced to "Hidell."
- (6) On page xix, fourth paragraph, your first sentence is incorrect. Oswald actually received an honorable discharge from the Marines, after which he defected to the Soviet Union. It was almost a year later--September 1960--that his discharge was changed from "honorable" to "undesirable." (page 689 Warren Report).

Please forgive me if I express my regret that many commentators on the Warren Report were so anxious to rush into print with accolades and superlatives ("a sincere testament of dedicated impartiality," "the dignity and nobility of the Commission's efforts," etc.) that they did not first take the time to read the report with the thoroughness and care required by responsible commentary. Consequently, errors and anomalies originating in the Warren Report have been overlooked and at times compounded by repetition in reviews, and facts appearing in the Warren Report have been transformed by over-hasty critics into complete and misleading inaccuracies. This is deplorable, because only a handful of the public will actually read the report for themselves in its entirety; many will read only the summary and conclusions, or someone's summary of the Commission's summary, and most people will be satisfied merely by a favorable review with a by-line from a prominent personality.

It is particularly unfortunate, therefore, when a reviewer not only fails to notice the defects in the Warren Report but adds to the literature on the assassination his own errors and misleading versions of factual data. Without malice, Mr. Nizer, I should like to ask you whether you failed to notice, or merely considered it insufficiently important for comment, that (a) the autopsy report is undated (b) the interrogation report of FBI agent Clements contradicts the reports of Fritz, Bookhout and Hosty on a vital point (c) there are no reports whatever on six hours of interrogation on the day of Oswald's arrest (d) there are serious inconsistencies in the reports of his answers to certain questions, and many others.

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Having invested funds and time in a conscientious study of the Warren Report and in your commentary, as well as reviews by others, I would really appreciate receiving clarification on the points I have raised. I hope that you will consider frankly and seriously whether your unstinted praise of the Warren Report and unqualified endorsement of its conclusions were fully justified, with these and other defects overlooked or purposely disregarded, and whether it is not a disservice to the public to mislead them--inadvertently, I am sure--about the contents and quality of the Warren Report.

If some sarcasm has crept into this letter, in spite of myself, it should not be allowed to obliterate the points at issue. I do hope that you will be generous enough to reply and clarify those points--which, I should add, I cannot take up with the Warren Commission, as I should like to do, since it dissolved immediately upon transmission of the report to the President, in itself a most curious and irresponsible procedure suggesting that the report is the absolute final word on the assassination. That can hardly be the case so long as fundamental contradictions, misrepresentations, and inconsistencies in the text remain unexplained, provoking the dreadful suspicion that the appalling and shameful events in Dallas a year ago remain obscure, as to their motivation and agents.

Yours very sincerely,

Sylvia Mengher