

3 pp. of detailed comments attached

Reader's Report on Presumed Guilty: Lee Harvey Oswald in the Assassination of President Kennedy by Howard Roffman
Josiah Thompson, 30 December 1971

Two things make it difficult for me to give this book a sympathetic reading. First, I met Howard Roffman about four years ago. He and his father came to see me shortly after Six Seconds in Dallas was published. At that time he was trying to prove that the Warren Report was correct, and I found his arguments for it hopelessly strained and tendentious. Overall, my impression was that Roffman was a somewhat snotty, quiz-kid type who was using his work on the case to get a reputation as a child-prodigy of some stripe or other. Secondly, I find that Six Seconds is treated rather ungraciously in this mss. No book is mentioned as often in the footnotes, and at certain places information that Roffman got from Six Seconds is offered as ^{an} original ^{discovery} (e.g. the conference reports mentioned and excerpted on pp. 265-266). Yet Six Seconds is mentioned nowhere in the Introduction, and my arguments are mentioned in the text only to be dismissed speciously ^{and summarily.} But I mention all this not to show that I have a thin skin, but only to give ^{my} ^{of the book a} recommendation special significance. In spite of the fairly shoddy treatment I receive at Roffman's hands, I think his book is a substantial addition to the literature and should be published.

The real substance of the book is contained in his meticulous analyses of the medical-ballistic data and of the evidence surrounding Oswald's guilt. His Chapter I, which gives a complete and detailed analysis of the Warren Report's presentation of the evidence, is superb; I've never read a clearer presentation of the logic of the Warren Commission's case. His meticulous analysis of the blubberings of the autopsy surgeons and of the inconsistencies between their report and the report of the 1968 Panel Review moves our knowledge of the case several notches ahead. Much of his discussion of the President's and the Governor's wounds is original and quite substantial.

Although less original, Roffman's discussion of the evidence surrounding Oswald's guilt is compelling and eminently lucid. Certain points of analysis are downright brilliant.

There are also profound weaknesses in the book in its present state. At many points Roffman adopts a vituperative style reminiscent of the perpetual anger of Harold Weisberg; it's a bloody bore and detracts considerably from the impact of the arguments. In structure, the book lacks a clean and decisive direction; too often Roffman permits his reader to become lost in a maze of detail. Most importantly, Roffman's positive reconstruction of what happened is totally unsatisfactory. Let me show this by citing two examples: (1) The Double Head-Shot: From an analysis of medical evidence Roffman is convinced that the President was struck twice in the head -- first from the rear then from the front. He's unwilling to buy my hypothesis that the ~~double-impact~~ double-impact occurred in the 1/9th of a second between Zapruder frames 312 and 314. So he hypothesizes an earlier hit from the rear prior to Z312. And what is his evidence? That Harold Weisberg claimed to see the President lurch forward at Z290! Surely if the Zapruder film shows this, Roffman ought to argue on the basis of what it shows, and not on the basis of what Harold Weisberg claims to see in it. (My own suspicion is that the Zapruder film shows nothing of the kind!) (2) JFK's neck and back wounds: Once again from an analysis of medical evidence Roffman concludes that JFK was hit in the back by a bullet which penetrated only a short distance before it stopped. ~~According to Roffman this bullet later fell out of the back wound.~~ According to Roffman this bullet later fell out of the back wound. He goes on to say that the President was hit in the front of the throat by a varminting bullet which shattered in the throat. I find it very difficult to believe that even the lowest of low velocity bullets would be going so slow at range that they would only penetrate a few inches into flesh. Secondly, had JFK been hit in the throat by a varminting bullet his throat and

from the side and back of the neck. But these enormous difficulties only really affect Roffman's attempt to positively reconstruct what happened. If he kept strictly to the negative job of showing the failure of the Government's case against Oswald these difficulties would have been evaded. This difficulty facing any positive reconstruction has a logical basis and has affected work on the case up to the present. Since it's crucial to an understanding of the role Roffman's book might play in the literature, permit me to explain it further.

The first generation of books on the assassination (Lane, Weisberg, Epstein, et al.) simply attacked the validity of the government's case against Oswald and its reconstruction of what happened in Dealey Plaza. I tried to go beyond this in Six Seconds in Dallas by offering a positive, alternative account of what happened. There are parts of my account (chiefly those ~~centering~~ centering on the magic bullet, CE 399, and its discovery in Parkland Hospital) that are irredeemably weak. I'm fairly well-convinced that their weakness is due to a fundamental weakness in the evidence: namely, that in all probability, some of the evidence in the case has been tampered with. If some of the pieces in your jig-saw puzzle don't belong in the set, then there is no way all the pieces can be assembled into one coherent pattern. I'm convinced that this is most likely the case with respect to the Kennedy assassination. Logically, this means that it may be impossible to move beyond the standpoint of the first generation of books. Although it is surely possible to show incontrovertibly that the official story is false, it may still be impossible to offer an alternative account that is satisfactory in every respect. I want to urge that Roffman reshape his book in line with this advice. In short, I think his book can very well become the definitive one establishing Oswald's innocence, if he reshapes it to prove just that one point. It should be shorn of all its vituperation, and organized to thrust in only this single direction. The hardest evidence the government had against Oswald was the ballistic identification of CE 399 and two fragments found in the car as having been fired from Oswald's rifle

to the exclusion of all other weapons. Roffman has cut the foundations out from under this ballistic identification. Together with his study of the other evidence alleged to establish Oswald's guilt, his impeaching of the ballistic evidence goes far to proving Oswald's innocence. Because his work advances considerably our knowledge of the case and because it has a fair chance of becoming definitive of the crucial question of Oswald's guilt or innocence, I urge you to publish it. But I would publish it only if Roffman agrees to the following conditions:

- (1) That a technical editor be hired to check the arguments and evidence.

I mention this only because at certain points Roffman does not argue in a trustworthy manner. For example, in arguing that the rip in the front of the President's shirt was caused by the knife blade of a surgeon he never tells the reader that the FBI expert testified that the fibers in the slit were protruding outward. This fact undermines his thesis and he must know this. Yet he never mentions it. Someone who knows the evidence very well should check his arguments closely and make sure that they stand up in every detail.

Sylvia Meagher, author of an index to the 26 volumes of Hearings, and of her own masterful study of the evidence Accessories After the Fact (Bobbs-Merrill, 1967), would be superb for this job. Sylvia has a mind like a steel-trap, impeccable honesty and courage, and an encyclopedic knowledge of the evidence. Her address is 302 W. 12th Street, NY, NY. Her home phone is 212-CH2-4293, office phone: 212-PL4-1234 x 2024.

- (2) The medical sections should be checked over by Cyril Wecht after he has seen the autopsy photos and X-rays, or after he has been refused permission to see them.

The agreement between the Kennedy family and the Archives allows that after 1 November 1971, any qualified forensic pathologist (with the permission of the Kennedy family) may see the photos and X-rays. Cyril Wecht has been trying for several months to see these materials. What he sees may clear up a lot of the questions Roffman raises and make obsolete or irrelevant some of his arguments. If Wecht is refused permission, this fact itself is significant and should be noted. In any case I wouldn't put the book into production until this issue is resolved and Wecht ~~has~~ has had a chance to look at Roffman's arguments and validate or invalidate them.

- (3) Roffman agrees to remove the vituperation and focus the book only on the question of Oswald's guilt or innocence.

The long section on Specter and the various interviews should be used (if at all) only in an appendix. The long quarrelsome chapter on the Clark Panel should simply be deleted. Throughout, the facts should be permitted to speak for themselves. He might begin the book by pointing out that for some time he was trying to prove the Warren Commission's case but finally realized that it was unprovable.