

Comments on the Robert Kilpatrick letter

Kilpatrick is correct in stating that Kennedy definitely was hit in the back but his claim that Popkin and Epstein ignored Humes' testimony (in saying that the autopsy placed the wound in the neck) is inconsistent with the transcript. Humes specified a "wound in the low neck" twice on page 351 of Volume II; again at the bottom of page 357; on page 361 he refers to a wound "in the low posterior neck..."; and on page 363 he stated that the "missile traversed the neck." (I will not take the time to locate additional such references.)

When Kilpatrick argues that the stretcher bullet (GE 399) had lost sufficient substance to account for the number and weight of the fragments shed in Connally's body, he omits certain crucial considerations.

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1. FBI expert Robert Frazier said explicitly that "there did not necessarily have to be any weight loss to the bullet" (4H 430).

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2. The largest, or two largest, fragments removed from the wrist were lost, according to Dr. Gregory, and could not be measured or weighed (4H 123).

3. Kilpatrick may be correct in stating that Salandria's reference from Dr. Gregory applied to bone fragments, not metal; I am inclined to think that he is correct; but the passage of testimony (4H 120) is somewhat ambiguous.

4. It is presumptuous to dismiss the opinions of Humes and Finck on the grounds stated by Kilpatrick. The autopsy surgeons were not nit-picking in terms of grains and fractions of grains but, in the light of their experience (Finck's experience and credentials as a wound ballistics expert being impressive), recognizing that the virtually-intact jacket of the stretcher bullet was incompatible with the shedding of multiple fragments.

5. Furthermore, none of the calculations or opinions rendered appear to take into account the bullet fragments in Connally's chest, mentioned in the testimony of Dr. Shires (6H 111) but not acknowledged in the Warren Report.

6. The whole argument about the missing grains in the stretcher bullet may be specious. The real issue, as suggested in Dr. Finck's testimony, is why the stretcher bullet was not smashed and fragmented after the performance which the Warren Commission attributes to it. Dr. Finck, asked if it was typical for a bullet to fragment like the bullet that struck the President's head, replied that it was typical; the pattern of the wound and the degree of fragmentation depended largely on the type of ammunition used. Asked if the President's other wounds could have been caused by the same kind of bullet that struck the head, Finck said yes, and that the reason one bullet had fragmented and the other had not was that the fragmented bullet had hit bony structures, and the other had not (2H 384).

But the Commission argues that the bullet that hit the President without striking bone then proceeded to hit Connally, shattering a rib and the right wrist-bone. According to Finck's expert testimony, the bullet should have smashed and fragmented in the process. Logic alone suggests that the same kind of bullet, subjected to the same kind of dynamics, would manifest the same kind of characteristics.

7. Kilpatrick does not take into account the arresting fact that the stretcher bullet was recovered "clean" and had no blood or tissue on it (3H 428-429); yet the two bullet fragments found in the car, presumably fragments of the head bullet, had "a very slight residue of blood or some other material adhering" which was wiped off to clean up the fragments for examination (3H 437).

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8. Finally, it should be noted that 260 rounds of Western Cartridge Company 6.5 rifle ammunition were obtained by Dr. Olivier and his colleagues for the performance of the wound ballistics experiments (5H 75). Only two of the test-fired bullets are shown in the Commission's Exhibits (CEs 853 and 856)—rather a small sample. The test bullet from the simulation of the Governor's chest wound was more flattened than the stretcher bullet (5H 80); the test bullet from the simulation of the wrist wound was "not like (the stretcher bullet) at all" (5H 82). Even though the sample is such too small to permit of valid comparisons between the test bullets and the stretcher bullet, the sample scarcely bolsters the case for the single missile. It is legitimate to wonder whether access to all the test bullets might not invalidate completely the Commission's conclusions about the stretcher bullet.

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The stretcher bullet should be compared also with two FBI test-fired bullets shown in the Exhibits (CE 572); it seems to resemble those test bullets (CE 572) far more than it resembles the wrist-simulation bullet (CE 856). FBI test-firing was, presumably, by standard means (ball or tube of cotton). The inferences to be drawn are self-evident.

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Kilpatrick states that the projectile which caused the hole in the front of the President's shirt was exiting. Frasier actually said,

"I can say that it was caused by a projectile of some type which exited from the shirt at that point and that is again assuming that when I first examined the shirt it was—it had not been altered from the condition it was in at the time the hole was made...I can say that this hole in the collar area could have been made by this bullet but I cannot say that the bullet which entered the back actually came out here..." (5H 61)

Furthermore, the holes in the back of the shirt and coat were found to have copper traces; but the hole in the front of the shirt and the nick in the tie were free from any trace of metallic residue (5H 62). The absence of metallic residue might be easier to evaluate if it was known whether or not the bullet holes in Connally's clothes were characterized by copper or other metallic traces; unfortunately, the evidence is said to have been destroyed by dry-cleaning and laundering, for reasons which are not to be found in the Warren Report or the 26 volumes. The Commission has not seen fit to explain that shocking destruction of vital evidence. Moreover, the Governor's shirt as seen in the Exhibits (CE 685 and 686) seems to have been photographed by an investigative agency before it was laundered, since it shows extensive blood-stains.

Finally, it should be said to Kilpatrick as well as to Crawford and their confederates that when the Commission and/or its investigative agencies or witnesses are under suspicion of tampering with the evidence, or concealing or misrepresenting it, it is no argument to invoke the assertions of the "questioned authority" (to steal the Commission's phrase, described by Gerald Ford in his book) in rebuttal of the criticisms directed at it.

When Kilpatrick says (at the bottom of page 3 of his letter) that "no such evidence was found" he should complete the sentence by adding "so far as we know." He recognizes that there were "appalling defects" in the Commission's work. These appalling defects included the commissioning of a fundamental contradiction between the FBI and the autopsy report on the nature and location of the wound in the President's back, which has now been brought to light by Salankia, Epstein, and others (without rebuttal, although the debate has been raging since the end of May). The contradiction remains unresolved today.

When a crucial aspect of the evidence is the subject of doubt and sinister inferences, it is folly to assume that the remainder of the evidence—the so-called "hard evidence"—is necessarily valid or indisputable. Although other elements of the Commission's evidence have not been challenged as dramatically as the autopsy findings, they have been challenged, in several current books and articles. The whole of the Commission's case is now in jeopardy; and the burden of proof is on the Commission—not on those who have already fulfilled the responsibility of critical independent study conducted in a spirit of responsibility and impartiality, with devastating results.

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