Dr. Chetta Questioned on Russo Tests

Dr. Nicholas J. Chetta, Orleans Parish coroner, was called back to the witness stand this morning in the third day of the preliminary hearing for Clay L. Shaw, accused of participating in a plot to kill President John F. Kennedy in 1963.

Dr. Chetta was questioned by assistant district attorney Alvin V. Oser.

Q. Doctor, in speaking of the use of hypnosis as a diagnostic tool . . . can you state as an expert whether after a person undergoes hypnosis he can recall more?

A. **YES, SIR,** this is quite true. The time interval will vary also after the subject comes out of an hypnotic state he may have recall of very important names or places. It may happen after two weeks or a month . . .

Q. Why is that, doctor?

A. It probably has taken the person this length of time to remove the block or log jam he has because of inhibitions.

Q. Is it possible for a subject to be placed under hypnosis and not recall what happened under hypnosis?

A. That's quite true.

OSER THEN described a "hypothetic" individual 25 years old with a high school education and college degree who was in attendance when an assassination plot to kill the President of the U.S. was discussed and then was placed in a hypnotic trance.

The description obviously fit Perry Russo, the prosecution's star witness.

Oser then asked if it were not possible for the person under hypnosis to count to five before coming out of the

(Turn to Page 12-A, Column 3)

Continued from Front Page

trance and "yet not remember counting."

"That is quite true," said Dr. Chetta, "The number five is the trigger number."

Oser then asked Dr. Chetta to relate the dates on which Russo was hypnotized.

A. THE FIRST date was the 25th.

Q. Oh what month, doctor?

A. February, Feb. 25. The next time was on Thursday. This was the time in Mr. Ward's office, and the last time was Sunday and this was in my office, the coroner's office.

Oser then asked Dr. Chetta if a subject were questioned about a specific month while under hypnosis, he would remember more about that month of the year after coming out of the trance than about another month of the year.

Dymond objected to this question, contending that the prosecution was "getting completely out of the realm of sanity."

"HE'S ONLY asking for an opinion here," said Judge Matthew S. Braniff.

Dymond disagreed. "He is trying to bolster the credibility of this witness . . ."

Dymond contended that there was no authority in law for this line of questioning and he cited a case, Lindsay vs. the United States.

JUDGE BAGERT contended the witness could not repeat what was said under the influence of sodium pentothal but "he can give a diagnostic report."

Oser contended that "the question is not about Perry Russo. I'm talking about the subject, not the witness."

Judge Malcolm O'Hara wondered aloud—"If you're not getting out of the field of the expert witness."

Oser said Dr. Chetta had been qualified as an expert witness in the field of psychiatry. Judge O'Hara then asked Dr. Chetta if he had ever hypnotized anyone, and the coroner replied in the affirmative.

AT THIS POINT Judge Bagert overruled the objection of the defense.

Oser then asked again if a person who had been questioned on a specific month under hypnosis would be able to remember more about that month than another month after he was brought out of the trance.

"The answer is yes," Dr. Chetta said.

OSER THEN took the same hypothetical person under the same circumstances, who had been asked questions about September of 1963 while he was under hypnosis.

Q. Would or would not this hypothetical person recall more of what happened to him in September of 1963 than in another month of 1963. . . .

At this point the defense again objected, but the objection was overruled.

Chetta then answered again in the affirmative.

Q. AS AN expert, Dr. Chetta, am I correct in this? Does not a person placed more than once under hypnosis not recall more than if he were merely under hypnosis once?

A. The answer is yes.

Dr. Chetta said that he would like to explain. "With increased hypnotic trances dealing specifically with events, this person would certainly have a better recall of the events or the questions while under the hypnotic trance."

DEFENSE attorney William Wegmann then took up the questioning of Dr. Chetta on cross-examination.

Q. Dr. Chetta, what is the rule of sanity?

A. The rule on legal sanity, or the McNaughton Rule, is that the person knows right from wrong and can choose between the two, can know the consequences of his act and can assist in his defense.

Q. UNDER sodium pentothal, isn't it true that not only are the inhibitions as to expression of fact existing, but don't there appear fantasies as well?

A. Yes. It is up to the man doing the test to tell whether the person is lying or speaking in fantasy.

He said there has been some talk about sodium pentothal by the layman who gave it the name "truth serum."

Q. YOU ARE NOT a psy-

chiatrist, are you Dr. Chetta?"

A. No.

Q. Hasn't there been some question as to the reliability as to facts gotten under sodium pentothal?

A. IT IS NOT a fact. Sodium pentothal has been used quite often by psychiatrists. Some psychiatrists like the electric shock treatment and others use phenobarbitol or barbiturates.

Doctors, like lawyers, have different choices—the one they think fits.

Q. According to my notes, you gave Russo the drug the same day that you questioned him. How long did you talk with him?

A. ABOUT AN HOUR.

Q. Is this the only time that you saw Russo?

A. Yes, sir.

Q. Doctor, you said before that results depend upon the dependability or knowledge of the person administering the drug.

A. IT IS TRUE. I spent only an hour with the patient before administering the drug, but I have had 17 years' experience dealing with this kind of work and I can acquire the fine points in a short time.

Q. You have not known Mr. Russo for 17 years, have you, doctor?

A. That's right. Only since Feb. 27. I saw him between Feb. 27 and March 12.

Q. I think you said the first hypnosis occurred on Sunday. How long a time was spent with him at that time?

A. WE MET in my office in the coroner's office at 10 a. m. It was after 3 p. m. when we left. I remember because I missed my lunch. I was to go to Jesuit and they had closed the doors when I arrived.

Q. Are you a qualified psychiatrist, doctor?

A. I've been qualified in this and other cases as a psychiatrist.

Q. Is Dr. Fatter the only one using psychiatry by this process of hypnosis?

A. THAT'S RIGHT.

Q. Isn't it up to the doctor to separate truth from fantasy?

A. Yes, when an attorney interviews a client, he can tell quickly the background and veracity of the client quicker than someone else because he has had a lot of experience in this field.

At this point Asst. Dist. Atty. Oser sought to ask Dr. Chetta if he thought that Russo at this time was dealing in fantasy or was he faking.

The defense objected and Judge Bagert said that Dr. Chetta in previous testimony had already answered this question.

(Yesterday Dr. Chetta testified that Russo had reacted very well under the hypnotic treatment.)