

A Tale Of Two Official Stories

JFK'S "Authenticated" Autopsy Photographs and the "Authenticated" Magic Bullet

By Gary L. Aguilar

INTRODUCTION

Gaeton Fonzi tells the tale that one day while sitting around the HSCA's offices, HSCA counsel, D. Andy Purdy, walked in after a high-level meeting and announced, "Well, we're going with the single bullet theory," the theory that a single bullet caused all five of Governor John Connally's wounds, as well as JFK's back and throat wounds. Fonzi was stunned. How, he wondered, could people as sharp as HSCA counsels Robert Blakey, Gary Cornwell and Andy Purdy have ever swallowed such tommyrot?

A possible explanation dawned on me after I spoke to Purdy for the first time in 1995. I called him on that occasion to inquire about suppressed interviews the HSCA had conducted with witnesses to JFK's autopsy. The interviews, which were declassified by the JFK Act, revealed that those witnesses, by both word and diagram, had told the HSCA that JFK had a rearward skull defect that is absent in autopsy photographs. The autopsy witnesses, therefore, backed up the Dallas doctors at Parkland Hospital who had described JFK's skull damage the same way.

But those HSCA interviews caused a minor sensation about a long-disputed aspect of the autopsy evidence. They proved that an important HSCA assertion was false, one that was made to discredit the Parkland doctors who said JFK's skull injury was in the rear. As the centerpiece of the HSCA's argument, the HSCA wrote, "In disagreement with the observations of the Parkland doctors are the 26 people present at the autopsy. All of those interviewed who attended the autopsy corroborated the general location of the wounds as depicted in the [autopsy] photographs; none had differing accounts."¹

Those autopsy images do not show the rearward skull defect the Dallas doctors described. They show instead that the backside of JFK's scalp had nary a blemish, except for a tiny red spot at the top of the back of his scalp, well behind JFK's ears. The obvious, gaping wound was to the right of midline, in front of JFK's right ear.² Since Purdy had conducted most of the interviews in which the witnesses

said the opposite of what the HSCA reported they had said, I was eager to ask him how such a mistake had happened.

Purdy was eloquent and sharp, and not particularly dismayed by the HSCA's misstatement, which he attributed to an error by an unknown HSCA writer. His position was that the complicated medical evidence provided no support for conspiracy, and witness statements could be discarded in favor of more solid evidence, such as the autopsy report and the autopsy photographs. Despite the fact there were glaring inconsistencies between the photographs and the autopsy report that we will soon explore, both of these pieces of evidence fit with the 1964, two-shots-from-the-rear, Oswald-did-it scenario.

But by putting the autopsy pictures together with the testimonies of the autopsy witnesses, something quite unexpected emerged: not only did both the Dallas witnesses and the autopsy witnesses—over 40 all told—agree that JFK's gaping skull wound was in the right rear, the pictures proved, against great odds, that they were all wrong. Moreover, although it was also compatible with all the witnesses, the 1963 autopsy report's description of the skull defect—right parietotemporooccipital, right rearward—was also wrong!

The situation was baffling. It occurred to me then that Purdy, and perhaps other HSCA staffers, focused on the autopsy photographs to provide a reasonable shortcut through this forest of confusing and contradictory medical evidence. The HSCA in general, and Purdy in particular, may also have welcomed the photographic shortcut for another reason. Because the pictures could be used against Oswald, they would be unlikely to elicit a hostile reaction from official quarters. But the autopsy pictures not only impugned myriad credible witnesses, they also seemed to prove that JFK's pathologists had made another whopping error besides misdescribing JFK's skull injury.

In the autopsy report JFK's three pathologists had said the fatal bullet entered JFK's skull through the occipital bone, just above

the so-called "external occipital protuberance," the bony knob at the base of the skull. But the autopsy pictures and X-rays seemed to show the entrance wound was at least 10 cm higher—4 inches—and that it had entered not through the low occipital bone, but through the higher, parietal bone. Such an error from three qualified pathologists is almost beyond comprehension. The magnitude of the error can perhaps be best understood if one realizes that the area of the rear of the skull in which this 4 inch error was supposedly made measures—top to bottom—only about 5 inches (12 cm)!

So although JFK's pathologists were then actively teaching resident physicians how to be pathologists, which includes a detailed understanding of anatomy, the photographs and X-rays seemed to prove they didn't know what first year medical students need to know to pass the first anatomy course: that the parietal bone is *not* the occipital bone.

For their part, JFK's pathologists stoutly rejected the claim, first made by the Clark Panel in 1968 and endorsed by the HSCA, that the wound was high.³ Gazing at the autopsy photographs under oath before the HSCA's forensic panel, Humes, Boswell and Finck were asked about the "new" bullet wound, which was the only blemish that is visible anywhere in the backside of JFK's scalp—a tiny red spot toward the top of the back of the skull. All three emphatically denied that the spot was a bullet wound.⁴

Unmoved, the HSCA's forensics panel rejected the pathologists, the autopsy report and the witnesses, and embraced the photographs. But the HSCA claimed it had a powerful reason to trust the pictures: it said they had been authenticated. It would thus have been virtually impossible for the HSCA to justify challenging the bona fides of truly authentic autopsy photographs merely to accommodate witnesses, even JFK's pathologists. Besides, by the time the HSCA was wrapping up the final report, JFK's pathologists had been faulted by the HSCA's forensic consultants for a host of failings in JFK's autopsy. Mislocation of the fatal wound was just one in a long list

of failures.

The photographs thus offered the HSCA a solid footing, as well as a shortcut, to the position it would take on the autopsy evidence specifically, and on the case generally: Oswald shot JFK.

My "shortcut-through-the-forest paradigm" I believe offers a reasonable explanation for the inattention HSCA authorities paid to credible witnesses who contradicted the simple, and single, solution the HSCA had found to JFK's injuries. It may also help explain two recent discoveries that are the subject of the present discussion: the possibility the HSCA did not in fact authenticate JFK's autopsy photographs, and the FBI's misleading, and probably false, statements about the authenticity of another key piece of evidence—Commission Exhibit #399, the so-called "magic bullet."

Did the HSCA Really Authenticate JFK's Autopsy Photographs?

BACKGROUND

The rearward injury in JFK's skull that Dallas physicians described troubled the HSCA investigators for at least two reasons. First, such an injury is all but incompatible with any shot Oswald could have fired. A bullet shot from Oswald's perch would have entered the rear of JFK's skull. It would have created a gaping wound toward the front as it exited, not in the rear, where Dallas witnesses said it was. Second, the photographs show no damage to the back of JFK's skull.

After trudging through the dense thicket of conflicting evidence, the HSCA reported it had found a simple solution: the Dallas doctors were wrong. The HSCA wrote, "Critics of the Warren Commission's medical evidence findings have found (sic) on the observations recorded by the Parkland Hospital doctors. They believe it is unlikely that trained medical personnel could be so consistently in error regarding the nature of the wound, even though their recollections were not based on careful examinations of the wounds ... In disagreement with the observations of the Parkland doctors are the 26 people present at the autopsy. All of those interviewed who attended the autopsy corroborated the general location of the wounds as depicted in the photographs: none had differing accounts...it appears more probable that the observations of the Parkland doctors are incorrect."⁵ (emphasis added)

We now know, of course, that the autopsy witnesses did not endorse the autopsy photographs. Like the Parkland doctors before them, the autopsy witnesses refuted the pictures. And we learned in 1995 that the HSCA's fo-

rensic panel was not advised by HSCA investigators that autopsy witnesses had refuted the autopsy photographs. When I showed Michael Baden, MD and Cyril Wecht, MD, JD the autopsy witness statements and diagrams at a Coalition on Political Assassinations conference in 1995, both claimed they'd never seen them before. Andy Purdy, who had conducted most of the interviews and who was on the podium with Baden and Wecht, explained why the forensic experts weren't told. He said that compartmentalizing the evidence was thought

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to be the best way to keep consultants free from bias. So the HSCA's forensic consultants, who were charged with assessing the autopsy evidence, weren't advised about this relevant evidence from the autopsy witnesses. (I searched for the author of the HSCA's false passage. Purdy told me he had not written it, and he didn't know who had. I asked Robert Blakey, Richard Billings and Gary Cornwell, the only other likely writers. Everyone drew a blank.)

Perhaps the writer, whoever he was, may have been looking himself for the quickest way through the disorienting leaves and branches of the medical evidence. And in the rush to finalize the HSCA's text, perhaps he "tidied up" the mess the Dallas doctors had left in the record that soiled the Warren Commission's simple explanation that was then favored by the HSCA. Refuting Parkland doctors with the better-positioned, autopsy witnesses would certainly do the trick. By not bothering to check the details of Purdy's interviews too closely, they could be brandished to clean up the mess knowing that no one would be the wiser because the records of such interviews are routinely sealed for years, as they were here. (Had it not been for the JFK Act, these files would not have seen the light of day until 2028.)

While this speculation gives the HSCA investigators the most generous benefit of the doubt imaginable, it makes some sense. In many fields, "correct" conclusions often dictate what raw data is "discovered" that is then adduced to prove the conclusions. This is true not only in criminal investigations, but also in science. Some skeptics even go so far as to suggest that the remarkable epiphany J. Edgar Hoover had on the night of the assassination that Oswald had done it alone might have somehow influenced the FBI investigators who proved Hoover was right. The need for evidence to support the "approved" theory—in this case the Blakey-sanctioned single bullet theory, and perhaps also the Warren Commission's and Clark Panel's medical/autopsy two-shots-from-the-rear conclusions—may have discouraged HSCA investigators from looking too closely into a gift horse's mouth.

But whatever the truth, the seemingly unimpeachable autopsy photographs gave the HSCA a solid anchor for the Single Bullet Theory in the stormy evidentiary sea. While the images can't prove the single bullet theory, or Oswald's guilt, they support it. They show a back wound and an apparent bullet hole high in the rear of JFK's skull, with a blow-out exit wound toward the right front of JFK's skull, both of which would fit with a shot fired from Oswald's supposed perch.

THE AUTOPSY PHOTOGRAPHS?

The autopsy pictures were central to the HSCA's conclusion that JFK's wounds were Oswald's fault. Bolstering its argument, the HSCA declared it had authenticated the autopsy photographs. However, the HSCA admitted that its authentication was not quite complete. It wrote, "Because the Department of Defense was unable to locate the camera and lens that were used to take these [autopsy] photographs, the [photographic] panel was unable to engage in an analysis similar to the one undertaken with the Oswald backyard pictures that was designed to determine whether a particular camera in issue had been used to take the photographs that were the subject of inquiry."⁶

In effect, the HSCA was saying it was unhappy the original camera was unavailable to totally close the loop. Nevertheless it expressed satisfaction the loop had been closed enough for confidence in the images because it had found features in the extant images that showed a kind of internal consistency one would find only in authentic images. Those consistencies essentially comprised the HSCA's "authentication." But there was an important part of the story the HSCA didn't

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tell.

Luckily, the JFK Review Board's Doug Horne did tell it, after he excavated that part of the story from suppressed HSCA files. It is a rather different story than the one implied by the HSCA's comment, "Because the Department of Defense was unable to locate the camera and lens that were used to take these [autopsy] photographs." Regarding that sentence, Horne wrote, "By late 1997, enough related documents had been located and assembled by the authors to bring into serious doubt the accuracy of the HSCA's [statement]."⁷ It was not precisely true the Department of Defense had been unable to locate the camera used to take JFK's autopsy photographs.

Apparently, the DoD *had* found the camera. The DoD wrote the HSCA that "the only [camera] in use at the National Naval Medical Center in 1963"⁸ had been sent to the HSCA for study. The HSCA wasn't happy with the DoD's camera, however. In a letter asking the Secretary of Defense to look for another one, Robert Blakey explained the problem: "[O]ur photographic experts have determined that this camera, or at least the particular lens and shutter attached to it, could not have been used to take [JFK's] autopsy pictures."⁹ Whereas the HSCA publicly declared the original autopsy camera could not be found, the suppressed record suggests that camera was found, but that it couldn't be matched to JFK's images.

Horne reported that Kodak, which did work for the Review Board, found no evidence the current autopsy images had been falsified. And as Horne emphasized in his memo, the HSCA's misstatement, as misleading as it is, may not be as sinister as it seems at first blush. The type of camera used was a "view" camera. It had a flat, square back that houses the film packs, and an attached bellows. Attached to the front of the bellows are an interchangeable lens and a shutter mechanism, which may be switched out for different tasks. The lens and shutter used in 1963 may have been replaced by the time the DoD fetched the camera for the HSCA in 1977. And so a different lens or shutter *might* explain why the camera didn't match JFK's photographs. But unfortunately, there is no certainty that a different lens and shutter do explain the mismatch. Horne searched through the files for the tests the HSCA conducted that proved a mismatch, but could find none. He also searched for the camera, and reported it has been lost.

So while Horne was unable to confirm an innocent explanation for the mismatch, he was unable to exclude the obvious, sinister explanation: photo tampering. The Kodak finding that the extant images reveal no tampering proves that the extant images themselves have no internal inconsistencies that would prove tampering. It cannot, however, prove that no images are missing, which in fact appears to be the case. Nor can it disprove another possibility: that the current inventory is an entirely separate set of internally consistent

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images, and a different one than the one that may have originally existed. The theory of some kind of photographic "doctoring" is not mere lunacy, it has significant support in the record. In fact, the word "doctored" was precisely the word Francis O'Neill used when he was shown JFK's autopsy photographs by the JFK Review Board.

Released files have disclosed that all three of JFK's pathologists, both autopsy photographers, a White House photographer [Robert Knudsen] and a National Photographic Center [NPC] employee [Saundra Spencer] have testified that some JFK autopsy photos are missing.^{10 11 12 13 14 15 16 17} Both Knudsen and Spencer claimed that they developed color negative film, but no such film currently exists in the "authentic" inventory.¹⁸ Spencer claimed, from NPC film she has kept in her personal possession since the time of JFK's murder, that the current film on which JFK's images appear was *not* in use at the NPC when she developed JFK's autopsy photographs at

the NPC.¹⁹ FBI agents who saw the autopsy images of JFK's skull wound testified under oath to the Board that JFK's fatal skull wound looked nothing at all like the photographs that showed the backside of JFK's skull and scalp intact. Instead, they claimed a sizable rearward skull defect was present,^{20 21} a defect that was corroborated by numerous witnesses from both Dallas and the autopsy, including neurosurgeons and pathologists.^{22 23 24 25 26 27 28 29 30 31 32 33 34 35 36}

This apparently compromised set of autopsy images formed a significant basis for the HSCA's determination that Oswald was responsible for JFK's wounds. But whether the images accurately reflect JFK's skull damage is another question altogether. Though sometimes dismissed as unreliable, the reigning authority on eyewitness testimony, Elizabeth Loftus, claims witnesses often give very reliable information.³⁷ Loftus has also identified the factors that degrade witness accuracy. Principal among them are: poor lighting, short duration of event or long duration between the event and questions about it, unimportance of fact to the witness, violence, witness stress or drug/alcohol influence, and the absence of specialized training on the witness's part.³⁸ Absent these factors, Loftus's studies show witnesses are very reliable. With respect to JFK's skull damage, none of Loftus's adverse circumstances were present that would explain how the witnesses at Parkland Hospital and at the morgue might have been wrong. They were working as highly trained experts in their usual capacity, circumstances and setting. The overwhelming odds are that they were right.

It seems that only two possibilities, therefore, exist: either more than 40 witnesses from two different locations were wrong about JFK's rearward skull injury, or JFK's autopsy photographic inventory, rejected as authentic by eight autopsy witnesses, has been falsified in some manner that masks the rearward skull damage so many credible witnesses described. The HSCA's inauthentic authentication of JFK's autopsy photographs is likely to encourage skeptics.

Was Commission Exhibit #399 Really Found at Parkland Hospital?

The only nearly intact bullet found that supposedly linked Oswald to the crime was a bullet that was picked up off a Parkland Hospital stretcher by hospital employee, Darrell Tomlinson. As the Warren Commission would later reconstruct it via the "Single Bullet Theory," that bullet was said to have passed through JFK, from his back to his throat. After exiting JFK's throat, the same bullet then

passed forward causing all of Governor Connally's five wounds before falling out onto a stretcher at Parkland.

After finding the bullet, Tomlinson gave it to his boss, O. P. Wright who, in turn, handed it over to Secret Service Agent, Richard Johnsen. Johnsen then passed the bullet to James Rowley, the chief of the Secret Service, and Rowley gave the bullet to FBI agent Elmer Lee Todd, who carried it to the FBI's crime lab. Without exploring the HSCA's discovery of another witness who claimed to have been with Tomlinson when the bullet was found, what concerns us here is whether the bullet currently in evidence, Commission Exhibit #399, is the same bullet Tomlinson handled.

Warren Commission Exhibit #2011 describes some of the research done on #399 for the Commission. #2011 consists of the last two pages, of three, of an FBI memorandum dated July 7, 1964 which is entitled, simply, "RE: LEE HARVEY OSWALD." #2011 relates that on June 12, 1964 FBI agent Bardwell Odum showed the Manlicher-Carcano bullet [CE #399] to Parkland Hospital employees, Darrell Tomlinson and O.P.Wright. It asserts that both men said the bullet "appears to be the same one" they found on the day of the assassination but that neither could "positively identify" it.

"Positive identification" means that identification can be made positively by a witness, as, say, when a witness has initialed an item of evidence, a common FBI practice used to insure no break in the chain of possession. Understandably, neither Tomlinson nor Wright, inscribed their initials on the bullet they found. But that they claimed, so soon after the murder, that the bullet Odum showed them looked like the one they had found was valuable evidence it was indeed the same one that was found the day of the murder.

However, CE # 2011 included other information that raised questions about the bullet. As first noted by Ray Marcus,³⁹ it reports that on June 24, 1964 FBI agent Todd, who received the bullet from Rowley, returned with presumably the same bullet to get Secret Service agents Johnsen and Rowley to identify it. #2011 reports that both Johnsen and Rowley advised Todd that they "could not identify this bullet as the one" they saw on the day of the assassination. No comment appears about the failure being merely a failure to "positively identify" the shell, or that CE #399 "appeared to be the same" bullet they handled the day JFK died.

The other peculiarity about this episode is that #2011 reports it was Todd who received the bullet from Rowley on 11/22/63. Then on June 24th it was Todd who returned with what should have been the same bullet to

show Rowley. Didn't they by then sort of know one another? Had it truly been the same bullet, wouldn't there have been some acknowledgement, as there had been for Tomlinson and Wright in the same document, that Rowley and Johnsen saw a resemblance? There was no such acknowledgement. And there the conflicted story lay. Until Josiah Thompson's book *Six Seconds in Dallas* was published in 1967.

A 6/20/64 FBI AIRTEL memorandum from SAC, Dallas to J. Edgar Hoover contains the statement, "For information WFO (FBI Washington Field Office), neither DARRELL C. TOMLINSON [sic], who found bullet at Parkland Hospital, Dallas, nor O. P. WRIGHT, Personnel Officer, Parkland Hospital, who obtained bullet from TOMLINSON and gave to Special Service, at Dallas 11/22/63, can identify bullet" Whereas #2011 claimed Tomlinson and Wright had said the bullet the FBI showed them in June 1964 "appears to be the same" bullet they found on the day of the assassination, nowhere in this previously classified memo, which was written before CE#2011, is there any mention that either of the Parkland employees saw a resemblance.

Thompson reported that he interviewed Wright in November 1966. As Thompson recalled the episode, "(B)efore any photos were shown or he was asked for any description of #399 (Wright) said: 'That bullet had a pointed tip.' I (Thompson) said, 'Pointed tip?' He said, 'Yeah, I'll show you. It was like this one here,' he said, reaching into his desk and pulling out the .30 caliber bullet pictured in *Six Seconds*."⁴⁰ (See p. 175.) After Thompson showed Wright the various bullet photos and finally #399, Wright asked, "Is that the bullet I was supposed to have had?"⁴¹

Thus in 1964 the Warren Commission, or rather the FBI, claimed Wright believed the original bullet resembled #399. In 1967 Thompson claimed Wright believed there was no resemblance. Recent FBI releases prompted

by the JFK Review Board support Thompson.

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I wondered whether perhaps there might be more information on this somewhere in the files. There should have been, for example, some original "302s"—the raw FBI field reports from the interviews with Tomlinson and Wright. Perhaps there, I thought, I'd find a comment about there being a resemblance between the bullets.

In early 1998, Kathy Cunningham told me she was going to the National Archives, and so I asked her to search for any additional files that might shed light on this story. She looked and found none. I contacted the JFK Review Board's T. Jeremy Gunn for any information he might be able to locate. On May 18, 1998, the Review Board's Eileen Sullivan, writing on Gunn's behalf, wrote "[W]e have attempted, unsuccessfully, to find any additional records that would account for the problem you suggest."⁴² Undaunted, I wrote the FBI directly, and was referred to the National Archives. I then wrote Mr. Steve Tilley at the National Archives.

On Mr. Tilley's behalf, Mr. Stuart Culy, an archivist at the National Archives, made a search. On July 16, 1999 Culy wrote that he searched for the FBI records within the HSCA files as well as in the FBI records, all without success. He was able to determine, however, that the serial numbers on the FBI documents I had ran "concurrently, with no gaps, which indicated that no material is missing from these files."⁴³ In other words, the earliest FBI report did not mention that either Tomlinson or Wright had said there was a similarity between the bullet found at Parkland Hospital and the bullet later in evidence, CE #399.

Thus, no contemporaneous FBI record supports the claim in Commission Exhibit #2011 that either Tomlinson or Wright said #399 resembled the bullet that they saw on the day JFK died. Instead, the earliest account suggests that both they and Secret Service Agents

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Johnsen and Rowley, saw no resemblance. Joshiah Thompson's assertion about Wright, which might have been dismissed by Warren loyalists citing the earlier FBI evidence in #2011, is now supported by an even earlier FBI memo, one that was suppressed.

One question remains, however: If the FBI did in fact adjust Tomlinson and Wright's testimonies with a bogus claim of bullet similarity, why didn't it also adjust Johnsen and Rowley's? While it is unlikely a certain answer to this will ever be found, the FBI authors of #2011 might well have thought that Secret Service agents would have been more likely to read the FBI reports involving them than would a couple of Parkland Hospital employees.

Conclusions

Warren loyalists have a point that should not be lost on skeptics: When they argue, as some skeptics do, that all the Oswald-implicating, false JFK assassination evidence is the result of conspirators' machinations, the cast of necessary co-conspirators expands to preposterous dimensions. One needn't posit that myriad coconspirators charged off in the wrong direction, but only that, early on, a few who were influential did. J. Edgar Hoover and Allen Dulles, men of enormous power and influence, no doubt inspired the men who conducted the investigation by expressing an early preference for who killed Kennedy. They then sat back as men under their sway—men to whom the Warren Commission had given exclusive investigative authority—foraged for evidence.

The result was predictable. Regarding the FBI's investigation, the HSCA said, "It must be said that the FBI generally exhausted its resources in confirming its case against Oswald as the lone assassin, a case that Director J. Edgar Hoover, at least, seemed determined to make within 24 hours of the of the assassination." (*The Final Assassinations Report—Report of the Select Committee on Assassinations*, U.S. House of Representatives. New York: Bantam Books edition, 1979, p. 150.) Allen Dulles biographer Peter Grose observed that, "Allen [Dulles] systematically used his influence to keep the commission safely within bounds ... and from the start, before any evidence was reviewed, he pressed for the final verdict that Oswald had been a crazed lone gunman, not the agent of a national or international conspiracy." (Peter

Gross's biography *Gentleman Spy: The Life of Allen Dulles*. Amherst: The University of Massachusetts Press, 1994, p. 544.)

The Warren Commission was captive of the FBI/CIA evidence because it lacked its own investigators, and therefore, the ability to independently check what it was given. We remain dependent to a large extent on that evidence even today. Hoover's preferences were honored in CE #2011 when the FBI airbrushed-out disfiguring blemishes so as to leave the nearly perfect semblance of authentic physical evidence—CE #399—that linked Oswald to the crime. The HSCA swore allegiance to JFK's autopsy photographs, and so followed the lead set by the influential Clark Panel. Unfortunately, the very autopsy pho-

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Ironically, despite the fact the HSCA concluded there had been a conspiracy, the JFK Act has proved that the HSCA, like the FBI it derided for mischief-making, was not above making a little mischief of its own. The HSCA, too, took a shortcut to the hasty conclusions preferred by its brass. But because of its sensitive dependence on prior, uncertain evidence—the FBI's "magic bullet" and "authentic" autopsy photographs, and the like—the HSCA brass, like the Warren Commissioners before them, were constrained to go along with the Single Bullet Theory and the indisputability of the autopsy photographs. Thus some of the failings that plagued both probes occurred for the same reason: hurried investigators were trying to explain complex and conflicted evidence that was infinitely less clear to them than were the crystal clear preferences of their superiors, or of prior, "re-

spected" authorities.

Notes

1. HSCA, vol. 7:37.
2. See HSCA, vol. 7:37-39.
3. HSCA, vol. 7:246 – 260.
4. For Humes and Boswell's testimony, see HSCA, vol. 7: 246 – 260. For Finck's testimony, see Finck's once suppressed HSCA testimony released by the ARRB.
5. HSCA, Vol. 7:37-39.
6. HSCA, Vol. 6:226, footnote #1.
7. Memorandum for File, written by Doug Horne for the JFK Review Board, entitled, "Unanswered Questions Raised by the HSCA's Analysis and Conclusions Regarding the Camera Identified by the Navy and the Department of Defense as the Camera Used at President Kennedy's Autopsy, p.2 4.
8. This sentence is taken from a letter Sent by John G. Kester, Assistant to Secretary of Defense Brown for HSCA-related matters in response to the HSCA's request for the camera used at the autopsy. Cited in Memorandum for File, written by Doug Horne for the JFK Review Board, entitled, "Unanswered Questions Raised by the HSCA's Analysis and Conclusions Regarding the Camera Identified by the Navy and the Department of Defense as the Camera Used at President Kennedy's Autopsy, p. 4.
9. *Ibid.*
10. In formerly secret testimony first taken 20 years ago, Dr. Finck described to the Select Committee how he had photographed the beveling in JFK's skull bone to prove that the low wound in occipital bone was an entrance wound. As he explained, only images of bone, and not soft tissue (scalp) images, would have shown cratering, or beveling. (Soft tissue will not demonstrate beveling, just as a BB "wound" through a carpet will not show the beveling of one through a plate of glass.) In the following exchange, Dr. Finck was being asked by the Select Committee's forensic consultants whether the images being shown were those Dr. Finck had claimed were missing:

(HSCA counsel D. Andy) Purdy: "We have here a black and white blow up of that same spot (a spot on the rear of JFK's scalp he claimed was the location of the bullet's entrance). You previously mentioned that your attempt here was to photograph the crater, I think was the word that you used."

Finck: "In the bone, not in the scalp, because to determine the direction of the projectile the bone is a very good source of information so I emphasize the photographs of the crater seen from the inside the skull. What you are showing me is soft tissue wound (sic) in the scalp."

A few moments later, the following exchange occurred:

Charles Petty, MD: "If I understand you correctly, Dr. Finck, you wanted particularly to have a photograph made of the external aspect of the skull from the back to show that there was no cratering to the outside of the skull."

Finck: "Absolutely."

Petty: "Did you ever see such a photograph?"

Finck: "I don't think so and I brought with me memorandum referring to the examination of photographs in 1967... and as I can recall I never saw pictures of the outer aspect of the wound of entry in the back of the head and inner aspect in the skull in order to show a crater although I was there asking for these photographs. I don't remember seeing those photographs."

Petty: "All right. Let me ask you one other question. In order to expose that area where the wound was present in the bone, did you have to or did someone have to dissect the scalp off of the bone in order to show this?"

Finck: "Yes."

Petty: "Was this a difficult dissection and did it go very low into the head so as to expose the external aspect of the posterior cranial fascia (sic—meant "fossa")?"

Finck: "I don't remember the difficulty involved in separating the scalp from the skull but this was done in order to have a clear view of the outside and inside to show the crater from the inside... the skull had to be separated from it in order to show in the back of the head the wound in the bone." (HSCA interview with Finck, p.90-91. Agency File 013617)

Evidence that these key documentary photographs of JFK's fatal wound were indeed taken dates to the Warren Commission. During his Commission testimony, while discussing the beveling that was visible in the bone where the bullet entered, Commander Humes claimed, "This wound then had the characteristics of wound of entrance from this direction through the two tables of the skull."

Arlen Specter: "When you say 'this direction,' will you specify that direction in relationship to the skull?"

Humes: "At that point I mean only from without the skull to within... and incidentally photographs illustrating this [beveling] phenomenon from both the external surface of the skull and from the internal surface were prepared." (Warren Commission Vol.2:363)

Another witness supported Finck's contention that he had worked with the photographer that night, Dr. Robert Karnie, MD, a Bethesda pathologist who was present during the autopsy, was interviewed by the HSCA. It reported, "He [Karnie] said he does 'remember him [Finck] working with probes and arranging for photographs.'"—HSCA Agency File # 002198, p. 6.)

The fact no such skull photographs currently exist is a problem whose significance was apparently realized very early on. Dr. Humes' testimony about these missing images appears to have been what was being referred to in a suppressed 1967 LBJ memo that reported, "There is this unfortunate reference in the Warren Commission report by Dr. Hinn (almost certainly Humes, there was no "Dr. Hinn," or any other doctor with a name like it) to a(n autopsy) picture that just does not exist as far as we know." Alternatively, the memo may have been referring to photographs of the interior of JFK's chest which Humes also discussed with the War-

ren Commission, and which are also missing. (Source is from memo titled, "President Johnson's notes on Conversation with Acting Attorney General Ramsey Clark—January 26, 1967—6:29 PM." Obtained by Kathy Cunningham from the Lyndon B. Johnson Library. Copy available by request.)

11. In a once-secret memo, HSCA counsel, D. Andy Purdy, JD, reported that chief autopsy photographer, "(John) STRINGER (sic) said it was his recollection that all the photographs he had taken were not present in 1966 (when Stringer was first saw the photographs HSCA rec. # 180-10093-10429. Agency file # 002070, p. 11. Stringer apparently was not satisfied with the explanation given him for the missing photos, for the HSCA reported,

Another witness supported Finck's contention that he had worked with the photographer that night. Dr. Robert Karnie, MD, a Bethesda pathologist who was present during the autopsy, was interviewed by the HSCA. It reported, "He [Karnie] said he does 'remember him [Finck] working with probes and arranging for photographs.'"

He (Stringer) noted that the receipt he had said some of the film holders (sic) had no film in one side of the cassettes. He said the receipt said this happened in two or three of the film holders where one side only was allegedly loaded. He said he could understand it if the film holders were reported to have poorly exposed or defective film but could not believe that there were any sides on the film holders which were not loaded with film....

12. There are no photographs of the interior of Kennedy's chest in the "complete" set of autopsy images at the National Archives. However every autopsy participant who was asked recalled that photographs were taken of the interior of JFK's body, as they should have been to document the passage of the non-fatal bullet through JFK's chest. Stringer told the HSCA he recalled taking "at least two exposures of the body cavity." A. Purdy. HSCA rec. # 180-10093-10429. Agency file # 002070, p. 2.

13. An HSCA memo reported that James Humes, MD, JFK's chief autopsy pathologist, "... specifically recall(ed photographs) ... were taken of the President's chest ... (these photographs) do not exist." HSCA record # 180-10093-10429), Agency file # 002070, p. 17.

14. Regarding J. Thornton Boswell, MD, the pathologist who was second in command after Humes, the HSCA claimed "... he (Boswell) thought they photographed '... the exposed thoracic cavity and lung ... but (he) doesn't remember ever seeing those photographs." A. Purdy. HSCA rec# 180-10093-10430. Agency file # 002071-p. 6

15. Robert Karnie, MD, a physician witness who was not a member of the autopsy team, told the HSCA, "He (Karnie) recalls them putting the probe in and taking pictures (the body was on the side at the time) (sic)." A. Purdy. HSCA. JFK Collection. RG #233, file #002198, p.5.

16. Floyd Reibe, the assistant autopsy photographer, was reported to have told the HSCA, "he thought he took about six pictures—I think it was three film packs"—of internal portions of the body." In: David, Lifton, *Best Evidence*. New York: Carroll & Graf, 1980, p. 638.

17. The question naturally arises, did anyone ever see autopsy images that have since disappeared? The answer, apparently, is, Yes. In a previously suppressed interview, former White House photographer, Robert Knudsen, told the HSCA he developed negatives from JFK's autopsy which he examined in the course of his work on November 23, 1963. During the HSCA's investigation, he was shown the complete photographic inventory, Knudsen repeatedly insisted, against pressure, that in 1963 he saw at least one image not in the inventory he was shown in 1978—an image with a metal probe through JFK's body that entered the back at a lower position than it exited through the throat wound HSCA Agency File # 014028, and HSCA Agency File # 002198, p. 5.

18. Memorandum for File, written by Doug Horne for the JFK Review Board, entitled, "Unanswered Questions Raised by the HSCA's Analysis and Conclusions Regarding the Camera Identified by the Navy and the department of Defense as the Camera Used at President Kennedy's Autopsy, p.2 4.

19. Memorandum for File, written by Doug Horne for the JFK Review Board, entitled, "Unanswered Questions Raised by the HSCA's Analysis and Conclusions Regarding the Camera Identified by the Navy and the department of Defense as the Camera Used at President Kennedy's Autopsy, p.2 4.

20. Recently released Review Board-conducted interviews with the two FBI agents who were present during JFK's autopsy provides perhaps the most direct indictment of the autopsy image of JFK's skull which shows no damage to the rear of JFK's skull. The interviewer, T. Jeremy Gunn, JD, Ph.D. (history) asked former FBI agent, Francis X. O'Neill: "I'd like to ask you whether that photograph resembles what you saw from the back of the head at the time of the autopsy? O'Neill: This looks like it's been doctored in some way (p. 158) ... I specifically do not recall those - I mean, being that clean or that fixed up. To me, it looks like these pictures have been—... It would appear to me that there was a - more of a massive wound ... (pages 161 - 162—FBI agent, Francis X. O'Neill. Sworn testimony before the ARRB, 9/12/97.)

21. Similarly, Gunn interviewed the only other FBI agent who was present at the autopsy, James Sibert:

Gunn: Mr. Sibert, does that photograph (of the back of JFK's head) correspond to your recollection of the back of President Kennedy's head?

Sibert: Well, I don't have a recollection of it being that intact, as compared with these other pictures. I don't remember seeing anything that was like this photo (126) ... I don't recall anything like this at

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Two Tales

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all during the autopsy. There was much — Well, the wound was more pronounced. And it looks like it could have been reconstructed or something, as compared with what my recollection was ...” (p. 128) FBI agent, James W. Sibert. Sworn testimony before the ARRB, 9/11/97.

22. The full listing, which needs updating with the statements gathered from the Assassinations Records Review Board is available at: <http://home.cynet.net/jfk/ag6.htm>, or by mail, or fax by request.

Kemp Clark, MD, the chairman of the department of neurosurgery at the highly respected, university teaching hospital in Dallas (Parkland), examined JFK and pronounced him dead. In a note prepared on the day of the murder, and published in the Warren Report, Dr. Clark described JFK's skull wound as “There was a large wound in the right occipitoparietal region,” and that, “Both cerebral and cerebellar tissue were extruding from the wound.” (WC—CE#392)

23. Warren Commission Hearings:V6H33-37. ROBERT McCLELLAND, MD. In testimony at Parkland taken before Arlen Specter on 3-21-64, McClelland described the head wound:

...I could very closely examine the head wound, and I noted that the right posterior portion of the skull had been extremely blasted. It had been shattered...so that the parietal bone was protruded up through the scalp and seemed to be fractured almost along its right posterior half, as well as some of the occipital bone being fractured in its lateral half, and this sprung open the bones that I mentioned in such a way that you could actually look down into the skull cavity itself and see that probably a third or so, at least, of the brain tissue, posterior cerebral tissue and some of the cerebellar tissue had been blasted out....” (WC—V6:33)

Later he said,

...unfortunately the loss of blood and the loss of cerebral and cerebellar tissues were so great that the efforts (to save Kennedy's life) were of no avail. (Emphasis added throughout) (WC—V6:34)

24. (CE 392—WC V17:4-5) CHARLES JAMES CARRICO, MD: On the day of the assassination he wrote in longhand, “[the skull] wound had avulsed the calvarium and shredded brain tissue present with profuse oozing....attempts to control slow oozing from cerebral and cerebellar tissue via packs instituted....” (Emphasis added) (CE 392—WC V17:4-5)

Arlen Specter for the Warren Commission asked Dr. Carrico, “Will you describe as specifically as you can the head wound which you have already mentioned briefly?”

Dr. Carrico: Sure. This was a 5- by 7-1 cm (sic—the author feels certain that Dr. Carrico must have said “5 by 7-cm) defect in the posterior skull, the occipital region. (Emphasis added) There was an absence of the calvarium or skull in this area, with shredded tissue, brain tissue present...

Specter: Was any other wound observed on the head in addition to this large opening where the skull was absent?

Carrico: No other wound on the head. (WC—V3:361)

25. PAUL PETERS, MD, a resident physician at Parkland described the head wound to the Warren Commission's Arlen Specter under oath as, “...I noticed that there was a large defect in the occiput...It seemed to me that in the right occipitalparietal area that there was a large defect.” (Emphasis added) (WC-V6:71)

26. RONALD COY JONES was a senior General Surgery resident physician at Parkland Hospital. Under oath he told the Warren Commission's Arlen Specter, “... he had a large wound in the right posterior side of the head...There was large defect in the back side of the head as the President lay on the cart with what appeared to be some brain hanging out of this wound with multiple pieces of skull noted next with the brain and with a tremendous amount of clot and blood.” (WC-V6:53-54) A few minutes later he described “what appeared to be an exit wound in the posterior portion of the skull”. (Emphasis added throughout) (WC-V6:56)

27. WC—Exhibit #392 MARION THOMAS JENKINS, MD—In a contemporaneous note dated 11-22-63, Jenkins described “a great laceration on the right side of the head (temporal and occipital) (sic), causing a great defect in the skull plate so that there was herniation and laceration of great areas of the brain, even to the extent that the cerebellum had protruded from the wound.” (WC—Exhibit #392)

28. MALCOLM PERRY, MD In a note written at Parkland Hospital and dated 11-22-63, Perry described the head wound as, “A large wound of the right posterior cranium...” (WC—V17:6—CE#392)

Describing Kennedy's appearance to the Warren Commission's Arlen Specter Dr. Perry stated, “Yes, there was a large avulsive wound on the right posterior cranium....” (WC-V3:368)

Later to Specter: “...I noted a large avulsive wound of the right parietal occipital area, in which both scalp and portions of skull were absent, and there was severe laceration of underlying brain tissue...” (WC—V3:372)

In an interview with the HSCA's Andy Purdy in 1-11-78 Mr. Purdy reported that “Dr. Perry...believed the head wound was located on the “occipital parietal” [sic] region of the skull and that the right posterior aspect of the skull was missing...” (HSCA-V7:292-293)

Perry told Mr. Purdy: “I looked at the head wound briefly by leaning over the table and noticed that the parietal occipital head wound was largely avulsive and there was visible brain tissue in the macard and some cerebellum seen...” (Emphasis added throughout.) (HSCA-V7:302-interview with Purdy 1-11-78.)

29. GENE AIKIN, MD, an anesthesiologist at Parkland told the Warren Commission under oath, “The back of the right occipitalparietal portion of his head was shattered with brain substance extruding.” (WC-V6:65.) He later opined, “I assume the right occipitalparietal region was the exit, so to speak, that he had probably been hit on the other side of the head, or at least tangentially in the back of the head...” (Emphasis added throughout) (WC-V6:67)

30. CHARLES RUFUS BAXTER, MD, a resident physician at Parkland in a hand written note prepared on 11-22-63 and published in the Warren Report (p. 523) Baxter wrote, “...the right temporal and occipital bones were missing (emphasis added) and the brain was lying on the table...” (Warren Commission Exhibit #392. In: Warren Report, p.523).

31. A full compilation of the witnesses is available upon request.

32. SECRET SERVICE AGENT CLINTON J. HILL: after seeing the President's skull wound in Dealey Plaza, and after returning with the body to Bethesda, he was “summoned...down to the morgue to view the body (again) and to witness the damage of the gunshot wounds.”—as Secret Service agent Kellerman put it in his 11-29-63 report. (WC—CE #1024, Kellerman report of 11-29-63. In: WC—V18:26-27) Hill reported, “When I arrived the autopsy had been completed and...I observed another wound (in addition to the throat wound) on the right rear portion of the skull.” (WC—CE#1024, V18:744)(emphasis added)

33. Typical of such HSCA witnesses was James Curtis Jenkins, a Ph.D. candidate in pathology who worked as a laboratory technologist with JFK's autopsy team. The HSCA's Jim Kelly and Andy Purdy reported that Jenkins “said he saw a head wound in the “...middle temporal region back to the occipital.” HSCA interview with Curtis Jenkins, Jim Kelly and Andy Purdy, 8-29-77. JFK Collection, RG 233, Document #002193, p. 4.

34. The Warren Commission reported that after observing the autopsy Secret Service agent, Clinton J. Hill, reported, “I observed another wound (in addition to JFK's throat wound) on the right rear portion of the skull. Warren Commission Exhibit, CE#1024, V.18:744 (18H744).

35. Jan Gail Rudnicki, a lab assistant on the night of the autopsy, was interviewed on 5/2/78 by HSCA counsel, Mark Flanagan, J.D. Flanagan reported Rudnicki told him, the “back-right quadrant of the head was missing.” HSCA record # 180-10105-10397, agency file number # 014461, p.2.

36. Philip C. Wehle, Commanding officer of the military District of Washington, D. C., was interviewed by HSCA counsel, D. Andy Purdy, JD on 8-19-77. Purdy's formerly suppressed memo reported that, “(Wehle) noted that the wound was in the back of the head so he would not see it because the President was lying face up ...” HSCA record # 10010042, agency file # 002086, p. 2

Several of the autopsy witnesses, including two FBI agents, prepared diagrams for the HSCA that depicted JFK's skull with a right-rearward gaping skull wound. These diagrams were also suppressed. Thus in HSCA interviews and diagrams, as well as in Warren Commission interviews, JFK's autopsy witnesses reported—as overwhelmingly as had Parkland witnesses—that JFK's skull wound was in the right rear.

37. Elizabeth F. Loftus. *Eyewitness Testimony*. Cambridge: Harvard University Press, 1996, p. 25 – 28.

38. Elizabeth Loftus, James M. Doyle. *Eyewitness Testimony: Civil and Criminal*. Second Edition. Charlottesville: The Michie Company, 1992.

39. See Ray Marcus monograph, *The Bastard Bullet*.

40. E-mail message from Josiah Thompson, 12/10/99.
41. Josiah Thompson, *Six Seconds in Dallas*. New York: Bernard Qeis Associates for Random House, 1967, p. 175.
42. E-mail message from Josiah Thompson, 12/10/99.
43. 5/11/98 e-mail message from Eileen Sullivan re: "Your letter to Jeremy Gunn, April 4, 1998."
44. Personal letter from Stuart Culy, archivist, National Archives, July 16, 1999.

Colosio

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ernment who want the public to believe I'm the only assassin... The government doesn't want this case to escalate, because its party [the PRI] would be the one most damaged and they could lose the elections." The government, he claims, has three goals: "First, to convince everyone that I'm the only shooter; second, to claim that I'm crazy; and third, to assassinate me... and say I killed myself. That way everyone can forget about the COLOSIO case." (Michelle Chi Chase, *Mexico City News*, 21 Aug 1996)

RUBEN ABURTO, father of MARIO, shares his son's fears that he will fall victim to a "suicide."

The same day an editorial in Mexico City's Roman Catholic Archdiocese newspaper *Nuevo Criterio* claims that the COLOSIO hit was the result of a conspiracy within the PRI. "The resources used to carry out the crime, but especially the way it was handled afterwards, make it clear that... the mastermind was in the highest circles of power..."

Without directly accusing CARLOS SALINAS, the editorial says, "There is much evidence of the violent and vengeful way in which SALINAS DE GORTARI resolved his difficulties with other people."

21 August

Attorney General LOZANO GRACIA insists that OTHON CORTEZ is the second gunman in the COLOSIO murder. His office is reported to have delivered 18 photographs to a court in the State of Mexico that show CORTEZ next to COLOSIO at the time of the murder.

Political analyst ALFREDO JALIFE tells the *Mexico City News* "Those on top are pulling the strings. OTHON CORTEZ is a pawn—he's nothing." One of COLOSIO's campaign advisers and senior PRI deputy, SAMUEL PALMA, agrees: "The conspiracy theory has never hinged on CORTEZ ... The theory is backed up by an investigation of impartial scientific analysis which has proved there was a second shot and a second weapon". (David Abel, *Mexico City*

Times, 22 Aug 1996)

22 August

HUMBERTO LOPEZ MEJIA, former independent investigator and employee of the PGR, says on public radio that he deciphered a coded message sent to the offices of the President just after the COLOSIO hit. "Mission accomplished in the campaign," said the alleged message, sent from one operative code-named "EL PINO" to another called "EL ROBLE." LOPEZ MEJIA claims that the message was from COLOSIO's security chief Gen. DOMIRO GARCIA REYES to former President SALINAS.

"General REYES is no stranger to such allegations. Earlier this month he published an

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autobiographical aptly titled *Domiro* in which he set out to defend his integrity... Written for him by three prominent national journalists, the general's book adds to prevailing public speculation that COLOSIO's death was planned by then-government officials.

"In one particularly emotional excerpt REYES tells of an alleged conversation between himself and Federal Attorney General ANTONIO LOZANO GRACIA in which LOZANO GRACIA intimated knowledge that COLOSIO had been 'eliminated' because he wasn't toeing the party line in his campaign. REYES claims the Attorney General told him following the assassination, 'I understand that President SALINAS DE GORTARI insinuated to you that COLOSIO must be eliminated.' LOZANO GRACIA responded to the book... calling General REYES a liar and a man without honor." (Pav Jordan, *Mexico City News*, 23 August 1996)

28/29 August

In a broad, coordinated assault, the EPR attack police, military and government targets in six states—Oaxaca, Guerrero, Chiapas, Tabasco, Puebla, and Mexico. At least 16 people are killed and 23 injured.

31 August

LUIS RAUL GONZALEZ PEREZ is appointed new Special Prosecutor in the COLOSIO case.

8 September

LUIS COLOSIO FERNANDEZ, father of the murdered candidate, unveils a monument to his son in Tepic, Nayarit. "I still believe in justice and reason," he says, "even though I know many people are skeptical of the new Special Prosecutor." (*Mexico City News*, 9 Sept 1996)

10 September

Foreign Secretary JOSE ANGEL GURRIA tells the Mexican Congress that he has declined American Ambassador JAMES JONES' offer of intelligence and military assistance against the EPR.

11 September

Reuters reports that US bank accounts belonging to RAUL SALINAS may have been used to launder drug money. According to PGR documents, one of the accounts is at the Laredo National Bank in Texas, owned in part by Mexican billionaire CARLOS HANK RHON.

PRI member and President of the Chamber of Deputies' COLOSIO Case Commission ALFONSO MOLINA RUIBAL calls for the return and testimony of CARLOS SALINAS, JOSE CORDOBA MONTOYA, and former PGR prosecutor EDUARDO VALLE ("EL BUHO"). This is the first official, all-party consensus calling for ex-President SALINAS' testimony. (*Mexico City News*, 12 Sept 1996)

12 September

Police raid the Mexico City offices of *El Universal*, formerly a pro-PRI newspaper which has recently criticized ZEDILLO and SALINAS. They arrest the owner JUAN FRANCISCO EALY ORTIZ for tax evasion.

Political analyst ALFREDO JALIFE calls this selective prosecution: "If the government went against *El Universal* why did it not go against all the others? It is a common fact that certain other papers are evading taxes; some are even involved in drug trafficking."

JALIFE also doubts that SALINAS, CORDOBA or ZEDILLO will give evidence in the COLOSIO case: "It's a smokescreen. Attorney General ANTONIO LOZANO GRACIA belongs to the system, and the system doesn't want to know anything about the real perpetrators of the crime."

On a legal level, JALIFE says there is no longer any evidence to convict the culprits of the crime: "Within the structure of the Attorney General's office, all the evidence has been extinguished. I have counted around 20 people belonging to the case who have been murdered." (Robert Randolph, *Mexico City Times*, 14 Sept 1996)

14 September

28 days after becoming BC Federal Police Commander, ERNESTO IBARRA SANTES is ma-

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