

Dr. Gary Aguilar
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6/16/95

Dear Gary,

In a few months I expect Visitors who have used my basement files. I'll ask them to look in the Refinan file for what I go into on pages 157-8 of MA! If his work is there I'll enclose it. If it is not there it as filed with the PH that got withheld as backstopping for it and will not be accessible. If not I suggest you do what I did, get a bright student to duplicate Howard's work, with the results I used to indicate whether it is done ^{my} completely.

As I indicated in ^writing you ^{early} this morning, I left at 5 a.m. with the morning papers, spent little time on them, and was able to walk and rest inside the building in which I have ^uprohibited until the lab opened. From there I went to p.f and had another 45 minutes to wait. During this time I read more of MA! ~~for~~ which I've not taken time from work. And my mind kept wandering back to some of what you said yesterday and to what I suggested to you ^when I knew that MA! was about to be published.

Your interest was in being able to answer criticism. My instinctive reaction was to ridicule what so richly lends itself to ridicule. But there ^{is} ~~is~~ something more basic that I try to communicate to you.

absolutely basic is the fact that the weak never prevail against the strong if the weak spend their time defending themselves. I learned this the hard way, believe me! The way to prevail is to put the strong in an impossible position and if they are in the ^wrong that should be possible. It has always been for me and I think of that as using intellectual judo on them. If you want I'll later expand on this. To a degree I've gone ^wsome if at the lengthy beginning of a very long ms., Inside the PJ JFK Assassination on Industry, albeit in a rather pedestrian way as intended it for the learning of the young and for those who have not had such ^pexperiences.

You did not perceive that this is what I was suggesting to you when knowing that you'd have backstopping in MA!, which AIA, JAMA, the lying doctors official and unofficial cannot answer. The timing of putting all that up to to AIA was better before they had reason to believe that MA! may not get much attention. Prepub they would not have been wise to risk that. It can still be done but the odds are not as good. What you also did not understand that if you did it the benefit would have ^uacrued to you, singular or plural, and to any writing you would do.

If I had had any personal interest to serve I could have written the head of the AIA. as I could have since then as have not. But even now, even if they ignore it, they know what they have hanging over their heads. And if silent they will still be very uncomfortable about it.

That their insurer settled for so much out of court tells them that whatever the fault of the Cranshaw/Shaw crap they were still in the wrong and that they were in the wrong only because of JAMA irresponsibility. But that is nothing like the case against JAMA in MA! and if the AIA becomes aware of that it can lead to their dumping Lundberg and Breco.

Which would be no mean accomplishment and entirely constructive at that!

They are now a liability in several ways. One is in public relations if the truth gets public attention before they do something. The other is if there is another suit filed because of what JAMA publishes. In this sense that ^{the} self-important and professionally stupid asshole Breco, with Lundberg's approval, wrote such a dishonest comment that JAMA published, ^{was stupid} a good lawyer can use even that against them in another case, as perhaps their lawyers may have told them already.

As I wrote earlier, I think the ideal use of this case against them all would be by those doctors who wrote JAMA initially because, for one reason, it validates all you said and for another because it exposes those who defended them from ^{or protected} ignorance.

For JAMA to enter so intensely controversial a ~~pro~~ political matter was very wrong to begin with. To do it so irresponsibly was more so, and to do it while steadfastly preserving their ignorance was stupid and endangered JAMA and AIA. One of the reasons I ^{was} so ^{blatantly} ^{obvious} on MA! was precisely to make the point that the truth was always available. I said that in the book but do not remember ^{when} it is from time to time I am able to read a bit of it. Less than 150 pages in a month!

As I suggested before I think it is more than appropriate for members of the AIA to demand that Lundberg and Breco be fired not only for what they did, which includes besmirching JAMA and the AIA, but because they did it so unprofessionally and with such determined ignorance they are a danger to JAMA and the AIA because of it and what it demonstrates about them.

If you do not do this please tell me the one to whom to write and the address. I do not know that I will because it will look like I am trying to serve my own interest in doing it. But perhaps later I may want to write them.

6/17: Hoffman's work is not in the basement files so it is packed away with the backstopping for III. Sorry.

Your letter of 6/12 came yesterday. In it you misread my intentions and forgot that the change in your thinking was not known to me. On the latter, what I knew is that you and Kentik were convinced that the X-rays were fooled with and that neither of you had made response when I said that the Z film shows the back of the head intact. That your thinking changed since then is good but for a long period of time I heard nothing from you and did not know that your thinking had changed in any way. It is far different

now than it was then! In that time in which I heard nothing from you I also heard that you and ^dantik are working on a book. (If you are and want to use anything of mine, feel free to do that.)

all the authors who have cited those descriptions I am not aware that I have been "attacking authors of testimony saying the head wound was in the "back." All I recall of this general nature, and it was not based on that, is cautioning you against Lifton, one of those who began that business of the film being doctored, and Livingstone, who says his coming book will have more on that.

In your next ² sentence you seem to reflect a lingering longing, "...I cannot say with much certainty that the photographs have been falsified,..." Can you really say it with any certainty at all? If you ^want to address the possibility, if you believe there is a possibility, is this the way to do that? Even to think about it?

I have never thought of the medical evidence in terms of eyewitness testimony and I have not tried to make any kind of case based on that. So I never put together what you ^been to have, a voting determination on the location of the head wound. But as

I think I suggested to you earlier, for most of those you cite the word "back" is used with too much indefiniteness. Where there are those who do orient it in medical terms I think that should be translated into language comprehensible to the non-medical reader. You give no way of knowing what most meant when they used the word "back." I think that for a fair number of them they meant toward the back. I also think it is without question that the back of the head was not blown out, in any normal, common use of the "back" of the head, which most will not take to mean includes any part of it other than the actual back, including no part of the side.

Do you really believe that "there were twenty-three Bethesda witnesses who examining the ~~the~~ skull....?" I do not believe that ^was even possible and I cite this as an indication that you still cling to what I believe would be disastrous to you if you say that. If you feel you must do something like this may I suggest that a safe formula is to say that the pictures ~~show~~ show the back of the head is intact. Some have claimed they were doctored or altered in some ^q way, without showing that was possible before the protocol was written or that if done after that, such alteration served any useful official purpose. But in assessing the possibility, research shows that there were forty-four descriptions that seem not to be in accord with the official locating of that wound. Something along this line, in which you do not state a personal, professional belief, does not risk your reputation and still says pretty much what I think you have in mind.

I repeat that I do not recall your ^a addressing what I think cannot be ignored in anything about this, the meaning of these 40 dust-like fragments and the expectable behavior of the only kind of bullet that can leave such dust-like fragments. If you want, some time when we talk I can go into the behavior of what is generally referred to as a

"soft" bullet in the wing case. It does suggest what may be relevant.

To use the word "explode" suggests it had an explosive charge in it, which I am confident it did not have in either case. I do not know that there exists the word I think Sibert used, "frAGMENTIZE." But that "million at the ~~the~~ ^{lap} recognized immediately that what Sibert said he saw in the X-rays was impossible for the ammo allegedly used is significant and that he turned Sibert off on that immediately ~~also~~ also is important.

I have no question at all about raising questions about film that was exposed according to what is on the record and seems not to exist, film of both kind. I may have been the first to raise that matter. But in connection with that I think it would strengthen what you would be saying if you used a standard source on the X-rays and pictures that should be taken during a proper homicide autopsy. I do not know if the Navy has any thing like that or if a FOIA request could get it. Perhaps Fisher in his book does, or some other standard source used in educating. Perhaps Wecht could tell you.

So far ~~as~~ ^{the} providing me with information along ~~the~~ ^{this} line I intend no further writing about it and in fact planned no more on this aspect when I complete Post Mortem, which I intended to convey the idea that I ~~was~~ was finished with it, But John gave me the formula I could use when I have no access to most of my files and I used that same formula with Posner, only to have that part edited out. I used it again with what you may not know about, Riebling and his Hodge. And to a degree in other writing.

Once my limitations got to be what they are I decided to spend what time remains to me in perfecting the record for history to the degree possible for me. I do not want to be sidetracked into controversies because that takes time that will prevent my doing some of what I want to do that I'd then not be able to do. With you I've been trying to be helpful and to keep you from making what I think would be a big mistake. This is

one of the reasons I've been trying to get you to think as I've suggested so you can get all of this clearer in your own head. I believe now as I did when I first suggested this to you as to ~~the~~ ^{the} ~~fact~~ ^{fact} that you are at least vulnerable until you can come up with a satisfactory answer-if you say anything at all about any alleged doctoring with any film of any kind.

There is also an aspect of writing on this subject that may not be within your awareness, that in writing on any aspect requires a context that requires knowledge of all the evidence. If you are even in the area and have the time I'll be glad to go over this with you. But what I indicate above about those dust-like particles is one illustration of this. If what was edited out of Case Open had not been you'd be able to see more of this. But as the poet said, was it Shelley? "nothing in this life is single."

Best,
Harold

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June 12, 1995

AS -
I'M ON P 200
OF "NEVER
AGAIN" I
LOVE IT!

Mr. Harold Weisberg

Dear Harold:

I had a conversation with Hal Verb last night and I thought that it would be worth my clarifying a couple of issues for you.

I have not alleged, nor would I allege, that I "know" the photographs have been falsified. My argument is rather different than that. My argument is that the House Select Committee on Assassination reported that the Bethesda witnesses it interviewed refuted the Parkland witnesses' description of a rear skull defect. The interviews upon which the HSCA in Volume VII, page 37 - 39 made its claims were withheld from scrutiny but have been recently released. Those interviews confirm the Parkland witnesses' views rather than refuting them. This mishandling of its own evidence and then keeping it withheld can hardly inspire confidence in the HSCA's medical work in other regards. Furthermore, I have collected the earliest descriptions of the wound from forty-six witnesses and have found forty-four of them describing a defect in the right rear of the skull. One described it only on the lateral side of the skull, Ken Salyer, and one other, Geisecke, claimed the wound was on the left side. If forty-four out of forty-six described a defect in the right rear of the skull and the defect is, in fact, toward the right front of the skull, one must at least scientifically consider why it is so many reliable witnesses from both Bethesda and Parkland made this error. ~~The~~ error tends to be random, how did all make an error, yet seemingly made the same error. I would be happy to send you my compilation of the witnesses' testimonies because they are from official sources, as well as interviews from authors.

if it
DOES

Please be careful in attacking ^{ALL} the authors who have cited these descriptions for the authors have the same descriptions as the HSCA interviewers, and the Warren Commission interviewers. Their descriptions seem unanimous to me and while I cannot say with any certainty that the photographs have been falsified, I can say that

SOME, YES, OF COURSE

Page Two

everyone recalls wounds which are now not seen in the photographs and I must come up with a reasonable hypothesis to explain this discrepancy. CAN YOU?

The final question I would like to raise is the issue of the defect on the anterolateral skull. This is the description Robert Artwold gave in his JAMA article and I would agree with that analysis based on my viewing of the original autopsy photographs at the National Archives by permission of the Kennedy family. Let us assume for the sake of argument that the photographs accurately depict Kennedy's wounds. I defy you to find any description of a wound from any witness that described an anterolateral skull defect in Jack Kennedy's head. I simply cannot find one, Harold, can you? If there were twenty-three Bethesda witnesses examining the skull why is it not a single one described the wound that way to the Warren Commission, or the HSCA, or other authors? I am baffled by this and yet I think both you and I must agree that the parieto-temporo-occipital description from the autopsy report is consistent with a right rear defect, and not an anterolateral defect.

I thank you, Harold, for your concern regarding my professional reputation. I have no interest in squandering it and I appreciate your helpful advice. I think that from what I have written in other places, however, there is reason to be mistrustful of the photographic records completeness, if nothing else. As I have mentioned before from Warren Commission and HSCA evidence, Humes, Boswell, Finck, Stringer, and Reive, all recalled the taking of photographs that are not in the record now. All of them, for example, recalled taking photographs of the interior of the body and those images are not available now. How are we to suppose this has occurred, if not through some sequestration or removal from the original tally?

SEE ENCLOSED FROM COPA 1994

I have the most respect in the world for you, Harold, and I'd appreciate any thoughts you have on the subject. Please let me know, if I can provide you any further information and I will be happy to help in any way that I can. The projects ~~with~~ which you have commissioned me are underway, I promise, and I will provide a floppy for you with the index retrieved from a scanning device so that if anyone needs it you can easily reproduce a copy off of a computer - ORIGINAL.

With best wishes for your improving health and my utmost respect, I remain

Very truly yours,

Gary L. Aguilar, M.D.

CC REAL HEAD

GLA:bta

PS DESPITE THE FACT IT APPEARED IN CRAZYMAN, LIVINGSTONE'S, "KILLING THE TRUTH", BOSWELL'S "17 CM MISSING" NEATLY FITS TO A WOUND NEAR EOA - NOT WATER CLASH + HSCA PUT IT -

(PAGE) SHEET