

Dear Gary,

3/10/98

Your paper, Formerly Suppressed Evidence... was in yesterday's mail, which was late. It brought me several matters that require immediate attention but because I believe you may want to circulate your paper before ARRB issues its report on its depositions of Humes and Boswell and I rather think more, I reply immediately, if that means at less length that I might perhaps otherwise.

This is the best presentation of this information I've seen that I can remember and it is a very good presentation. It remains, however, an argument rather than an evaluation of all that is relevant. Of course, there can be disagreement about what is relevant. But I do ^{think} ~~think~~ this is a subject that should be explored as fully and completely as it can be, that it is important, and that having it more of an examination than an argument would be better for it and better period.

I do not have time right now to go into some of those things that came to mind when I read this and during the parts of the night I was awake but I do suggest that one thing that could be explored farther is how so many people could have said what they did say if it is not fully correct. Another matter that should be explored is what might have been done to the film or various kind, if anything. (I hope you have come to realize that all criticism is not insult and that constructive criticism is intended to be helpful.)

I used a highlighter when I read your paper and I'll be responding in terms of what I highlighted. At least in terms of what I remember of it today. That can get to be a problem when you are three weeks from 85 and although feeble have been fortunate to survive when your doctors did not expect you to. (This also restricts what I can do right now but if you decide in the future to make this broader and deeper maybe I'll remember some of what I now have in mind then. I do think you omitted what you should not have that is in Post Mortem, which you have, and in the First Whitewash, which I have no reason to believe you do have. Also, if you have it, the way NEVER AGAIN! begins.

The question you raise and raise effectively does not exist by itself and one of the weaknesses of this paper is that it is examined by itself. You may have a problem here in not knowing the rest of the material that is available and not indicated in what you have written.

I'm sorry that I'll be interrupted more than I'd like to be in writing this, beginning in about 20 minutes. That will not help me keep all I'd like in mind.

On the first page you say, correctly that new autopsy evidence has surfaced after having been suppressed. But there is also autopsy evidence that was not suppressed that you do not address. You may think it isn't necessary but some of it that you did have and did not use is, I think, essential in any examinations that suggests the film was in some way toyed with.

This is particularly true when you refer to the effects of bullets and this in the sense of some toying with film. I suggest that if there was any fooling around with film to hide or obscure or alter evidence you'd not have had X-rays that show those 40 dust-like fragments because that, as I think Cyril may be in a position to confirm, is impossible with hardened military ammunition.

On suppressed evidence, if you do consider making any changes before ARRB issues its report, I believe it intended to carry farther what I have in Post Mortem about ^{du} missing notes and all that exists in the protocol that has no known source, which means notes that have been memory-holed.

In the paragraph that follow you say the existing film seems consistent with Oswald's guilt. That is not really true. It can be regarded as true in terms of the official accounting of the shooting, and if this is what you mean I think you should add it. *in particular. But I suspect even then it does not, not on non-fatal wounds*
When I was able to get to it I ridiculed the government because it published nine fewer Zapruder frames than LIFE made for it. The Archives invited me in to see them and I accepted that invitation. I do not recall whether I went into this with you but when I did with "Antik I never heard from him again. In the second and third of the slides of which the FBI did not make black-and-white prints that could be printed, for two frames as JFK falls over on Jackie the back of his head is clearly visible and it is entirely intact. Not even a hair out of place. Not a smidgeon of blood visible, on the clothing, on the back, either. In spite of what Lifton, Livingstone, Twyman and others say, doctored Zapruder was not possible. If it had been those frames would have disappeared.

This is an error you should correct: the House did not order the suppression of evidence for 50 years. It is a standing rule of the House that what committees do not make public not be made public for 50 years. The purpose is not suppression but protection of the innocent. If you had ever worked on a committee of the Congress, as I did, you'd know that all kinds of crap gets dumped on the committees that is hurtful and would be if it were true. The standing rule had the effect of ~~suppression~~ suppression but it was not special. It was older than you are.

While it is true, as you say in the next graf, that what has been withheld, if released, would not satisfy both sides, here you should also recognize that there is much that should exist that does not exist and cannot be disclosed as having been withheld. What I got into at the beginning of NEVER AGAIN!, the crime itself not being investigated and not ever intended to be. Of which I do have full documentation the publisher did not use. An example of this is above, that dust-like fragments. Impossible from full-jacketed military ammo made within the terms of the Geneva convention. HSCA did not intend to go farther than

the WC did or it would not have ignored Cyril's fine eloquence as it did.

On the second page it was not the limo driver who selected the hospital. It was I think the chief of police. But it is not correct to say that the limo driver made the choice. He was led there and did not know to begin with where he'd be going.

Gotta knock off for a while.

You cite a Harvard Law Review study to show that on "salient" details the average of observations is high. I think that law professors will tell you that when they have a moot court, of someone walking through the classroom, they get all kinds of reports that are not accurate. There is also, perhaps, shock in this case because the victim was the President. I have often wondered if some of those comments about the "back" really meant toward the back. I have in mind what you have in line 3 on page 3 "who described it in the rear." (Also there is the position of that flap of scalp.)

When you get to Purdy, Blakey and others, it was Blakey who set the policy of affirming the WC to the degree possible and Purdy covered up much, which was good for his career. I was the source of most of the criticism of HSCA during its life. I never asked for anonymity and was cited as the source in most stories. Blakey could never respond and he didn't. He just got upset and out of control. (I understood he hoped for the attorney generalship over the job he would do.)

On page 4 you mention Boden in line 5. No innocence there. For example, he told me he knew the knot of the tie had been taken apart and that it was then retied. That destroyed it as evidence, but not to him as not to the WC.

If you read Post Mortem with care you may have gotten the impression that I was raising a question about the photographs, not about their being doctors but about the number of them. I had no proof that they were not all there but I had that belief. I think there will be occasion to return to this for my purposes.

Boswell as "second in command." I'd change that because in fact Humes was not "in command." Why not refer to him as Humes assistant or something like that? There is no doubt that Galloway was very much in command. He had Humes make substantive changes in the protocol after he turned the second one in and Finck swore that it was Galloway who ordered them not to trace the track of the bullet in the body. Galloway also told the HSCA staff (he was not a witness) that he never left the autopsy room. Or, nobody asked or told him what not to do.

In the last paragraph, first line, may I suggest that you eliminate "forensic trained? Finck lacked the personal experience in forensic cases and I think the others had at least some training from their testimony. You can refer to Finck

with use of his then title, He was the Army's chief of wounds ballistics. Not one, as I think Cyril will confirm, was experienced in forensic medicine, and may you want to avoid giving the impression that even one was?

Page 5, line 5, where you say the forensic panelists said the head "wound was not low...but high," I suggest you look at the proctocol holography page 7, in Post Mortem, and read what Humes said before Galloway made him change "tangential to the surface of the scalp" to "lacerated," as I recall. That was a copy made from the original, which was on white paper with a pale blue line, it is a substantive change, I think Cyril will agree, and it seems to place the wound higher.

Footnote 33 on page 6, I'll appreciate a copy of that. I'll do no more writing on the medical evidence but I'd like to see that and do have questions about a through-and-through probe. It would depend on the position of the body (again Post Mortem and the the scalpa being the floatingest bone in the body) I think its changed position blocked the probe and the finger.

Belcher is a real stinker. I had some dealing with him in my first FOIA lawsuit victory. He had the records entered into the ^{Court} record of the British court to get Ray extradicted and they were classified "SECRET" and withheld until I won in court. He also rebuffed my FOIA request outside the law, when I first made that request, earlier, by what the law does not recognize. He declined to provide the records I sought in the grounds, and this is literal and in writing, that I would not believe them anyway. However, in the days of the DJ panel that Fisher headed, it was not Belcher, of Criminal, who handled that. It was Civil and Eardley, and when it looked like that panel was going to give the government problems, Eardley drove over to see Fisher and got DFisher to get them all in line again.

If DJ did prepare the memo Humes et al signed and it is the memo I use in the Post Mortem appendix, it admits there was metal in the chest, as they had denied under oath. The language was something like no major part of a bullet and I asked how about and how many minor parts?

You conclude wondering if a new official investigation is needed. Which you can. But you should be aware that with the crime itself never officially investigated there is not likely to be any hidden smoking gun and with no real investigation of the wounds there is not likely to be any real information on them available unless it was a memo by someone not involved in the autopsy or a ~~copy~~ memo by someone who was there and made his own observations and ^{kept} them secret.

"If the Review Board initiates a trend toward greater government openness"

the revolution will have come!

I helped Crenshaw's lawyer. He had the manuscript of NEVER AGAIN! before it was published. I'd like to see what is in Footnote 5, that Physician's Weekly and the Columbia Journalism Review articles, not attached in the copy you sent me.

Some of the foregoing is for your information, not ~~in~~ in the expectation you would use it in this. The couple of things I mentioned that are not accurate or not fully accurate I would change to avoid that as a basis for criticism by those who might want to criticize on general principles, like maybe Belin or Idebeler.

But I do urge you to be aware that some of these things cannot really be evaluated standing alone. I am not encouraging you to take issue where it is not essential but at the same time I hope you will want to avoid what may mislead others. I think you should make it clear that in what you say about the wounds and the shooting you are saying what the government said. If you want to go farther, I think that would be fine but that is not why I said some of this. If you decided to depart from any of the official interpretation of the official evidence I think that maybe an expert opinion on those 40 dust-like like fragments is beyond question: not possible for bullets made under the Geneva convention. And ~~it~~ they could not have come from a bullet that entered where I understand the hole in the back of the head would have entry. There is I think a real question of a head shot from the front and of more than one bullet to the head. I am not suggesting that you say this if you do not want to but I am suggesting that what you say not be designed to get others not to even think that way.

A few other thoughts. A new investigation, any official investigation, does, inevitably, mean an investigation of the FBI. Few in political life can survive that and that is why few would even dream of it.

The DJ panel report includes lead in the chest, as I note in Post Mortem.

That is only one of the evidences that proves the single-bullet fabrication to be impossible. On that, Russell refused to accept it and Cooper also never, to his dying day, agreed with it. The formulation that conned them was McCloy's. When I put in Russell's hands the proof that no transcript existed of that 9/18 executive session he broke his long friendship with LBJ. Never spoke to him again. And then before death went modestly public back in his district. He had a talking paper for that session he forced and I have a xerox of his carbon copy. It had two parts, refusal to accept the SBT and his belief that they did not have proof

that Oswald was alone.

There is no doubt in my mind that with the official evidence itself I have proved that the Mannlicher-Carcano was not used in the crime. I believe I have do that with the official evidence on Oswald, that it proves he could not have been there at the required time to fire those shots. I am not suggesting that you use this. You may not want to believe it. But I am suggesting that in whatever you make public keep in mind that your reputation is at stake in the future. There is no way of knowing what can come out and what you do should, I think, to the degree possible for you, try to anticipate what might and keep yourself on the right side of that.

Much else relates to what you go into and you do not touch on those other things. But you should also try to keep them and what can come of them in mind

Sorry I was not able to stay with this and that it may be a bit broken up but if you have any questions, please ask them.

Good luck!

See you