

12/18/74

Mr. William J. Curran
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Harvard University,
Cambridge, Mass.

Dear Mr. Curran,

A letter like yours to the New York Times (12/15/74) and the ideas you state so lucidly are both long overdue. Thank you very much!

The actuality is even worse than you say in citing the JFK case: "...the medical examination of President Kennedy's body and the investigation at the scene of President Kennedy assassination, raises serious questions about the level of expertness and sophistication in our judicial and medical communities concerning the field of legal medicine."

Lest I shock you or seem presumptuous because I am neither a doctor nor a lawyer let me first assure you that I have other expertise and have spent on that one case more time than would be required to earn several PhDs. I am what is called an investigative reporter, have been a Senate investigator and was an intelligence analyst in O.S.S. in World War II. I am the investigator for the James Earl Ray defense and it is on my work expertly used by a lawyer whose first real case this is that is responsible for a federal judge now considering whether to grant Ray a trial. Not a "new" trial because he had none. Our precedent of discovery in habeas corpus, already exercised to the extent corrupt officials could not frustrate, has been unanimously affirmed by the 6th circuit and the Supreme Court has asked for a filing by January 6 in its consideration of whether to grant the State of Tennessee's request for cert.

Although the murder was that of a President there never was, by anyone, what could be called an "investigation at the scene" of the crime. As one illustration of this incredible truth, it was a secret until I brought it to light that a piece of JFK's skull was found the next day by a student. It was known to be missing and was never looked for. And as I also brought to light in the first of my series of books, evidence alleged to exist in the building wasn't even looked for until 10 months later. The FBI and the Dallas police never did it on their own. Even these illustrations fall far, far short of the incredible truth. I mean by this beyond any question, not just reasonable questions. Worse, there is no reasonable question about either perjury or its subornation. Counsel who was responsible for this in the medico-legal area later became District Attorney of Philadelphia. When he was silent after I charged this in my second book and there dared him to sue me, I went to his city, phoned the newspapers to tell them I would be making this same charge in a public speech, did it, and he remained and remains without protest. My purpose, of course, was to dramatize exactly what you say. It can still be done and in another sensational case, too.

I ask that what follows be kept confidential. I think the reasons will be obvious.

My first book, which builds up ^{to} the medico-legal evidence, devotes more attention to it than any other responsible work if not all others combined. Much of the second book is devoted to carrying this forward. My longest book, one I can't get printed and can't afford to bring out as a private printing, is entirely on it and what as I wrote it over a period of years appeared to me to be necessary for comprehension. I have obtained essential medico-legal evidence the Warren Commission did not have and I have asked its witnesses question it did not ask of them. However, my work is so definitive it does not

depend on eye-witnesses. The Commission and the federal investigative agencies abused the medical witnesses & those it called - and the closest eye-witnesses it never called.

The faults of the JFK autopsy are such that while it can be fairly said of Drs. Humes and Boswell that they lacked "expertness and sophistication" these failings are really immaterial. If Dr. Finck was not an authentic forensic pathologist although "qualified" he is without innocence. As a matter of fact countless people inside the government knew that the protocol and the testimony about it were fakes and as with everything I have told you or will tell you, I have the documentary proof in my possession and if you can ever come here you can see all of it.

At the risk of seeming crazy, I tell you that there is no single wound either victim sustained that is accurately and honestly described. With JFK two are not even where they are said to have been and if there were only three, then the third is not as described. None of the tangible evidence that survives - and some was destroyed after the Commission saw it - is unaltered or even as described. If you doubt me on this seemingly hysterical series of incredibilities, in confidence I will send you official certification of the destruction of this evidence. I got it as a consequence of one of the four suits I have filed under the Freedom of Information law, 5 U.S.C. 552. Your law library should identify me on these, especially Weissberg v. Department of Justice, on the suppressed spectrographic analysis, which went to the Supreme Court and you will find was a factor in the amending of the law and the over-riding of Ford's veto. (Congressional Record, May 30, 1974) Subsequent to the over-riding of the veto I have started through my administrative "remedies" again, this time including the neutron-activation testing of which I have both proof and partial results and have for some years, despite what you may have read in the medical press.

I assume this will seem farout to you. You will find, if you take the time to satisfy yourself, that it is far short of the reality. And I think that this work and what I have done in the King case can lend themselves to the achieving of the essential objectives of your letter. However, among its requirements will be professional courage.

The medical examiner in the King case, based on questions I wrote out in advance for Jim Lesar (202/484-6023) perjured himself in his testimony in the evidentiary hearing that began in Memphis October 22. A transcript is not yet available. I believe newspaper account are. So are lawyers' notes. And I obtained his autopsy by C.A. 718-70, federal district court for the District of Columbia. In time the transcript will be available. His utterly inadequate autopsy report proves his testimony was false about the material. His testimony alone proves his protocol was at least inadequate. I was not in the court room when he testified because I had taken our criminalist to examine the remnant of bullet (always official described as a bullet) and another bit of evidentiary fakery. His testimony on these points was not cross examined and there was no rebuttal witness. Particularly not the FBI expert who had sworn falsely earlier.

Were there to be a move to disaccredit all these men who are accredited and who did what I have summarized, I think the necessary proceedings would do more to establish the need for what you desire than anything else. And were there to be such an effort, I would require protection on the completed but unprinted book, Post Mortem, but no more.

The secret evidence is opposite the official accounts. You can get a bit of the flavor of the newest book in which Lesar and I collaborated from the enclosed flyer. That transcript also includes disproof of the so-called medical evidence.

I am prepared to show you what I believe is more than enough of this secret proof.

Sincerely,

Harold Weissberg

NYT
UNDAY, DECEMBER 15, 1974

12-15-74

Letters to the Editor

The Nixon Medical: Unanswered Questions

To the Editor:

I am disturbed about many aspects of the recent court-ordered medical examination of former President Nixon. Now that it is clear that Mr. Nixon will not testify, these issues, like so many other aspects of this bizarre Watergate affair, will go unresolved and unanswered.

The panel of medical experts produced an extremely brief report which gives only conclusions on the very basic questions asked by Judge Sirica. Ordinarily, this would be an unacceptable medicolegal report. The reason stated for this total omission of evidentiary support was that "this would involve information regarding his condition, which we have been instructed is confidential."

Who instructed the panel on this confidentiality? Mr. Nixon, by submitting to the physical examination, automatically waived his right to confidentiality of the findings of that examination. As for the examination of the hospital records, X-rays and other special studies, normal legal practice would also require a waiver of confidentiality on these documents, even to allow the panel to evaluate them. This is why the panel waited until permission of the patient was obtained for examination before the doctors would even leave Washington. The panel asserts in its letter to Judge Sirica that it would give "medical reasons and data" to the judge if he required it. Now that Mr. Nixon will not be called, these reasons presumably will not be revealed.

There are other matters which

could be discussed about this case, such as why the panel was appointed with one member as "chairman." Such a system encourages joint reports and unanimity of opinions, but discourages independent exploration. We do not and cannot know what effect such a method had in this case.

I would not question the medical qualification of this panel. However, none of the accounts of their appointments indicates that any of them had medicolegal training or experience, or specific instruction on what is required of a witness in an extremely complex case such as this where the witness is himself virtually a defendant and is subject to examination and cross-examination on behalf of multiple defendants.

This case, like the medical examination of President Kennedy's body and the investigation at the scene of President Kennedy's assassination, raises serious questions about the level of expertness and sophistication in our judicial and medical communities concerning the field of legal medicine. It is about time we began to install an effective medicolegal system in this country. If these cases are examples of how we handle medicolegal matters in major national investigations and trials, imagine how much worse it must be for the rest of the unfortunate people who get caught up in the public systems of justice.

WILLIAM J. CURRAN
Boston, Dec. 9, 1974

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