

11/8/69

Dear Dick,

I do not immediately have time for lengthy response to your 11/5. I have asked N.O. for everything they have on Emilio and if I get anything you'll get a copy immediately.

In making memo on any of the testimony, I encourage you to be uninfluenced by what you think I'll know or recall, for there is too much I have forgotten (your reference to the blanket is an immediate example) and always the chance that through carelessness or haste I'll miss something very obvious. I've finished with Finck and will go over it as soon as I can, which I anticipate will not be for a little while, there being other things of higher immediate priority. It is lengthy.

I disagree with your comment on Fliff, "This doesn't seem too important anyway". It has a number of very obvious importances, the most obvious of which is that what they attributed to Oswald was impossible. I believe I explored this rather thoroughly in WW, but am not certain. That window was open at most 17", the depth of the wall was 18", there was a scope on the rifle that had to be gotten under the bottom of the open window, and it then had to ~~be~~ be able to get the muzzle low enough for the first shot and still have the sight high enough to be used, not to be blocked by the wood of the bottom of the window. I believe all this impossible, and I am confident the real reason there is no such picture in the reconstruction is because they couldn't arrange it.

What you say (18f) on accuracy and speed is something I hadn't considered seriously. I was suspicious of the results, and wondered from the first if there could have been so simple a thing as the switching of targets to make this seem to have happened. This might have been arranged without his knowledge, unless he examined and handled his targets after each series. I do not and cannot know, but I never believed him so much better a shot than anyone else, particularly those at Aberdeen, by which time the rifle had been improved.

34 Agreed. I'd put a question mark on my copy. I do not think Frazier really intended to say more than "they didn't fire live bullets".

40 You are too kind to Frazier, for here he is worse than a liar, he is careful to commit no technical lies while achieving the same purpose, which you accurately record. Let me see if I can help you out thinking (we agree that is the spectro supported their hope's they'd have used it). Frazier does not actually say what you say he says. He gives this impression. Let me give it with emphasis to show that the deceiver prepared for this with care, in each case telling no lie:

"They all have the same metallic composition as far as the lead core of these objects is concerned". Al, he says here, though he uses the word same, in response to a question "any similarity", is that the samples were all of lead. He does not say they were identically the same compounds. He also qualifies this further: "It does not prove if actually did" originate from the same source (which spectrographic analysis would have proved, so he is admitted what I have called all along, that the spectro proves the opposite.) In saying in this response that "they do have the same composition", all he is saying is that all are lead compounds, no more, even if he implies a lie, that they are identical, and his comment on source is further hedged "could have originated from the same or similar source". Meaning no more than bullets. You are right in saying his statements "seem explicit". They only seem it. We'll see if they dare make up a phoney spectro, for they may have distributed the one they made too widely. Of course, they may have made no distribution other than paraphrased.

I have been working on other aspects of this for some time, but no one seems to have tumbled to it. Knowing that they'd been able to fake evidence in the past and have had no compunctions about it, I've tried to develop avenues for its detection and proof.

81 I go into this in WWII, as the index will show, including, in think, under the Too Secret Secret Service. Oser here ignores the more significant measurement, height of the rear seat, variable about 10 inches, highly significant. In fact, Oser's question is largely incomprehensible "rear set area". I have this and other passages at the bottom of the page and on the next marked from my initial reading, some of which was on planes, some at home. I've not had time to transcribe my written or dictated notes, and they have been far from my mind, so I am not certain of what I then believed. However, I think the essence is that whereas I probably thought Oser understood this if I backgrounded him and Alford on this, he did not, really, for the questions to have been asked as simple as they are, obvious. It is necessary to remember the position in which he was, the state of his knowledge and the burden he then carried. He should not consider that, under the circumstances, he did other than well. He carried a very heavy load, with no time for adequate preparation. Perhaps some of this is my fault, for I wasn't there, for reasons I considered compelling, and they may have depended upon my presence. If anyone is deeply responsible, however, it is Lane, who was there and did them no good. To answer your question, which makes me wonder what was the basis for of the measurements used in the reconstruction", the Secret Service, the key dimension, height, being entirely without substantiation and the available tests, from the abundance of existing pictures, not having been made, by anyone.

107 This relates to the above, my reference to what I use of Kelley in WWII. This is fiction, without what I do not recall, a showing that prior to this ten inch allowance, the top of the Caddy seat was exactly the same distance from the paved surface as the height of the Lincoln seat, unelevated. There is no proof the seat was elevated. Never bother about the possibility of transferring confusion to me. It is important to understand each step independently. Their problem was trajectory. Because it was impossible after this 10 inch adjustment, can you imagine how glaring it would have been without it?

126 My mark on this business I think is intended to remind me of more than the clip popping out with the last bullet chambered. It is also because any reconstruction required four bullets, but the three he used. Without any testing, every firearms expert knew the clip had to drop out with the last round chambered.

147 The most significant thing here I think escaped you, there was "no test from any other originating point". For jury purposes, I believe Oser achieved his point well, especially with the acknowledgement that the looseness of the sight would "affect the accuracy of the shooting of this rifle". From our interests, this is inadequate. I may be wrong, but I seem to recall that when the sight got to Washington, which is before it got to Frazier, the sight had been removed. If you find a citation on this, it would interest me for later. I do not know why Oser never went into the three shims. I am certain I called this to his attention. It may be simply that there was too much to keep in mind or simply that he at this point, after this acknowledgement, considered it unimportant for purposes of the trial. With regard to your quoted comment by Mary, without telling her I asked you, ask her who she overheard making this comment. The quote does not say. I seriously doubt it happened or that she heard any of the DA staff say it. The existing conditions and relationships make this highly unlikely, the Garrison attitude toward the feds precludes it, as does his paranoia, the full depth of which I think, you cannot understand in this area. He was convinced, after the panel report, that the feds would slip him faked pic and X-rays. However, why not analyze this a bit more.

This is to postulate that Oser would make a deal giving up two things both helpful to him without getting anything in return. The damage of the rifle in transit is in no way helpful to the defense or government, in every way helpful to the prosecution. What is the quid pro quo for Oser in Mary's deal? In your own thinking of what you do not distort in calling it bs, have you stopped to think that there had to be some explanations for a) the inoperative sight and b) the extensive overhaul of the rifle? There is no reason to believe this sight, whether in good order or not, was ever adjusted properly. For that money, you know Kleins had no reason to do anything but mount it. There is no reason to believe it was ever used except to fire bullets into cotton (and if you ever do this, please try and take me a tight shot either through a close-up lens or on a large negative so I can have proof that cotton does or does not adhere). There is no reason to wonder whether Frazier knew the scope couldn't be fixed and to the right they let it remain that way. In the questioning of Zahm, the Commission reflects how they bought this, but even he said an expert would have to fire the missing test shots to use it accurately then, so Frazier, instead, provided the solution, the contraption that this maladjustment would be helpful rather than hurtful....In wondering about why Oser did and did not use certain data, one thing we are not inclined to consider weights very heavily with all lawyers, especially those: how readily can this jury understand this? Is it too technical for their comprehension?

161 This is the page of which I immediately write you. Please let me know explicitly whether you have received my base picture yet. You should have had it long ago. I suggest that if by the time you get this you have not received it, write Mike Simmons (personally) and ask him why, for it is two-three weeks since I got the one I ordered and found the most exciting new evidence I have only indicated so you can get the full exhilaration for yourself. Howard says there was no other possibility. I had assumed that in taking the jacket sample they got enough of the core. I knew they had to have had a lead specimen, but this, as you now realize, is why I told you we could account for all missing from this bullet with no fragmentation at all. However, I suggest you reconsider Frazier's exact words here and in comparison with those he used before the Commission. It is subject to an interpretation that there was no eyeball-visible cloth or blood or flesh, not any whatsoever, especially since he here says "relatively clean" and WC says clean enough not to require further cleaning for his tests. This is not to say there was nothing on the bullet, esp in the grooves, which would have required chemical cleaning HAD IT BEEN WE USED. Of course, I never believed there could have been any such residues, for I never believed it was so used. 171, again eyeball. Same 193. My interpretation of the significance of this exchange, which I have marked, is as I used it before this testimony, back in 1967, in writing PM: their technical police knowledge is that exactly the tests required for evidentiary value were never made. This cannot be decided upon the basis of eyeball examination. I note my marking of the following page and suggest you read it now to reassess your opinion of what is significant in this testimony.

Here you revert to 170. I think your tests are important, and when they are done I'd appreciate a report and prints for possible use. I have gone over this with Roffman and will again soon. You are, I believe, wrong in considering (not testing) seriously an entrance through the front of the shirt. The wound was above that. This is decoy for us, yockel bait. I have gone over parts of this with you piecemeal, I think. I remain convinced the absence of a hole through the tie eliminates any such possibility and the slits are consistent with but one thing, tentative and abandoned use of the scalpel. If it is for this reason I asked Gary to try and seek out Carrico. I presume he was unable to, for he has not made comment. Try that spot on yourself. To go through the buttoned shirt it would have been much too low and they placed it as low as they dared.

To me refer to this exchange again, I have it with...

5 November 1969

Harold:

I saw Dempsey on Nov. 1, and will get a memo out shortly on that. Presently I think I'll send a few notes on Frazier's testimony for I have been sitting on them longer, waiting for a chance to write. I believe that you have already noticed the most important things in F's testimony, so I'll skip reference to some things. Here goes:

Finck's will follow later.

(Page references are to the N.O. testimony of Robert Frazier)

- p.7...F's statement that there was blood and tissue on both sides of the car windshield seems odder than it really is. The explanation probably is this: The bullet striking JFK's head from behind cast debris upward and forward of the car; as the debris descended in front of the car, the car windshield ran into it. I can imagine no other alternative.
- p.10f...These statements on the use of blankets in the reconstruction are somewhat confusing to me, and I have to review them before I comment. I suppose, however, that you know well what is going on, since you payed closer attention to the reconstructions than I ever did.
- p.11f... F. Says he was at "partially" open window during reconstruction; No photos of the reconstruction show the window partially open. WC and news photos show the window fully open. This doesn't seem too important, anyway.
- p.14.... M-C rifle had a "rough finish"; this of course would reduce, if not actually eliminate, the possibility that the rifle has the capacity to receive recognisable prints. This is a matter that should be severely tested if ever that rifle comes into our possession. Frankly, I don't think that the rifle will pick up prints. Not only is the surface rough, but the steel probably is of inferior quality, a feature which would make it absorbant and therefore less likely to take and hold prints.
(I think Lt. Day was lying when he said he lifted LHO's print from the barrel of the rifle under the wooden forend).
- p. 18f... Re the tests for "accuracy and speed" of the M-C rifle: The conduct of this test has always puzzled me, for I never heard of a test for both accuracy and speed together. One tests for accuracy or one tests for speed, but not both together, for each is severely detrimental to the other. That is, if you want to test the accuracy of a firearm, you must not shoot fast; conversely, if you want to know about speed, you don't worry too much about accuracy.
Frazier's accuracy in tests with that rifle is really phenomenal considering the rate of fire-- I strongly suspect that he faked it; i.e. that he fired his targets slowly and deliberately, and then fired some shots rapidly to see how fast he could work the gun.
All this suspicion stems from ~~confusion~~ failure to understand how any man can have accomplished what Frazier said he accomplished. Extreme accuracy in very rapid fire is virtually a contradiction in terms, and Frazier's accuracy was excellent, considering the piece of junk that he was using. I don't think that he or anybody can reproduce his targets under the conditions that he describes-- that's a guess, but I'd bet on ~~ix~~ it.

p.34... I think probably this matter results merely from misunderstanding, but I'll call it to your attention anyway. The Court says that blanks were fired at the Dealey Plaza re-enactment, and Frazier says "yes". Nothing implying this occurs in the N.O. testimony, so the Judge must have gotten the wrong idea of what was said. Moreover, there is no indication (as far as I know) in the WC record that noise tests were any part of the reconstruction.

As I said, I think the Court misunderstood the testimony, and that in answerinf "yes" Frazier misunderstood the Court's statement.

p.40f... Frazier uses the terms "same" and "identical" with reference to metallic composition of fragments in the results of spectro analysis. That does one of two things: (1) puts to rest the notion that an M-C rifle played no part in the shooting, or (2) makes a liar out of Frazier. I'm inclined to think him a liar, but can't prove it. Anyway, you understand the spectro shenanigans better than I do, so you ponder it. I'll give it more thought later, but don't think now there is any way of getting around the problem; Frazier's statements seem explicit. It still bothers me, for I don't understand why the spectro should have been withheld if it simply told what the WC wanted to hear. That's chiefly the basis for my thinking that there may be foolery in ~~this~~ these statements of Frazier. Maybe they are preparing a set of doctored spectro results. I really don't know.

p.67...Frazier:"The effective target size would be the same as if you were shooting $\frac{1}{4}$ that distance" (reference to the advantage of using a 4 power scope). Frazier's ~~xxx~~ statement may be deliberately propagandistic, or simply a lapse of accuracy that often results in court questioning. In any case, the statement is misleading. The size of the target does not change when one aims through a scope; the target size remains the same. All that changes is the size of the image that the shooter sees. This information is not unimportant to a shooter, although it seem irrelevant to a non-shooter. Even with a scope, you have to aim just as carefully and do several other things just as carefully as without a scope. The statement that the size of the target changes ~~implies that~~ with use of a 4X scope implies that the shooter with scope can be more careless than the shooter without. All this is more a problem of semantics than of truth, and I don't consider it too important, for it could be a slip of the tongue.

p.81... Here I can only call attention to my confusion over the reconstruction. Maybe you can sort things out better. Here Frazier says he took no measurements of the jump seats, but that makes me wonder what was the basis of measurements used in the reconstruction. Material relevant to this occurs also on p.82 and on P.10.

p.107... Again, confusion, this time referring to the location of the "spot" placed on the coat during reconstruction. The whole business makes little sense to me from beginning to end. Maybe I had better not comment on matters related to the reconstruction, for they throw me into confusion and I am sure to transfer my confusion to you, or perhaps to cause you to bother explaining unimportant things to me. If I ever get to make sense of these matters, then I'll say more.

p. 126.... Frazier says the in test firing he loaded one round in the chamber and two in the clip before shooting. This means that in shooting each of his 3-shot series Frazier emptied the rifle clip. He must therefore have known about the action of the clip after the last round is pushed out of it by the bolt. I don't think FBI reports ~~say~~ or anything in the WC record mentions what happens to the clip after the last round is chambered, although the matter bears importantly on the ~~xi~~ alleged circumstances of the shooting.

Anyway, ~~IBF~~ from this reference we know that Frazier and all FBIs who saw Frazier shooting knew about the clip dropping out after the last round is chambered.

~~p.135f...~~ Frazier makes a statement that may open up a can of worms regarding some of his early tests. Frazier conducted these early test-firings very soon after the assassination. He says they were done to determine whether 3 aimed shots could be fired with the M*C rifle in a matter of 6 seconds. Answering one of the questions, he says "There was no Warren Commission at the time." I wonder why that information seemed relevant at that early date, and ~~xxxxxxx~~ what was the basis of information.

~~Disregard this~~ (Disregard this portion; as I think again on it, I begin to see that it is not relevant to anything important.)

p.147ff.... This deals with the loose screws on the scope sight. Mary Ferrell sent me some fascinating information regarding this, things that bear on the scope-sight memo that I prepared for Garrison, but which was never properly used, and was badly abused in the one aspect that I hoped he would avoid, the business of the loose screws. I'll have much more to say about this, but will put it in a letter to Ferrell and send you a copy. Here I'll only transcribe what she wrote to me after I sent her my memo:

I attended the trial of Clay Shaw and heard Al Oser's interrogation of Frazier. The three shims were never mentioned. Afterwards, in the corridor of the courthouse, I overheard something to the effect that "they made a deal" and agreed Oser wouldn't mention the shims if Frazier wouldn't say the rifle had been damaged in transit to Washington.

The business of the rifle being damaged on the way to Washington is a lot of bullshit, I think, to explain what couldn't be explained-- the high trajectory on which the rifle was sighted. I avoided the question in my memo because I could not nail down the matter with absolute certainty, but I believed then and believe now that the rifle was on the high trajectory at the time of the assassination, and that it couldn't be sighted on a proper trajectory. This business of "deals" makes me all the more certain that I was right and that Frazier too knew that the scope couldn't be sighted on target. I'll have more to say later. The business of the loose screws is a cream puff issue at best, and at worst is a bomb that can blow up right in the face of the person who tries to use it the way Oser did. Oser could have waxed Frazier on the business of the high trajectory and (as I now

realize) on the use of shims, too. Instead, Oser stuck his own head into a noose and "lashed" Frazier with the other end of the rope. If anybody had the inclination he could have tightened the rope and choked the ~~XXXXXXXXXX~~ prosecutor with his own rope. Some deal! I often think that what goes on in Garrison's office is not just blundering-- otherwise I must suppose that these characters are all possessed by some sort of death wish-- or a wish to be discredited. Brother!

p. 161-~~0"#\$% &'()*2~~.... I zap this page with all the raz-mataz that this ~~typewriter~~ typewriter's got, for to me it is the most important in the testimony of Frazier. I refer, of course, to the information that we receive about CE 399 here.

Frazier's statement that there could ~~have been parts missing~~ have been parts missing from 399 is, of course, a lie (if I'm right about what I said concerning the base).

Here on p. 161 also comes our first knowledge that Frazier took substance not only from the nose of the bullet, but also from its base. 'Nuf said; you know what I feel this information discloses.

Here too we get information that there was no blood or flesh on the bullet when Frazier received it.

On p.171 we learn that 399 had no fabric on it either.

And on p.193 we learn that there was no debris at all on it.

All this is cannon fodder for us, and we have their heads right at the muzzle. Pow!

p. 170.... Re the slits in the shirt front, Frazier says "slit-type hole often occurs." A bullshitting lie. In tests I have done with several calibers, such slits never occurred-- just plain ~~XXXXXX~~ little ol' holes, as Mother Nature intended.

On the slits, Roffman is doing some work that I may be able to help with. I'm considering the possibility that there was an entrance hole in the shirt front (overlapping holes, I should say), but that the fabric was deliberately torn (not cut) to produce the slit-shape that we now have on the shirt. Of course, this assumes considerable chicanery on somebody's part, but I can understand the rationale for obscuring the holes by turning them into slits. It's still in a guesswork stage, but may be going farther. If anything develops, I'll tell you. I wish like hell I could see the shirt, for I know what to look for.

Enough for now. I'm busy as hell with things lately and can't get long letters off as often as I want. I've got to put my Dempsey notes down soon. Keep an eye out for information on Emilio Santana. He is a candidate for something and will be thrust on us whether we like him or not. Maybe another patsy set up as (a) pro-Castro, and (b) a JFK killer. I'll explain later. Meanwhile, watch out for stuff on him. Dempsey gave me information that makes me think we may be in for another Oswald. I cannot yet judge the importance of this, for my information is not complete. But I do think we are going to have him thrust on us.

This must drive you wild, but I don't have time to explain now.

cc Schooner

Still,

Dick