

4/12/76

Dear Harold,

Today I got your request to review Frazier WC testimony in re microscope comparison photos. I've undertaken a brief review, not rereading everything and skimming a bit, and have come up with a couple things which might be of interest to you.

Frazier seems to stress that the photographs are made only as demonstrative aides and have no bearing on the actual laboratory examination. In reference to the bolt face/firing-pin marks on the cartridge cases, Frazier said "The photograph has no relationship whatsoever to the examination." He added that the examination is made with the eyes, which are better suited to perceive varying depths, and concluded, "The photograph is taken primarily to illustrate the types of marks found and their location, relatively, on the specimen." (3H419)

In testifying about the two identifiable fragments found in the limousine, Frazier noted that because the copper jacket pieces had been stretched and torn, the rifling marks did not line up exactly with the test bullet as shown on the microphotograph but that the patterns of marks matched as the specimens were rotated under the microscope. Twice he stressed that the conclusions were not based on the photographs:

"The individual microscopic characteristics which were used in the comparison, and on which the identification was made, were photographed and are as shown in this photograph. However, this photograph did not enter into the actual conclusion reached." 3H433.

"The photograph did not, of course, enter into the conclusion reached in the examination, but was merely taken to demonstrate, to illustrate the types of marks present insofar as a photograph can show them." 3H436.

Hope this is helpful.

Best,
Howard
Howard