

Dear Dave and,

2/8/95

I have finished going over the tape notes for the last part of NEVER AGAIN!
As before, I merely turned pages ~~except~~^{for} was my response, which will be enclosed, ~~indicates~~
~~in the Afterword~~. I was merely turning pages in this thick stack of them (last renum-
bered page is 792) by those ~~slips~~ tape ones and sometimes a page or two before it is where
in this flipping it stopped. Sometimes I noted questionable editing on those pages.

I do not know, not having read it, how extensive what I believe is not mere copy
editing is in the book. When Lil can she ^{will} make copies of the pages on which I noted
content elimination.

There is nothing I can do about it as I say in what I sent the designed person
at Carroll & Graf. But I find myself wondering why these things were done. It does not
seem to me to be the norm of copy editing. So I wonder if the copy editor did this on her
own and whether or not she did, with what in mind.

I observed something else in turning well past the last tape note to see if there
were substantive changes in the Afterword. There were only a few. I turned those pages
a page at a time, without reading them. But what I also observed, what I began to say,
is that all of the ms. had been retyped before I sent the Epilogue up. The Epilogue and
the Afterword are what I sent up. This seems to me to indicate that all the copy ~~was~~
editing was done before they got the Epilogue. I do not now remember exactly when that
was but it was ^{quite} ~~quite~~ some time ago, some time before I sent the Afterword, and that was
some time ago. In turn, this seems to indicate to me that publishing this book quite some
time ago was originally planned. As I remember the time, and I'm not checking the files
to get the exact date, Peter Skutches for Gallen agreed that what I indicated should
be restored that the outside editor cut merely to make a smaller book would be restored.
If is my copy of this that must be in the cellar that I cannot find upstairs. After I
got ~~it~~ from Brad Rizzia, the Crenshaw/Shaw lawyer in their suit against AMA et al, what
did not indicate he had been given that copy, of the amended editing, that I wrote and
asked Gallen for a copy of it so I could offer it to the ARRB. He never responded and he
did not send it. I now wonder if this is the reason why. I should explain that I asked
Gallen to send the ms. to Rizzia and Rizzia also asked him for it.

Strangely with the first part, most of it, seemingly retyped long ago, it ~~was~~ a month
late reaching me, a month after I was told I would have it. That indicates that the retyped
ms. was not copy edited until recently, and as Raphaela wrote me, was taking more time
because it is so long. That seems further strange to me with March publication announced.
That the first batch had been sent to the printer before it was sent to me indicates a rush.
But I do not know what the internal situation with Gallen and C & G was that could have
delayed it, if that is what ^{they} did. For April publication if review copies are intended they
usually go out ^{at} several ^{to} months in advance of publication. ^{April} For April publication the
book should have been close to manufactured by now. After it is type-set it goes to the

indexer, the index has to be typed and edited. I cannot estimate that time. Then it gets set in type and that gets proofread. The rest of the book should be ready by then and it then can be manufactured. I have no idea how long setting type now takes with mechanization. I ~~am~~ go into this because of another possibility Jerry and I just discussed this morning. John Newman's book was announced for March. He has not yet finished it. He told me last week that he is having real trouble with the last 3-4 chapters, then not done. It seems impossible that it can appear next month. ^{My} ~~Jack~~ ^{ack} told me that Mary Ferrell was asked to read the manuscript. He said proof it. Proof would seem to indicate that the type was set on the part done, but that need not be so. All of this can indicate they are now rushing ~~NEVER AGAIN!~~ to issue it ~~before~~ ~~XXXXXX~~ April, ¹⁹ when Newman's book was scheduled. This is just a guess. From the first on this I have been told nothing at all, in itself I think abnormal.

~~I do~~ not now mean to suggest that the unjustified editing will ruin the book. It merely, the little of it I've seen, weakens parts and protects some.

I have written Herman Graf with two suggestions. One is to seek to place an ad in JAMA and the other is an advance copy to Hill Moyers. If JAMA refuses the ad, that can make a news story. I did not intend involving Moyers in anything, just to inform him. He is now back with NBC News as a commentator.

If this is as I suspect more disorganized than in my usual haste I am that is probably because I've having more trouble with the more seriously damaged leg.

Best,

Handwritten signature

If this is not provocative enough, not enough to indicate the sensation Garrison could have brought to light, I add another detail!

One of these Warren Commission witnesses arranged ^{with} ~~from~~ another to be the victim of a gang rape!

And I had ^{my} that on tape, too, from the victim!

~~New Orleans was important in the FBI's and the Commission's investigation. While to the FBI Dallas office was its main office or "office of origin," New Orleans was up to virtually a second office of origin.~~

These are only a few of the leads I developed in New Orleans as I followed up on *what the FBI and the Commission knew and ignored*, leads the conditions of my life precluded my carrying forward. ^I leads the FBI and the Commission should have followed and would have had, either ever intended a real investigation.

~~If Garrison had been genuinely interested in advancing his theory of a military conspiracy, I had leads for him to follow. He preferred theorizing for the open mike or the poised pens.~~

~~But the tragic truth is that the tragic figure, Garrison, had no interest in the realities.~~

~~He had made his case up and nothing else interested him.~~

2/7

Stone made two arguments for a military conspiracy. Garrison's invention of being informed of the conspiracy was one. ~~It was a fiction.~~ The second one Garrison did not make up. It was Finck's sworn testimony in the Clay Shaw trial in which I repeat for emphasis, he was a defense witness, *not Garrison's as JAMA pretends*.

Here again I have the court reporter's transcript of Finck's testimony, ~~but to add to the information I amass in this book reporting that the truth was readily available to all, including this JAMA gang, I restrict what I cite from Finck's testimony to what I incorporated in Post-Mortem.~~

In New Orleans Finck *did* testify to military control over the autopsy examination. We saw above that the military also controlled what the autopsy report could and did—and did not say.

As had Boswell and Humes before him, Finck insisted that there had not been any control over either the autopsy or their report on it. Finck told Breo, "I will repeat this. There was no military interference with the autopsy." (JAMA, page 1750)

Finck told Breo that "except for the comments that I was very 'brass conscious' and that I had 'mistaken perceptions' about an 'alleged military presence in the morgue' I basically agree with the JAMA article. I saw generals, but they did not interfere with the autopsy. There was no military interference."

At another point, while talking about something else Finck digressed to repeat, "it is very important that you understand this: the generals did NOT interfere with the autopsy."

(JAMA's emphasis)

A third time, out of the blue from Breo's account, "I will repeat this. There was no military interference with the autopsy. . . . there was no military interference."

In the earlier JAMA report on its interviews of both Humes and Boswell, Humes said:

There was no interference with the autopsy and there was no conspiracy to suppress the findings. . . . [and] I was in charge of the autopsy--period. Nobody tried to interfere-- make that perfectly clear.

Under the heading "No generals in the morgue," Breo quotes Humes as saying, "Nobody made any decisions in the morgue except ME. (JAMA's emphasis). Nobody distracted or influenced me in any way, shape or form." And, "I was in charge from start to finish and there was no interference--zero."

Humes' longest comment quoted by Breo is preceded by "He dispels another myth-- that the morgue was controlled by generals and other brass in uniform."

"The President's military aides from the Air Force, Army and Navy were all present," Humes says, "and they were all in dress uniforms, but they were not generals and their influence

on the autopsy was zero. The only high-ranking officer was Admiral Burkley and he left shortly after the autopsy began to join Jackie and Bobby Kennedy upstairs."

At the point where Breo describes Boswell as "precise and methodical" he quotes Boswell as saying, "Jim is not the kind of guy anyone pushes around."

Under a large photograph of Humes with this caption, "Dr. Humes: There was no interference with our autopsy and nobody tried to suppress the findings," Breo wrote:

Boswell says, "A careful reading of the entire transcript of Dr. Finck's testimony shows that he held tightly to the facts of our autopsy and supported its conclusions. However, Pierre was a meek and mild man who had been trained abroad, not in the United States. He was very 'brass conscious,' and he thought that generals were out of this world. At Bethesda, Finck was out of his element--an Army colonel in a Navy hospital--and he apparently mistook the President's military aides and other military personnel for generals. During the trial, Garrison was able to exploit Pierre's misperceptions about the scene to give the impression that it was controlled by generals. Jim [Humes] and I state categorically that there was no interference with our autopsy. The patient was extraordinary, the autopsy was ordinary, or at least as ordinary as it could be under the circumstances."

Boswell knows because he, too, was in New Orleans in 1969 at the request of the US Justice Department. "The Justice Department was so convinced that Garrison was on a fishing expedition in his prosecution of Clay Shaw," Boswell says, "that it summoned me to New Orleans to refute Finck's testimony, if necessary. It turned out that it wasn't necessary." It now appears, Boswell adds, that filmmaker Oliver Stone may have taken Finck's mistaken perceptions about the alleged military presence in the morgue, as detailed in the transcript of the trial, and used it as the sole basis for the mistaken autopsy scenes in his movie *JFK*. Humes calls the movie scenes "absolutely false and ridiculous."

Particularly because Finck was there not as Garrison's but as Shaw's witness it is not easy to attribute Boswell's departures from truth and from accuracy to simple errors.

That Boswell was in New Orleans "at the request of the US Justice Department" is new to me. It is bizarre because, as Breo quotes Boswell, "it summoned me . . . to refute Finck's testimony."

The United States was not a party to that case so it could not "summon" Boswell to testify and it could not put him on the witness stand to testify. It had no such right because it was not a party to the case in court. And, how other than by prior secret investigation and knowledge of what Finck believed could it know that it would want to be able to "refute Finck's

improper and more seriously, more unpardonably wrong. In itself this demands that we at the very least suspect that there might have been a military conspiracy. ~~For what other reason-- could the military have taken complete control over the autopsy and what could be and would be reported about it? Why should the military have taken any position or any action? Why should the top brass not have been completely detached, let the pathologists do what they knew they had to do, what the AFIP manual required them to do, with no interference of any kind at all?~~

~~The only apparent explanation of this so unseemly, so extraordinary and so wrongful an intrusion into the autopsy and what would or could be said about it is that it was to control what it could and could not develop, probe and report.~~

~~The only apparent reason for the military to want this is to hide what it did not want to be learned and reported.~~

~~And the only apparent reason for the military to want to hide anything at all in the autopsy is to protect itself or any other conspirators.~~

~~Is there any other reason for the military not to permit the autopsy to proceed normally by the book, as it would have proceeded for an unknown, a homeless man known to nobody?~~

~~In protecting itself or any other conspirators through control over the autopsy the most basic need was for the autopsy not to indicate that there had been any conspiracy.~~

~~Otherwise, regardless of the government's own initial and controlling conspiracy to see to it that the crime was not really investigated, there would have been such a hue and cry, so great an expression of outrage, that a real investigation of the conspiracy would have been unavoidable.~~

~~What we know about the influence of the control that the military exercised over the autopsy is that it avoided and lied about the evidence that proves beyond any question at all that there had been a conspiracy.~~

Before the autopsy began, several hours before the President's body reached the Bethesda Naval Hospital, beginning at about 2:30 the afternoon of the assassination,

Washington time, the Dallas doctors stated in the first press conference of the Lyndon Johnson administration that the President had been shot from the front because the wound in the front was ~~from the front~~ ^{one of entrance}.

They repeated this, and the media of the entire world reported it, including radio, which was instantaneous, and TV, which ^{followed} was only minutes later in reporting it.

So, obviously, the military knew it.

But Oswald was well behind the President. He could not have fired the shot that entered the front of the President's neck.

This alone meant that with Oswald an assassin there had to be at least one other assassin, shooting from where Oswald was not, from the front.

That means there had been a conspiracy. ^{but the military did not want} if not eliminated, it announced there had been a conspiracy which, ^{the investigation of a conspiracy to take place} without any question at all, would have required an investigation.

~~It was not necessary before the autopsy began to know what the autopsy could reveal when a full and competent one was completed to be able to protect a conspiracy.~~

~~What was necessary is to control what it would not and could not report - what protecting the conspiracy required.~~

~~This required a case, no matter how tenuous, that there had been only one shooter.~~

~~On the basis of the reporting of what the Dallas doctors stated at that press conference it was immediately known that no shot from the front could be acknowledge without at the same time acknowledging that there had been a conspiracy.~~

~~There is no other reason for prohibiting the dissection of the neck, as required by the AFIP autopsy manual.~~

~~And there is no other reason for the consummate indecency of blaming that on the Kennedy family.~~

~~Which had waived all exemptions in writing before the autopsy began!~~

~~(And does not this inspire wonder why, with the 900 pages of the Report and those 26 large volumes of evidence, that estimated 10,000,000 words of it, the autopsy authorization was~~

not made public by the Commission--why I had to rescue it from its burial in the Commission's records? [See *Post Mortem*, pages 101-1, 251, 285, 302, 507 and 527. The authorization itself is in facsimile on page 507.] For emphasis I here quote what Robert Kennedy signed:

"This autopsy shall be limited only by the conditions expressly stated below:"

There is not a single word below. *No limitations of any kind. He authorized a complete autopsy.*)

The only reason for not dissecting the neck area, which was required by the AFIP Manual and by normal procedure, and for not tracing the track of the wounds, was to hide the proof that there had been a shot from the front--meaning a conspiracy!

So, rather than fortifying the earlier *JAMA* endorsement of the Report and attempted defense of it from criticism, Finck and Breo's handling of what he learned from Finck, when properly understood, rather than as *JAMA* misrepresented it, undermines the *JAMA/AMA* political adventuring with the JFK assassination and is a further assault on the integrity of all involved in it.

Without this fouled-up autopsy, whether that terrible mess was from ignorance, incompetence, military compulsion or from any combination of them, without such an incomplete and inaccurate autopsy and protocol the Warren Commission could not have dared theorize a one-assassin "solution" and palm it off on the nation as true and real.

The resultant national disillusionment, disenchantment, loss of national self-respect and the reduced regard for us internationally would not have been made possible.

It was compounded by Finck's New Orleans testimony.

In his questions of others Specter did not ask a single question about the deformity of all ten of the bullets fired into cadaver wrists. Not one volunteered that information, either, although from their employment they were certainly aware of it. this is part of the three-monkeys type of investigating, speak no evil, see no evil, hear no evil in which ^{when} on the Commission Specter specialized. As he did in a later investigation which resulted in serious criticism, a public and televised investigation rather than the invariable Commission star chamber, its secret proceedings, Specter had the obligation to learn and establish the truth.

When the President was assassinated and Dolce was his most authoritative expert witness, Specter did not call him to establish the truth because he did not want the truth that ^{we see} Dolce would have sworn to.

~~The same Specter as a Senator on the Judiciary committee considering the nomination of Clarence Thomas to sit on the Supreme Court seat vacated by the remarkable jurist, Thurgood Marshall, resorted to the same device to offset the most damaging testimony against Thomas, that he made improper and unwanted advances to a diminutive young woman lawyer working for him before he was appointed to the United States Court of Appeals. This young woman lawyer, a college law professor when she was called to testify by that committee, is Anita Hill. Specter made her a symbol of the abuse of women.~~

~~She testified that Thomas encouraged and unwanted sexual advances included repeated references to the sex movies he had seen and liked. She identified one by its title, "Long Dong Silver."~~

~~Without any investigation at all and protected in any indecency and falsity by his Senatorial immunity Specter castigated her on TV as a perjurer, a felon.~~

~~The obvious investigation required if truth were to be learned and established was what Specter did not do and did not have his committee do. That was to canvass the stores purveying and renting such movies to learn if Thomas was or had been a customer and what he had obtained. That was a child's-play investigation. The only apparent reason for not doing it was the fear if not the knowledge that Hill's charges would be confirmed.~~

~~So, as with Dolce, Specter avoided the evidence he did not want. This omission enabled him to so shamefully hide behind his immunity to defame the innocent witness. And thus, as his phony "evidence" was palmed off on the trusting people by the Warren Report, so was Specter able to get away with his outrageous abuse of the innocent woman, who could do nothing at all in response save what she did, hold her head high and insist she spoke the truth.~~

~~Without Specter's immunized abuse of Hill Thomas would not be sitting on the Supreme Court.~~

Without Specter's suppression of what he learned from Dolce, the Report as written would have been impossible.

Specter had practised his Hill trickery on the Commission. Knowing that all ten of the bullets test-fired into cadaver wrists were deformed where the single-bullet of his impossible theory was unscathed, virtually pristine, besides not calling Dolce Specter asked not a single question about those deformities of his substitutes for Dolce.

~~By this means, as in his later and also successful use of the same means to get Thomas confirmed on the Supreme Court, Specter built a false case based on conjectures and misuses of them when fact was readily available if he wanted fact.~~

Pictures were taken of these test results at Aberdeen and the Commission had them. But they are not even alluded to in this testimony.

Howard Roffman had a deeper regard for the right of the people to know. In his excellent book, *Presumed Guilty* (New Brunswick: Fairleigh-Dickinson University Press, 1975), Roffman published a Commission photograph of four test bullets, all with seriously deformities. The Commission's identification of this photograph reads, "6.5 MM Manlicher-Carcano Bullets Recovered after being Fired Through Distal Ends of Radii of Cadaver Wrists." Page 141. Roffman's caption notes that this photograph was withheld from research for eight years.

It was actually classified, although

There was no legal ground for any classification of any grade.

Presumed Guilty

What
federal appeals court in Washington, telephoned him. In a memo on the conversation Hoover sent to only his four top honchos, he said that Tamm had learned from Ernest Cuneo, who was to write a 5,000 word article about the Warren Commission, that "Senators Long and Russell and a couple of others were taking a very vigorous stand, and it looked like there was going to be a repudiation of Warren." (FBIHQ 62-109090-176, with four duplicate filings noted.)

When Lieutenant Jack Revill headed the Dallas police intelligence unit, he caused the first of several serious flaps when he reported that the FBI knew that Oswald had the capability, but they did not expect him to do it. That was only the first of the major flaps in which FBI SA James Patrick Hosty, Jr., figured. He then was the Oswald Dallas case agent, and he was Revill's source. Another was in 1975, when after the retirement of the Dallas Special Agent in Charge, Gordon Shanklin's was secure someone in the Dallas FBI office leaked to the *Times-Herald* the fact that several weeks before the assassination Oswald had left a note for him threatening violence if Hosty did not stop hassling Oswald's wife. Hosty destroyed this note on orders after Oswald was killed; that very day. (There is a separate file of duplicates of all disclosed records relating to this flap and the FBI Inspector-General's investigation of it in the author's files.)

Just before that leak was publicly known, Revill needed the FBI again when he bumped into an agent whose name was redacted from the September 4, 1978, record it disclosed to me in C.A. 78-0322. (The FBI had been disclosing all those agents names, as Hoover had ordered years earlier, and in that lawsuit even gave me several lists of the Dallas agents complete with their home addresses and telephones when as a stone-walling trick they started withholding these names alleged to protect "privacy.") How much "privacy" the FBI "protected" the next chapter reflects.)

Revill began an unpublicized flap in this encounter. It will interest us later. When he encountered the FBI agent who can, from the unredacted initials on the memo, only have been Charles T. Brown, Jr., who lived at 916 Beechwood Drive, Richardson, a Dallas suburb, and whose phone number was AD5-3016. Revill also told him that Curry had told Revill "that two

they also were rigged. This in fact was unhidden, but that, too, was ignored by most of the major media. I was the source of most of the few criticisms it faced during its lifetime. Each ~~here~~ hearing began with the man who ran it as its general counsel and staff director; ~~F~~ Robert Blakey, a former Department of Justice organized-crime expert, reading a "narration" of what the hearing would address. Without any comment by the media, Blakey narrated what he said critics he named had written. He then undertook at those hearings to disprove this private criticism of the official mythology.

There was one critic whose name he never mentioned, whose work he never undertook to debunk- me. And by then I ~~had published seven books on the assassination.~~

Although that committee did hold those public hearings, it also proceeded in secrecy. Much of its work was ^{done} in secret hearings and staff inquiries. They were not public save for a few ~~of~~ the committee believed buttressed its conclusions, which endorsed the official mythology. Much of the committee's work was recorded in staff reports and memoranda that were not published. They were ^{kept} secret when that committee published its conclusions.

Under the standing rules of the House of Representatives, the unpublished records of its committee ^s are kept secret for 50 years. That rule protects the innocent from hearsay and other character assassination; ^{the} Congress, ^{is} not being required to observe the rules of evidence. But this perfectly proper, indeed, necessary rule, also permitted the suppression of evidence that the committee itself had not published.

There was also the extensive records of many executive agencies of the government.

Under the Freedom of Information Act (FOIA) of 1966, those records under that law became ^{from the FBI} ~~ass~~ accessible on July 4, 1967. I then began to seek ¹ this withheld evidence ~~under it~~ ^m evidence that by its nature is not secret, the kind of evidence that the prosecution is required to make public at ~~public~~ trials. By mendacity that was shocking to me, ^{the} the FBI actually rewrote that law before ¹ compliant courts. The Congress cited that lawsuit in its 1974 amending of FOIA to restore its original meaning and intent ~~to it~~. Thus the FBI's shocking mendacity kicked back on it because those 1974 amendments to the ~~Act~~ ^{to} opened all such records of access under the ~~Act~~.

As a result, some of those records were forced into disclosure. Through a dozen FOIA lawsuits I alone obtained about ³ ~~a third of a~~ million pages of withheld official records. ~~Others also obtained large quantities of them, some duplicating what has been disclosed to me, many not duplicative.~~

But vast quantities of official records remained suppressed.

These were records of the executive agencies and of the Congress.

The House of Representatives could have by a simple resolution ^{ordered} all the records of its Select Committee on Assassinations to be made accessible. It passed no such resolution and they remained suppressed.

While there remained diligent efforts by private persons, mostly my friends Mark Allen, ~~Feb~~ Kevin Walsh and Jim Lesar,

disclosed

to have these withheld records made accessible, they did not succeed. ~~Lesar is the friend who handled my many FOIA lawsuits when I could not pay him for more than a decade. It was his unsuccessful petition certiorari, the means by which the Supreme Court is asked to consider a case, that was cited in the 1974 legis legislative history of those amendments.~~

Oliver Stone's very successful movie, JFK, added enormously to the demand for disclosure of what remained withheld. The Congress^N decided in 1992 to make those withheld ~~recore~~ records accessible under the Act.

First the administration of President George Bush and then ~~that~~ of President Clinton stonewalled implementing the law. But finally, toward the end of 1993, an estimated million pages were made accessible.

Even this large number of pages of official records ~~did~~ ^{does} not include all of ~~the~~ them!

And so large ^{is} a volume of information in itself denies meaningful access. Nobody can afford the cost of paying for it, about a ^{.25} quarter of a million dollars, and the cost of the hundreds of file cabinets in which to hold those records or to buy or rent space in which to keep all ^{themselves} those hundreds of file cabinets of records. And were this not true, ^{almost} working a lifetime would be required for any meaningful examination of them.

This does reflect the vast volume of information that for 30 years had been suppressed, the obvious need and intent of the official conspiracy not to investigate the crime ^{itself}.

Because I was by then 80 ~~year~~ years old and in failing ^{ing} health that precluded my going to the National Archives

if

AP

From the transcript,

DM

seen, one of the autopsy prosecutors. ^{top 10} Those also present at 10:20 a.m. when the questioning began were: ¹ Marian Johnson, ¹ Archivist; D.A. ^F Andy ^F Purdy and F. Mark Flanagan, Staff; Michael Baden, M.D., Charles S. Petty, M.D., Werner U. Spitz, M.D., George L. Loquvam, M.D., Cyril H. Wecht, M.D., John I. Coe, M.D., Earl F. Rose, M.D., ^H James T. Weston, M.D., and Joseph H. Davis, M.D. ¹

priv

~~Johnson, a man, not a woman—the name is "Marion," not "Marian"—was also a lawyer. He was in immediate charge of the JFK assassination archive. Canning was a member of the committee's panel of photographic experts.~~

Blakey's committee called not a single one of these the people whose testimony and what they told the committee staff are included in these records ^{what to} Gary sent ^{me} copies of. Finck, as we have seen, testified to the Warren Commission and was a defense witness in the Clay ^{aw} Shaw trial.

Ebersole, the autopsy ^{to} radiologist, was never a witness whose testimony should have been taken in public and published? Or in private by the Commission to be published later? ^{He should have been}

The photographers, John T. Stringer and Floyd Riebe, neither a witness, in secret or published?

Important as the ^W x-rays and pictures are and always have been?

Blakey, it is appropriate to remember, was a professor of law at Notre Dame University after the committee's life ended. What kind of lawyers does he turn out when this is his ^a practice-¹ suppression at all levels? Not taking ^{he} only possible first-hand testimony, ^{MP} important as the autopsy ⁿ film is in any investigation? ^{5/}