

## CHAPTER SIX

### WITHOUT THOSE 30 YEARS OF PROGRESS IN FORENSIC SCIENCE

Hall likes Holland's invention because as it provided Holland with a means of ignoring all the facts about the crime, Hall uses it the same way.

Hall says, "The government's penchant for secrecy fueled the public's corrosively cynical view of politics and politicians."

That has not a thing in the world to do with the assassination, which is the way Hall uses it.

It was not any secrecy that caused most people not to believe the Warren Report when it was issued. It was what was not secret, the Report itself.

As the author of the first book on the subject I was on many talk shows. Almost all had people calling in. From the very first, unpopular as it in general was to disagree with the government on this at least half of those callers-in did not believe the Report. With the passing of time the percentage expressing such views increased. At least some of that increase was from those who were ashamed to disagree earlier, until they learned that many others felt the same way.

In his effort to justify the Commission and make up a case that there had not been any conspiracy, Hall Hollands his way along:

[The] Commission had access to an enormous amount of information not otherwise accessible to the American press and public. This information was secret, top secret, and beyond, much of its compartmentalized cryptologic and signal intelligence material dealing with the Soviet Union, Cuba, and other foreign governments, such as Communist China. Because of the enormous Cold War paranoia, as well as the requirement to maintain tight secrecy around the sources and methods used to collect this information, the Commission could not argue its case fully to the American people.

This had not a thing to do with the Warren Report. The only secret I remember from that Report was the name of Yuri Nosenko, which was public. Having nothing to do with the Report it can have nothing to do with the lack of belief in the Report or trust in the government. That is the way this dean/historian/law professor uses it and that, too, satisfied the editor of the law review.

That there was any information kept secret did not get to be known for three or more years after the assassination. That was not until after researchers had access to the Commission's records at the National Archives. So it does not make the Hall case and is at best inappropriate here, if not dishonest, really false.

Then there is what is sorely missing, again what honesty and scholarship require, again a matter on which a law-review editor should ask for and see proof, that there was any connection with the assassination of "compartmentalized cryptologic and signal intelligence material dealing with the Soviet Union, Cuba, and other foreign governments, such as Communist China."

No connection of any of this with the assassination is shown.  
None exists, which is why it is not shown.

There as widespread paranoia in parts of the government and some of the nuttier nuts in the CIA were trying to heat the job up to get a war going but there was absolutely no connection of any of this with the actual established official fact of the assassination!

What the paranoids and other nuts imagined they imagined but that does not make it relevant to the crime. Period.

There was not a thing relating to "sources and methods" that related to the crime that had to be withheld. What was withheld on that claim need not have been withheld and in fact should not have been. It was withheld to generate paranoia, to scare the country, and to protect the CIA from its own dishonest and dangerous political adventures.

J. Edgar Hoover himself ordered that not a word provided the Commission by the FBI, not a name be withheld from what it published in those ten million words in the Report and those twenty-six volumes.

Yuri Nosenko was a minor Moscow headquarters KGB official when he defected. Ahead of him a certified paranoid Anatoli Golitsyn also defected. That crazy Golitsyn was crazy like a fox. He convinced the CIA's Angletonians that any Soviet defectors who followed him were dispatched to undermine confidence in him and would be disinformation agents.

It was a lie that Golitsyn made up to keep himself secure and

well taken care of.

Despite those efforts the CIA did bring Nosenko to the United States. There he was questioned by the FBI. The FBI provided the CIA with copies of its reports of what Nosenko said. Once those reports reached the CIA it changed its treatment of Nosenko from princely to unprecedented bestiality for about four years. It ultimately confessed enough if not all to the House assassination committee. It published the CIA's admission of its unprecedented abuse of the man whom was its greatest intelligence asset, the man its people deliberated ways to killing ranging from driving him crazy to flying him over the ocean and dropping him into it.

There were nuts in the CIA who tried to make out that Oswald had come back to kill JFK for the Soviets. There was even the notion that Oswald was not Oswald, that the Soviets had replaced him.

There is more but this is enough. So the CIA talked the Commission into not listening to him. Nosenko said he would testify but not in public. The responsibility was that of the Commission, not of the CIA, but it abdicated and did what Richard Helms and his fellow paranoids told it. It thus did not have Nosenko's testimony which turned out to be accurate and dependable.

In fact after its torture of him was over the CIA paid him for the years in which it held him captive in complete illegality (not the lawyer Hall's version when he gets into this poppycock of his and Holland's), gave him a new identity, and then hired him to teach CIA agents!

This had to do with the investigation of the crime? It had nothing to do with the crime itself.

What the CIA did qualifies as a conspiracy under the law and if the CIA were not the CIA and were not part of the government that government would have filed charges of conspiracy against it, with an open-and-shut case.

As Hall does not mention.

It was not secrecy that withheld this information from the Commission. There was no question of those imaginary "sources and methods." As soon as Nosenko defected the CIA made a gleeful public announcement of it. So it was known.

But if that had not happened, can it be believed that the Soviets did not know of his defection?

The only secrecy, under any circumstances, was from the American people and was without need or warrant.

What Nosenko told the FBI and it told the Commission and the CIA was not kept secret from the Commission and did not qualify for withholding from the people. There was no question of the usually fictitious "sources and methods" dodge Holland and Hall like so much and there was no question about the content. That became apparent when disclosure was finally compelled. I published the essence at the end of Post Mortem. What the CIA wanted withheld was the short-lived Soviet suspicion that Oswald might have been an American agent, which meant of the CIA or of some military organization but not of the FBI, and that rather than being a "red" he was openly anti-USSR Communist within the USSR.

One of the other possible intentions in withholding what could not properly be withheld was to promote the idea that Oswald's imaginary and non-existing "Communist" connection accounted for the assassination.

Contrary to the Holland/Hall fiction about much of the secrecy, there was no legitimate reason for this withholding. That became apparent when it could be withheld no longer and we could examine it.

The FBI, which interviewed Nosenko, placed no classification on its report on those interviews. The CIA withheld them!

As more and more of what had been withheld became available it became more and more apparent that there was with almost all of it no legitimate reason for the withholdings.

It was apparent that not a single page of what had been withheld, contrary to the Holland-cum-Hall fiction, had the slightest connection with the fact of, the actualities of the assassination from the official records of it, the investigation of it. Which neither of them took the time to become familiar with. They are enamored of their own brilliance and they substitute their baseless conjectures for reality.

There was not and there was not even any reason to suspect, and Hall does not give any reason to suspect, any Soviet, or Cuban or any Chinese Communist involvement in the assassination, so all Hall prates about them is worse than garbage. First because garbage can be recycled and put to use and second, because it does and is intended to deceive and mislead the people.

Next Hall gets into his outrageous lie addressed earlier that Robert Kennedy withheld classified information about his alleged mafia plot that wasn't his from the Commission. That a dean, historian, professor of law is capable of so outrageous and defamatory a lie is startling, as it is that a law review editor accepted this without question.

Here Hall in effect blames the assassination of John Kennedy on his brother Robert, that in famous "kickback" fiction. That is not original with Hall but it also is no less monstrous. It is perhaps more so, and this can't be repeated too often, because of his professional standing and responsibilities--remember he is a professor of history and law--and he says these things in a prestigious speech and in a law review article long years after they were clearly and publicly established as lies.

All of this continues with the baseless preconception that Oswald was the assassin and was proven to be the lone assassin.

That is not true.

We come to enough of this.

(If it is argued that Hall has sources he does not give for what he says, then an evaluation of these sources is in order. There is not one any self-respecting historian, lawyer or writer would depend upon. Not if he knew enough about this field to write and speak in it. As, frankly, Hall does not. Also he says this writing is about the assassination but it is not. It has nothing at all about the assassination itself.

What Hall refers to as "the condition of the President's body"

is one such item of evidence, not his reference but the actuality, the reality he does not and cannot face. As we saw earlier, he made up out of nothing the invalid notion that "three decades" of "progress" in "forensic analysis" [sic] were required. Next he refers to "the alleged murder weapon and the number and sequencing of the shots."

Despite this, historian and lawyer that he is, he has not a word to say about what those alleged "advances" are and what he says they mean are, or about the weapon or the number and sequence of the shots. Historian and lawyer that he is, he also says not a word about the dirtiness, the unprecedented corruption of and in the investigation of the assassination of a President, which means a coup d'etat. It was published more than two decades earlier. He should be familiar with it with his board responsibilities and if he was intending to be a responsible authority in his speech and in his article.

The questions about the body were not delayed for Hall's imaginary three decades. They were obvious and inevitable in what the Commission published. They were in the first book on the subject and that was completed the middle of February 1965. In it, for example, I published the body chart in facsimile from the Commission's publication of it in its twenty-six volumes. (see Exhibit 32). I also published in facsimile, from the same Commission publication of them, two certificates by the chief autopsy prosector, Commander James J. Humes. (see Exhibit 33).

I drew the attention of the body chart to a Baltimore Sun



reporter who read Whitewash and went to speak to Humes. Commander J. Thornton Boswell told Richard Levine, who printed it in his story, that if he had known the rough notes he made would be important he would have been more careful and not placed the bullet hole in the President's back where Boswell said it wasn't. He said he placed it lower than it was.

I also published in facsimile sketches the Commission used to locate those wounds. This one it had in the neck. Boswell had it down about six inches on the back. Obvious that difference made a vast difference in both the trajectories and the point from which that bullet could have come.

When Boswell said those were just rough notes of no importance and not intended to be accurate he knew he was not telling the truth. He knew the body sketch he used was a mimeographed Navy form that was required to be filled out with every autopsy. Humes was a pathologist. He knew. He and Boswell did autopsies all the time only never this kind. (see Exhibit 34; Exhibit 35 skipped).

The Commission also knew, its assistant counsel in this area, Arlen Specter, in particular. But he never asked any of the prosecutors a question about that required body chart.

Sometime after that book was published, when I was working in the Archives and in the Commission's files, there was the original body chart and other originals the Commission had and should have used and did not use. There also were required records it did not use at all.

Xeroxes of the originals were made and were used to replace

the originals in the Commission's evidence. The originals were where nobody would even look for them. They were filed the only place it was certain would not be searched, with what was sent to the printing office to be printed for publication. The xeroxes were used for that, not the originals.

There was the best of reasons for not using those originals. If they had been used the Warren Report as written could not have been issued. They would not have dared!

The original body chart that Boswell lied about and said was only rough notes that did not have to be accurate when in fact they are a required part of every Navy autopsy not only locates that back wound about six inches down on the President's back, it has written on the bottom, "Verified, G. Burkley." Admiral Burkley was the President's personal physician. He was present at the autopsy and he "verified" that the bullet hole was actually where the Warren Commission's explanation of the assassination shooting is impossible on that evidence alone.

In the Commission's version it was at the base of the neck, not in the back, where it was.

In the Commission version that bullet allegedly entered the back of the neck, went through the President's neck without striking bone, and exited through the knot of his tie and shirt collar. That was not possible if the bullet entered down on the President's back. In fact it did not happen as the Commission said, as we see in time; at the least it meant there was more than one shooter or, on this basis alone, there was a conspiracy Hall pooh poohs.

But the point here is that where Boswell located that bullet hole and the President's own physician also examined it, he wrote "verified" on it.

Those two Humes certifications in their original form also were annotated by Burkley. They were published by the Commission without any indication that Burkley even saw them or even knew about them. But where the<sup>y</sup>were hidden in the Commission's files the first of Humes' certifications is that he "destroyed by burning certain preliminary draft notes relating to Naval Medical School Autopsy Report A63-272 [the President's] and have officially transmitted all other papers relating to this report to higher authority."

Incredible as it is that any paper relating to any autopsy would be destroyed, that being strictly prohibited in every jurisdiction, it is even more incredible that any evidence relating to the assassination of a President would be destroyed.

On the original that was hidden with what was sent to be printed is written and "Accepted and approved this day, George G. Burkley Rear Adm. M C U S N Physician to the President." (see Exhibit 33 above).

Certainly this is even more unusual, unprecedented!

That any evidence of any nature relating to the autopsy of a President would be destroyed!

Burned yet.

In his second certification Humes attested that he had handed in all working papers connected with the autopsy, including the

notes and handwritten draft of the autopsy report and had kept no papers relating to it. Under that Burkley wrote exactly what he had written under Humes' other certification.

Humes certified he handed his notes in, Burkley confirmed it, and those notes have disappeared, with a variety of explanations that are untruthful. That they reached the White House is documented in Post Mortem, pages 525-6, along with the Navy's claim to have gotten rid of every scrap of paper relating to the autopsy. (see Exhibit 36).

Does Hall or any of those he thanks for their help need any better reasons for not mentioning Post Mortem when they catalogue virtually all the assassination junk and then when there was to be this speech that says what it does and this article that says what it does?

This is not all that was hidden--not their only reason for not mentioning Post Mortem.

The Commission had its Report of more than 900 pages, its twenty-six volumes of an officially estimated ten million words but nowhere did it include and at no point in the testimony was a question asked about or any information volunteered about the certificate of death.

And Burkley, the President's own physician, the only physician in the world who was in both the Dallas emergency room and the Navy autopsy room, was not called as a Commission witness.

The Commission, remember, had the certificate of death. (see Exhibit 37). I found it where the Commission had hidden it, where

nobody looking for it would have dreamed of looking. I published it in Post Mortem, too, still another reason for all those scholars and for Hall to make no mention of it, often as it is cited in just about all other books and listed in the standard sources, as it is.

Because of the colored paper the xerox is not easily read. The key words locate the back wound. In Burkely's own words are:

". . . in the posterior back at about the level of the third thoracic vertebra."

Which is precisely where Boswell drew it on the required Navy body chart that is part of the every autopsy.

None of this required three decades or any imaging "progress." The copies that were hidden I got in late 1966 or early 1967. The copies the Commission published I published in 1965.

The Commission published this in 1964, remember. That required no three added decades to make it available!

The Commission published more in 1964 that I published in facsimile in 1965 and then got the original where they were hidden, as described above.

It published the holograph of the Humes autopsy.

Substantive changes were made in it before it was typed and some were made in the typed copy that had not been made on the handwritten copy. I went into those matters in detail in what I wrote and published beginning in 1965 in Whitewash and do not repeat them all here but I do report one of the substantive changes made by hand by Dr. Humes, as he testified, at the direction of and in the office of the admiral in charge of that Navy installation.

It is page seven of the holograph. (see Exhibit 38).

This was not the original handwritten copy of the autopsy. As I reported in Post Mortem and as Humes testified, he destroyed the handwritten copy of his autopsy report after he heard that Oswald had been killed. Which means after he knew that there would be no cross-examination of it. He then, as he testified, wrote still another autopsy report, the one that exists, the one we refer to.

(He testified to the Commission that what he certified he burned was the first handwritten autopsy report.)

On this page Humes describes the head wound. As he wrote it, it reads:

Situated in the posterior scalp approximately 2.5 cm laterally to the right and slightly above the external occipital protuberance is a puncture wound tangential to the surface of the scalp. . . .

The changes made and visible are to eliminate "puncture" and substitute "lacerated" and to eliminate "tangential to the surface of the scalp" and not replace that with anything at all.

So, in the typed autopsy, the fact that the fatal head wound was a "puncture" wound is eliminated and so also is the fact that rather than being a straight-on wound it was "tangential to the surface of the scalp."

The scalp is not part of the head close to the neck. It is the part of the head where the Department of Justice panel experts placed it in saying as they did and we saw, four inches higher than that.

No changes are permitted in autopsies and no destruction of any records is permitted, either. I go into this in chapter 13 of

NEVER AGAIN! beginning of page 133 with the expert opinion of Mrs. Betsy Neichter. She is a court-recognized medical-records expert and she teaches this on a college level.

If there are corrections, the original is preserved and anything else is written separately.

As the autopsy was typed up, the final copy, the only one usually seen, the original description of that head wound as recorded in the second draft of the autopsy report after the original draft was burned in the Humes recreation room fireplace said only that it as a "lacerated" wound.

Humes's notes do not appear anywhere in the Report or those appended twenty-six volumes. I searched for them at the Archives and they did not exist there.

Does this suggest any kind of conspiracy, the disappearance of the autopsy notes that were required to be preserved? With official silence about that before and after I made this public, as I did in 1975?

Humes did turn his notes in, as he certified and as Burkley verified. Admiral Galloway forwarded them to Burkley at the White House that very evening. Humes testified to taking them there. I published Admiral Burkley's covering memo in Post Mortem. (see Exhibit 36 above).

The Secret Service White House detail prepared a receipt for what Burkely gave it for safe keeping. I published that on the next page. The ninth item is, "One copy of autopsy report and notes of the examining doctor, which is described in letter of transmittal Nov. 25, 1963 by Dr. Galloway."

With those autopsy notes that are required to be preserved having been received at the White House and not appearing in anything the Commission published, great as is the volume of what it published, does this suggest any kind of Johnson White House conspiracy to the history dean, to the law professor or to any of those experts who helped him?

Before we jump to any conclusion, we continue with my investigation of it, the investigation that should have been an official investigation and was not.

Those notes existed when Humes testified before the Warren Commission, when he was questioned by the now Pennsylvania Senator Arlen Specter. That was on Monday, March 16, 1964, almost four months later. As of the time of that testimony those autopsy records, including those notes, were part of Commission Document CD 371 and ~~and~~ were part of Exhibit 397, which was to be published. I attach what I wrote about this in Post Mortem on page 247 quoting Humes' testimony. Those notes did then exist. (see Exhibit 39).

But they were not in the Commission's CD 371 file. They were not printed as part of Exhibit 397. They were not in the file copy of that exhibit at the Archives. They did not exist in any Commission record at the Archives where all Commission records were required to be.

I knew from reading the autopsy report and that CD and that exhibit that factual statements including measurements, were in the autopsy report yet were not in any notes or other available record.

To assure impartiality I asked a bright young friend with a



genuine interest in the subject and a book manuscript soon to be printed to tabulate the factual statements in the autopsy report that are and are not in any disclosed record. I attach page 225 of Post Mortem where I reported the results of his examination. (see Exhibit 40). Roughly, there is no source for about three of every four such factual statements in the autopsy report in any autopsy record.

This and what I wrote the board about it, particularly about those notes, seems to have forced its hand, after a very long delay. The law that created the board requires that at the end all of its records are to be publicly available. Thus I hoped that I was pressuring it to do what needed to be done, locating those autopsy notes or establishing beyond question what happened to them.

It deposed Humes and Boswell. But it refused to let me see the transcripts. There is a proper provision of FOIA that enables the withholding of what is for a law-enforcement purpose. Quite some time passed and there was not a word about any such law-enforcement purpose. Unless it was repeated the statute of limitations had expired on perjury. Although this originated with me, and was all my work, which means I might have been able to help the board, I have heard nothing about it from the board. Other than its request for that research Howard Roffman did for me. As those who were in touch with me knew, the use of stairs is dangerous for me and I no longer go <sup>to</sup> the basement where most of my materials are. They have been in it. I invited them back to retrieve those working

pages of Roffman's. Thereafter I heard nothing and they did not come as invited.

There are other known notes made by the other pathologists that no longer exist. I go into this in NEVER AGAIN!

Government conspiracy when only the government had possession of any of the missing records or files?

Of course not!

Just gremlins.

Or evil spirits.

If Hall, who knows nothing at all about the assassination and made no real effort to learn anything about it, says there was no conspiracy, how could there have been?

Especially when the Maryland Law Review publishes what he says.

Albeit with no checking.

Elsewhere this might be charged as a crime.

Hall's board is required by the law that created it to make all its records public when it closes down. I have been pressing it on a number of matters, in writing that should exist and be disclosed, including on these notes.

They did come up before the House assassins committee.

Before the Warren Commission Humes testified that what he burned was the first draft of his autopsy report. As we saw, he did that as soon as he knew Oswald had been killed and there would be no trial. To the House committee he testified that what he destroyed was his notes.

While by the time this board was created the statute had run on perjury, it is apparent that earlier there had been this added perjury relating to what was destroyed when nothing could be destroyed properly.

Obviously, none of this is reason for suspecting that there could have been any kind of conspiracy. Hall says there was not. Is not that enough?

It was for the Sobeloff lecture and the Maryland Law Review.

But with so prestigious a speech and this kind of publication of that kind of article, it would be nice to know what "progress" there was in the forensic science over the past three decades. Hall does not say.

Or how all that mishmash about "sources and methods" and "national security" and intelligence-agency secrecy fits in any of this , if it really does, for it to have any real rather than imagined reason, to have caused any of it. Hall does not say.

Or how about the Commission was so right because it was so wrong, as Holland, Hall's primary source said and as Hall repeats him, without explaining how.

Or what those "new forms of analysis" are and how they "have generally been supportive of the Commission's findings," because again, Hall does not say what they are or how they were so, what he calls "supportive."

So also is it with what he refers to as "the latest techniques," of what, Hall being Hall, he does not have to say, that he does "corroborate" the Commission's findings," but not

saying what those "latest techniques" are he does not have to say how they "corroborate" or even what they corroborate.

It must be great to be Hall and to have each thing one says become true as soon as it is said no matter how untrue or how impossible it is.

But this depends on ones objectives.

It may not be all that great for all of us.

Or in every situation.