

January 28, 1972

Mr. Hugh McDonald  
406 Wilshire Blvd.  
Santa Monica, California

Dear Hugh:

I shall not waste your time in needless expressions of awe, etc., but shall get right to the devil's advocacy per your request.

The areas that give cause for concern are divided into "picky", "serious", and "most serious."

Page 126 - "... and that he would be riding in a parade..."

Comment: Final planning at meeting on 8/30/62 - the details were not decided until early November, according to the White House detail and the Secret Service. The date was known only approximately in August, and the specific idea of a motorcade was not even under consideration then. This is "picky" because a parade could probably have been predicted.

Page 128 - We hadn't heard that Oswald ever talked to himself - mumbling his responses to others is not the same thing. Probably "picky."

Page 129, bottom - Why is he coy about how and where he crossed border? Is this for fear that this part of the story could be checked? (Of course, there are ways of crossing without leaving any verifiable records, but why avoid telling?) This does, however, raise a "serious" question in my mind.

Page 131, last sentence of paragraph at top of page. Comment: Using scope on a rifle as a spotting device seems unlikely. If he took the scope off, it would then no longer be zeroed in for shooting. If he left it on, he'd have to aim the rifle all

Mr. H. McDonald  
Jan. 28, 1972  
Page 2

over the place while hunting for LHO, and surely that would risk discovery, particularly as barrel would have to stick out of the window.

The building he describes is the Records Building, which has narrow columns of windows, some of which, we think, are sealed. This we can probably check. We don't know what's on the second floor at Houston St. side, but we really wonder if anyone could go and stay there undetected. Moreover, his view of upper floors of TSBG would be strained, to say the least, probably requiring him to stick his head outside (the windows are recessed). Finally, shots fired from this position would be from directly behind the President's car, or even to the left of it a little bit, so that it would be hard to account for the right lateral angle in the wounds in JFK's back/neck and in JBC's chest. This area raises "most serious" question.

Page 134, first full paragraph - How did he avoid observation from 11:30 a.m. to 12:30? How, in fact, did he get into the building and to his firing point unchallenged or unobserved? Or when scanning for Oswald with his rifle scope? Good question; probably "serious."

Page 135 - The idea about JFK "straightening up" is interesting, but I don't think it can account for a miss by some 6 or 8 inches. Maybe 2 or 3, but not so much as to put the shot in the back (or lower neck). Also, how account for the right lateral angle of the wound from his location? (See comment re p. 131). What about the sharp downward angle through Connally's chest?

Page 136 - The Zapruder film shows that at least 5 seconds elapsed between JFK back/neck wound and the head shot. The author claims the shots were so close as to sound like one shot, which means 1/2 second or less. Then Oswald supposedly fired his second shot "almost instantaneously following my second shot," which means that LHO also was firing twice within a very short time - a second or so. Characterized as "serious" area.

Page 136 - No reports of bullet hitting "right hand curb" of Elm St. (but nobody really knows.) Characterized as "picky."

Page 136 - How could the author take a bead on LHO from his location (2nd floor of TSBG, also recessed) without sticking

Mr. H. McDonald  
Jan. 28, 1972  
Page 3

rifle outside his window? Also, LEO is not visible in Dillard photos (5-10 seconds after final shot) and so I don't think he stayed visible very long, if at all. Why should he, in any case, regardless of what he had been told re SS? Characterization: "very serious."

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Conclusion: Some details of the "confession" would appear to be fabricated, at least in a sufficient number to warrant some caution and some reviewing of exactly what was said. Certain parts of the confession might be verifiable - e.g., crossing border, stay at Dallas hotel, method of exit, etc. - and it would be reassuring to know more about these things before accepting all of this story as the gospel truth. The weakest spots, in our opinion, are the firing location and the business about shooting Oswald.

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The most encouraging and positive thing about this "confession" is that it answers so many of the questions left hanging by the Commission. We have much material to bolster the confession and LEO's patsy role in the killing.

We await further instructions.

Warm regards,

Bernard Fensterwald, Jr.

BF:crr