



FORGIVE MY GRIEF

VOL. II

By **PENN JONES, JR** and **SHIRLEY MARTIN**

Second Installment Continued—

"A Kenosha, Wis. lawyer, Jay Schwartz, criticized Federal authorities for removing Kennedy's body from Parkland hospital in Dallas, thus violating protocol, and for failing to corroborate the autopsy report.

Mr. Schwartz said the commission's report was based on evidence that would be inadmissible in a court of law."

Jay Schwartz found in the Warren Report serious and explicit misstatement of fact. "The Commission did find that: 'the findings of the doctors who conducted the autopsy were consistent with the observations of the doctors who treated the President at Parkland Hospital.' With all due respect to the Commission, that finding is patently untrue." The findings of the autopsy surgeon working under military orders that were quoted in the Report differed markedly from those of the Parkland Hospital doctors -- except for the autopsy diagram which confirmed observations at the hospital.

Schwartz is particularly clear that a crucial problem of the Warren Commission's staff that bedeviled them originally, and now confuses the public, was extremely simple. He writes, "Confusion still exists, charges and counter charges are still being hurled in arguments over the direction of the bullets in a situation where five well spent minutes of the commission's time could have permanently resolved these questions forever. It

is disappointing that the five minutes were either not spent or not recorded."

Schwartz concludes by saying: "The government case is weak because it cannot establish a chain of evidence. It is weak because it spoke before it was ready. It is weak because it failed to maintain its original notes, and it is weak because it relies upon faith in the personalities and institutions involved as opposed to evidence and reason. . ."

"The Commission did calm the public clamor for information. It successfully achieved its prime political purpose. Its intellectual conclusions, however, leave much to be desired."

The original FBI report to which Schwartz referred had been "leaked" to the American public but not published, though it has recently been made available for inspection. This report had failed to explain the timing of the shots and the wound in front of President Kennedy's neck in terms of the three shots that were presumed to have been fired from the Depository Building to the rear of President Kennedy. That discrepancy made necessary the major change the Warren Commission made in the FBI report of how the assassination took place. The change was made in a peculiar way. The autopsy surgeon and the Commission staff were not permitted to see the x-rays and photographs taken of Kennedy's body, and the autopsy surgeon turned in a report that differed from the testimony of Dallas doctors, from the FBI observers who had been present at the autopsy and from the surgeon's own diagram made at the time of the autopsy. Arlen Specter, who was appointed by the Commission to make the reconciliation of this paradox was led by this autopsy report to believe that one bullet had not hit Kennedy's back as earlier shown by the FBI report and Secret Service witnesses, but had passed through his neck and then through Governor Connally. Both doctors and ballistics experts had found this theory, in the words of the autopsy

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surgeon, "extremely unlikely," though the Report gives no hint of this, but rather asserts the contrary.

After such an objective analysis by a legal authority in forensic science one wonders "why did the Warren Commission and its staff do as it did?" We already have Edward Epstein's study of this question, his book, *INQUEST*, which tends to confirm Jay Schwartz's conclusions. But the answer to this question is now greatly advanced by publication this summer in the August *GREATER PHILADELPHIAN MAGAZINE*, of an interview with the key investigator for the Commission dealing with evidence of the assassination. The author, Gaetano Fonzi, asked Arlen Specter why he had not seen the crucial x-rays and photographs of President Kennedy's body taken after the assassination. Specter had answered, "the commission decided not to press for the x-rays and photographs The decision of the Commission was not an egregious use of their discretion. The President of the United States didn't want Arlen Specter to do the investigation of the assassination of President Kennedy. The President of the United States appointed the Commission to do that job."

If the President of the United States appointed the Commission as compared with its staff to investigate the assassination, and if for that reason the staff was not given crucial information to determine the direction of the bullets, one might infer that there were in fact two investigations. One secret which used and reserved for itself only, crucial information.

In the investigation by the Warren Commission staff, according to some key members quoted by Edward Epstein in his book, "*INQUEST*," the Commission did virtually nothing" -- except give oversight and dictate the conclusions. This tends to confirm Jay Schwartz's contention that the Warren Report was a facade to give credibility to the FBI report that had failed to gain credence among critical people.

Commission member Ford in his book *PORTRAIT OF AN ASSASSIN* tells of a highly secret meeting of the Warren Commission at which Texas and Dallas officials had testified about information that Lee Harvey Oswald had been in the employ of the FBI and the CIA as an informant. It was a few days after this that Justice Warren

gave his much quoted response to a journalist's questioning about when the full report would come out. "There would come a time. But it might not be in your lifetime . . . There may be some things that involve security." The Warren Commission was given denials of involvement with Lee Harvey Oswald by both the CIA and the FBI, but did not itself actively investigate the matter. Epstein comments on this: "The surest and safest way to dispel a rumor was NOT to investigate it but to keep secret the allegations and publish only the denial."

If a second, secret, investigation was made, it could be assumed that the busy members of the Warren Commission had some investigative body other than the Warren Commission staff carry it out. For the Commissioners were extremely busy men. Perhaps this would explain why, as Epstein quotes a member of the Warren Commission staff, "the CIA was so secretive that it was virtually useless to the Commission," despite the fact that Allen Dulles who had directed the CIA was one of the most active men on the Commission.

In his article in the JOURNAL OF FORENSIC SCIENCE Jay Schwartz asserted that a crucial problem that originally bedeviled the Warren Commission's staff and now confuses the public could have been answered by five minutes of competent observation of the photographic and x-ray evidence of the direction of the bullets. This contention is now reinforced in a study by Gaetano Fonzi of the moving pictures of the assassination now available at the National Archives. These pictures show that President Kennedy's fatal head wound must have come from a source to the right forward which would be on a wooded knoll that most witnesses had thought to be the source of the shooting rather than from the window to the rear of the President (from which Lee Oswald was presumed to have fired). Fonzi's carefully illustrated study of this film, done at the suggestion of Vincent Salandria and published in the August GREATER PHILADELPHIAN magazine, shows that during the sixth of a second following the impact of that fatal bullet, President Kennedy's forehead moved about a foot to the LEFT and REAR at the same time that a portion of his skull and brain tissue were blasted in the same direction, spattering the two motor cycle escorts there. A shot from behind COULD NOT HAVE DONE THIS. Five minutes of careful viewing of this film should have shown this fact,

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and that viewing the film did indeed show it to some observers is evidenced by the caption placed under the first printing of reproductions of part of the film (which had been purchased by Life magazine) in the October 2, 1964 issue of LIFE. That the implications were embarrassing is evident from Life having twice changed the caption during printing, the original having read in part: "causing a snapping of his head to one side." This phrase confirms Fonzi's observation and shows that other observers could have made the same observation. SO CONCLUSIVE IS THIS EVIDENCE OF A SHOOTING FROM THE WOODED KNOLL THAT THE AUTOPSY PHOTOGRAPHS AND X-RAYS ARE NOW OF MINOR IMPORTANCE IN DETERMINING THE SOURCE OF THE FATAL SHOT.

The leading books and best articles in critique of the Warren Report have given extensive evidence that the shooting in the assassination came from two sources. It was natural for observers to think of only one source, and the assassins in planning the assassination could have counted on the confusion arising from conflicting reports as to the source of the shooting. Both the police and the public were in fact confused, rushing in both directions and checking neither source exhaustively. Since there was more positive evidence of a shooting from behind, the alternative source on the wooded knoll was discounted.

Fred Cook, a veteran crime reporter, has sought to explain how shooting from two separate locations could have been coordinated for the brief six second period of the shooting by his suggestion that it was planned for the time when

the presidential limousine passed a certain sign. However, Harold Weisberg has shown that the first shot probably occurred earlier, and more would have been involved in coordinating shots from two locations than just the timing. It has not hitherto been pointed out that this difficult problem arising from the two-assassin theory is answered by a element of modern technology, radio communication by "walkie-talkie" as commonly used by the police. This would have enabled widely separated assassins to have coordinated their shots within the brief six seconds of the shooting with assurance that neither would be shooting alone. The Warren Commission hearings contain testimony from two competent witnesses (XIX, p. 510 and XXIV, p. 222) indicating that unidentified persons had radio communication equipment on hand and in use at the second assassination site shortly before and, running from the site, immediately after the assassination. This would explain why two people were observed by some of the more competent observers at each assassination site -- one to shoot and the other to maintain communications. Fonzi's article includes evidence from the Hearings of still another sophisticated means used by the assassins. The first police officer to arrive at the wooded knoll immediately after the shooting found there a man who cleared himself with Secret Service credentials. Yet the Warren Report had accounted for all Secret Servicemen as being elsewhere. This discrepancy was neither mentioned nor accounted for in the Warren Report. Such evidences suggest that the assassins were not ill prepared amateurs.

Continued Next Week
