

The "Model of Historical Scholarship"

The last words in Posner's book are like those of a prosecutor closing his case:

Lee Harvey Oswald, driven by his own twisted and impenetrable furies, was the only assassin at Dealey Plaza on November 22, 1963. To say otherwise, in light of the overwhelming evidence, is to absolve a man with blood on his hands, and to mock the President he killed. Page 472)

Had

And this been in a court of law rather than of public opinion, <sup>Had</sup> Oswald ever had a defense counsel prepared to give him a vigorous defense, what Posner says in closing and what he says throughout would have been subjected ~~would have been subject~~ <sup>ed</sup> to a much more rigorous examination than is possible for an unwell and partly handicapped octogenarian who has to depend on his memory and lacks meaningful access to his own materials.

But with no more than ~~e~~ memory retrieved, Posner's prosecution-type case would not have survived before a real jury. None of it stacks, not a single <sup>sol</sup> solitary bit of evidence of the crime itself. His Hartogian shrinkery, <sup>N</sup> meaning what Posner said it meant when it means no such thing, might have had no basis at all before the court because Hartogs would have had to deliver it. Posner and he then would have <sup>been</sup> ~~seen~~ horned by the dilemma: present him and risk having his sex-with-~~patients~~ <sup>Hartogs</sup> therapy for women patients before the jury which would have had to evaluate his testimony as coming from him, with his record, or not run that risk, not present him at all.

Without Hartogs ~~Posner~~ Prosecutor Posner has none of those <sup>N</sup> "furies" he imagined to impute to Oswald.

Without that he has no motive to attribute to Oswald. The prosecutor ~~then~~ then has a crime without any motive at ~~all~~ all rather than a trial with a motive he made up with no more basis than his interpretation of what <sup>H</sup> Hartogs meant in what he said about Oswald as a troubled boy.

Posner did not even deny it when face-to-face with <sup>my friend</sup> Dr. Cyril Wecht, who is both a lawyer and a forensic pathologist <sup>CNN</sup> ~~when~~ on ~~999~~ September 3, 1993, Wecht said to him, that

In his dishonest version there is no other defense and only what he says is factual and relevant when it is neither.

his book was only "a prosecutor's brief."

Not only does Posner give no other side, he pretends there is none save with what he picks and chooses, not always faithfully, from the trash of the theorized conspiracies.

385A - ~~Without~~ Without a defense lawyer <sup>and judge</sup> to keep him honest Posner was not honest.

In a court of law he would have been a ~~lampoon~~ lampooned from beginning to end for his ignorance of what he talks about and for his not ~~uncommon~~ uncommon outright lies.

We can say as a defense counsel would have said, "Counsellor, you have ~~put~~ <sup>sprayed</sup> a deodorant on the same old garbage and <sup>it</sup> still stinks."

That is all that Posner did and with two exceptions it is no more than that some old garbage and nothing else since my first book <sup>exposed it for what it is - almost thirty</sup> appeared. <sup>years ago.</sup>

As we have seen, and what I <sup>have</sup> used is not by any means all <sup>the</sup> ~~five~~ illustrations of it, even those 200 interviews Posner brags so about ~~where~~ were not intended to yield any new evidence, they yielded, none, either-and what is left is Posner's inaccurate and undependable pretenses <sup>that</sup> the deodorant makes that old garbage smell fresh when <sup>it</sup> is in fact <sup>the very same malodorous</sup> only garbage.

Those ~~new~~ interviews were no more than a shyster's trick to be able to pretend they hold what is new and relevant when they do not at all. They were his means of <sup>in court some</sup> ~~avoiding~~ <sup>would have been disasters to</sup> the truth about some of his cherished sources, whether ~~it is what can be said~~ about them, like about Alexander, Bringuier and Badeaux, <sup>Examples of these</sup> or about how they are used, <sup>through his suppressed interviews of them are</sup> ~~meaning-misused~~, to hide what is already public ~~from them, as with Hosenko and Tague.~~

Posner lacks even a once-~~sp~~ided chyster case such as might be ~~ri~~sked in some jerkwater fastness.

Examination of it with less skill and resources than a defense counsel would have had shows it to be totally ~~flawed~~ <sup>it/</sup> flawed. <sup>it</sup> It distorts, misrepresents, is often based on ignorance <sup>is</sup> and it factually ~~incorrect~~ and it is dishonest in many ways, ~~of which lying~~ is a major illustration.

In ~~co~~rt that would be ruinous, as before the court of public opinion it should be.

There are those two possible exceptions. One is that snazzy Zapruder "enhancement" that is really no more than cribbing from the unjustified but nationally-published belief

of that fifteen-year-old David Lui. What Posner lied in saying he spotted ~~in~~ in a that supposed "enhancement" he really took from the <sup>article</sup> ~~the~~ article Lui wrote. <sup>in 1979</sup>

So, that is not new, ~~Not even Posner's lying about it is really new~~

~~There remains old that enhanced, computerized version of the crime.~~

~~Now let us take a look at that, as a defense counsel would have.~~

~~Posner writes about it as though that fancy, super-modern, state-of-the-art work was done for him. Two major newspaper newspapers at the least said so. It is written to give ~~that impression~~ his readers to understand that in fact it was done for him.~~

What is new is his saying that until that so-called enhancement he represents was made for him ~~is the only means of exercising~~ <sup>was</sup> and not possible until the advances in science and technology made it possible, <sup>what he attributes to that source and that source alone</sup> was ~~spotted~~ spotted in that unenhanced film with the unaided eye of that fifteen-year-old boy and ~~that~~ even before then the same information was in the Commission's testimony that was brought to light in Whitewash - almost thirty years ago.

So, one of his two amazing ~~discoveries~~ claimed "discoveries" is not any "discovery" at all and it is not his <sup>except by the</sup> ~~except by the~~ <sup>deceitful</sup> and misrepresentation.

The only other claim he makes to what is new, and again he makes this claim in the same way, as done for him and possible only because of these ~~scientific~~ <sup>scientific</sup> previously-unavailable scientific and technological advances, is his computerized reconstruction of the crime. Let us now examine that and his presentation of it in his Appendix A, his ~~graphics~~ <sup>graphics</sup> page/presentation of it. (Pages 473-82) As he presents it, with text on its first page only, he had this credit line in small type at the bottom of that page. "Graphics by John Grimwade (right) Edited by Clive Irving Research by Joyce Pendola" (Raphaela- there is no punctuation in that line) He has no further identifications of his artist, editor or researcher.

From time to time in his text he has made passing reference to some of his ultra-modern wizardry represented graphically in his Appendix A.

Posner boasts of his "analytical mind" <sup>of</sup> ~~of which~~ there is not the slightest indication in his six hundred pages. I was a <sup>professional</sup> ~~professional~~ analyst in intelligence twenty



There was something familiar about it but it did not come to mind as I continued to read and to write.

twenty years before he was born. From that experience, and our experiences do linger in our minds, I began to have questions about his representation that all this ultra-modern and obviously quite costly work was done for him. 387A here

Before I had a copy of the book and began reading it major newspapers attributed *that* *Scientific* this work to him and praised him for it, ~~He~~ represented it as having been done for him in public appearances, including on TV, and several people who had and had read ~~advance~~ his book before I did told me about this work for him they found impressive.

But what immediately attracted my attention as I read his several representations of this amazing work done for him is that he never came right out and said that. He could not have written invocations of it to tell the reader that this work was for him any more clearly than he did but on careful <sup>o</sup>xamination of his precise words he fell just short of spelling it out as work done for him. He implied it, strongly, forcefully and unequivocally in his writing. He is more than half~~way~~ through his book, two-thirds of the way through ~~it~~ <sup>to text</sup> before he makes any mention of the scientific wizards who did this amazing work. He then makes his first mention of Failure Analysis Associates in a note that begins on Page 317 and carries over onto the next page. He there mentions it after two subject-first crediting ~~two subject-matter ignoramuses, xxx~~ "Dr. Michael West, a medical examiner in Mississippi, together with <sup>J</sup>ohnn Rush, the journalist who filmed Oswald during his Fair Play for Cuba demonstration at the New Orleans Trade Mart." This sublimates Posner's citing Failure Analysis as his ~~source~~ source. It is also typical of Posner's overwriting, his practice throughout the book.

As we have seen, Rush is not in any sense a real <sup>1</sup>/<sub>1</sub>journalist." In New Orleans he was no more than a WDSU-TV photographer who did not last there very long. He was so little a real journalist that day, when he was sent to film ~~Oswald's~~ Oswald's demonstration, ~~for~~ that instead of rushing <sup>nearly</sup> back to his studio with his film of such special value he instead took a clerical worker in that building, Delores Neeley, to lunch. Rush was so little aware of any value in his film, he had ~~xxx~~ so little interest in it, that he allowed most of it to be discarded with the "outtakes" not aired <sup>d</sup> and <sup>is</sup> It <sup>is</sup> the outtakes that held what could have been important, Oswald's never identified associates, those same assoc

and if I had not forgotten what made this seem somewhat familiar,

Posner pretends did not exist- if he ever knew there were any. What remained of "Journalist" Rush's film was less suited for the Commission's use than that of his competitor TV station, <sup>WTV</sup>WFL, and it <sup>is</sup> ~~as~~ stills from the WFL footage that the Commission used for its fruitless identification purposes. Like Posner, Rush began with the preconceptions that Oswald alone was the assassin and that he ~~was~~ was a Communist. Nothing else has ever made any difference to him ~~but~~ and he has never needed any proofs. They do not exist, in any event, and the ~~is~~ contrary is the fact. Politically he stands with Posner. As Posner referred to those who did not agree with the Commission's report as "leftists" so ~~did~~ did Rush, while seeking all the help he could from me in his vain efforts to find some justification for his uninformed ~~preconceptions~~ <sup>he</sup>/simultaneously <sup>told</sup> other that I am a "Communist." But this does not influence Posner's judgement of him as a dependable source, Posner being the writer who identified the Nobel Laureate, ~~Dr~~ The Reverend Dr. Martin Luther King, <sup>as</sup> a "Communist," too.

Sublimated to these two Posner then identifies his second source in his chapter on film, "primarily on the latest computer enhancements of ~~the~~ Zapruder film, as "Failure Analysis Associates, a prominent firm specializing in computer reconstructions for lawsuits." He then gives a brief description of its work on the JFK assassination, the work he thereafter uses as his ~~own~~ <sup>own</sup>. He does not even say where they are located.

The more I noticed Posner's <sup>brief</sup> ~~brief~~ mentions of Failure Analysis the more I wondered about how <sup>he</sup> he phrased his mentions of it. He kept telling the reader that it did his work for him but he kept falling just short of ~~any~~ articulating it. <sup>That</sup>.

Wanting to learn more about Failure Analysis and wanting to be in touch with that firm I was frustrated by the not accidental care with which Posner saw to it that he did not help make that possible, an abnormality in such writing. If we had cable TV, which we do not, and if for medical reasons I did not live the convoluted hours <sup>388 hrs</sup> I live, I would have known what it took me too long to learn about Failure Analysis. But the more I read of Posner's writing the more a suspicion formed that ~~Failure~~ <sup>F</sup>ailure Analysis was somehow connected with a 1992 event of which I had little knowledge and had only heard of it.

My suspicions were confirmed when <sup>long</sup> after it was published I was sent a clipping from a San Francisco newspaper. Before going into that, however, first we should



examine every word that Posner says ~~about~~ about Failure Analysis. He mentions it seven times in his book, unindexed one of ~~the~~ those times. In each instance I give the full ~~of~~ text, nothing omitted for full context. The one unindexed mention of Failure Analysis in Posner's "Acknowledgements," It is the last of the mentions that follow:

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Posner mentions Failure Analysis Associates seven times. This is what he says at each mention: In each instance I use the full text:

\*At Dealey Plaza, more than 510 photographs that directly relate to the assassination were taken by some seventy-five photographers, but the Zapruder film is by far the most useful in determining what happened, since it records the entire period of the shooting. This chapter is based primarily on the latest computer enhancements of that film. They include one done by Dr. Michael West, a medical examiner in Mississippi, together with Johann Rush, the journalist who filmed Oswald during his Fair Play for Cuba demonstration at the New Orleans Trade Mart; and another completed by Failure Analysis Associates, a prominent firm specializing in computer

reconstructions for lawsuits. The Failure Analysis work is an extensive undertaking involving 3-D scale generations of Dealey Plaza, physical mock-ups of the presidential car, and stand-in models for the President and Governor, all to determine trajectory angles and the feasibility of one bullet causing both sets of wounds. Failure Analysis also re-created experiments with the 6.5mm ammunition, using more updated information than was available to the Warren Commission, to further test the "single-bullet theory" and the condition of the missile.

(note, pages 37-18)

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The enhanced film shows several physical reactions that reveal exactly when the Governor was hit, and it is within a half second of when he and his wife originally thought the shot struck. At 224, the right front of the Governor's suit lapel flips up from his chest. Discovered in a 1992 computer enhancement by Jeff Lotz of Failure Analysis Associates, this jacket movement may be one of the most important timing confirmations in the case, as it established the moment the bullet hit him. The movement of the jacket took place at the exact area where the Governor's suit and shirt have a bullet hole, as the missile passed through his right shoulder blade and out under his right nipple.<sup>52</sup>

(pages 329-30)

(manuscript page 478)

Failure Analysis Associates applied the latest computer and film-enhancement technology to answer the question of whether one bullet could have caused the wounds and, if so, where the sniper would have to shoot from for the bullet to do the damage. "The most important factor was to have the President and the Governor in the exact locations they were at the time they were shot," said Dr. Robert Piziali, who oversaw the Failure Analysis tests.<sup>64</sup> Failure Analysis used a technique called "reverse projection" to answer the questions. First it created a full-sized model of the presidential limousine. Then a camera was placed in relation to where Zapruder was standing, and the lens was set to the same focal length, so the view of the car was identical to that afforded in the film. Using the Zapruder film, the images of Kennedy and Connally were sketched into the car, and then people who were the exact height and weight of the two men were placed into the seats in the positions shown on the film. Failure Analysis achieved precision on the placement because it used a sonic digitizer, able to make measurements of the bodies from the two-dimensional Zapruder film, and convert them into three-dimensional space. Once the car was filmed, it was placed into animation, and located at the exact spot on Elm Street that it was when the second shot was fired, at frame 224. Then the wounds on the President and Governor were measured and extended into the animation.

At that point the computer was ready to answer two questions. The first was whether one bullet could cause all the wounds, and the answer was yes.<sup>65</sup> The bullet punctured Kennedy's back, exited his throat, and on a straight-line trajectory entered Connally's right shoulder. It struck Connally's rib, and at a downward angle exited under his right nipple. Because he had turned in his seat, the Governor was slightly to the right. His right forearm was held near the lower portion of his chest. The bullet continued through his right wrist and then into his left thigh.

(Page 334)



The remaining question about the condition of the bullet was whether a bullet at a reduced velocity could strike the radius bone in the wrist and emerge in good condition. In 1992 Dr. Piziali, of Failure Analysis, and Dr. Fackler experimented with powder charges. They lowered the velocity on a 6.5mm bullet to 1,100 feet per second and shot it through a cadaver's wrist. "The bullet actually made a slightly greater hole than the one in Governor Connally's wrist," said Dr. Fackler. "That's because the experiment bullet was actually going a little faster than the 900 feet that CE 399 was traveling. The test bullet was non-deformed. It was not flattened in the least and had nowhere near the damage of CE 399."<sup>82</sup>

(Page 339)



The bullet (also shown in side and rear views) from a 1992 reconstruction done by Failure Analysis Associates. In that test, the bullet's charge was reduced so it would strike a cadaver's wrist at 1100 feet per second, approximating the speed of CE 399 when it struck Governor Connally's wrist. Emerging in even better condition than 399, it provided the final physical evidence necessary to prove the single-bullet theory. (National Archives and Failure Analysis Associates)

← unnumbered

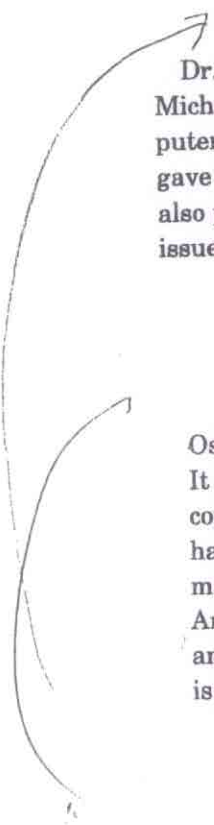
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Dr. Robert Piziali, of Failure Analysis Associates, and Dr. Michael West have done some of the most sophisticated computer-enhancement work on the Zapruder film. They not only gave me access to their enhancements and underlying tests, but also patiently guided me through the intricacies of the ballistics issues. (ACKNOWLEDGEMENTS, page 503)

Handwritten scribbles: ~~X~~ ~~X~~ ~~X~~ ~~X~~

Oswald's second shot, the first to strike, is the most contentious. It is variously called the "magic" or "pristine" bullet by conspiracy theorists, who contend that no single bullet could have so seriously wounded both men. The bullet needed no magic and was not pristine. Its trajectory, based on the Failure Analysis computations and the Zapruder film, is reconstructed here.

(unnumbered 478)  
Page





scattered

It is only as one begins with a suspicion in reading these few references to Failure Analysis will these seem suspicious. When they are all together, as here, there can be more basis for being suspicious about Posner's writing. If, together, they are read with care, as most readers do not, and none had any reason to read them all at one time, there can seem to be more basis for having some suspicions about Posner's formulation. Without suspicion Posner gives the reader to understand that this scientific work was done for him. The effectiveness of Posner's trickery ~~is~~ is that of all the many people who phoned and wrote me, from all the many newspapers and magazines I saw - even more surprisingly for ~~any~~ <sup>any</sup> reporter or book reviewer did ~~anything~~ <sup>full</sup> like the appalling truth emerge. Closest to being this perceptive was ~~the~~ the San Francisco Chronicle's Patricia Holt.

If Posner had intended simple honesty, if he had not intended to deceive the reader and our history, <sup>in his</sup> ~~at the end of the first~~ <sup>mention of</sup> Failure Analysis mention about, he would, having described all the work Failure Analysis did <sup>He never does. He would!</sup> ~~in it~~, have referred to his <sup>I in</sup> ~~Appendix~~ Appendix A, where it appears as ~~Posner's~~ Posner's own work, in the sense that it was done for him, because there is not a single reference to Failure Analysis in it.

In the second of these few references to Failure Analysis, ~~the~~ credit for the alleged significant discovery from the "enhanced" ~~Apruder~~ <sup>is</sup> film ~~of~~ <sup>is</sup> given to Jeff Lotz, ~~who~~ <sup>He</sup> is said only to be "of Failure Analysis." There is not even a hint of what Lotz was doing enhancing the film or for whom. There is not even a hint of a larger project than his alleged enhancement that, <sup>credited what he discovered in it</sup> as we have seen, Posner took ~~what he interpreted~~ <sup>as</sup> what the ten-year-old Willis girl was and <sup>is</sup> as not doing as his own major discovery <sup>is</sup> which ~~he~~ in fact cribbed from the Luis boy. So, there is nothing in this second mention of Failure Analysis that suggests this work was done for anyone other than Posner and as he phrases it he continues to give the ~~p~~ impression that the work was ~~g~~ for him and his book.

Connected with it is more of Posner's trickery. In the sentence in which he fails to say <sup>why</sup> ~~that~~ Lotz did that enhancing, ~~of that Failure Analysis or anyone else did,~~ Posner says that what Lotz saw in it is that "the right front of the Governor's suit

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If what he says is true he could have published, side by side, that frame enhancement and photo showing where those bullet holes are in Connally's clothing. In ancillary uses he did include what he represented is the enhancement of that frame and what he says in it simple is not visible. That he did not do the obvious • indicates he knew it is not true.

(sic) This, lapel flips up from his chest." ~~His~~, Posner says, "may be one of the most important timing confirmations, as it establishes the moment the bullet hit him. The movement of the jacket (sic) took place at the exact area (sic) where the governor's suit and shirt have a bullet hole, as the ~~missel~~ missile passed through his right shoulder blade and out under his right nipple."

The lapel could hardly have flipped other than away from the body, of course.

And in the absence of any other possible cause, like the wind <sup>gusts</sup> of twenty miles an hour Posner says there was that day, this observation proves nothing at all. bearing on the fact ~~tha~~ Posner was well aware of this, knew that "this jacket movement" provide nothing, at all is the evasiveness along with the deliberate misrepresentation involved in his saying that the "hit" was ~~in~~ "at the exact ~~area~~ area" where there are bullet holes in the clothing.

There is no such thing as he uses the word ~~as~~ as an "exact area." The word required for this to be able to have the meaning Posner gives it is something like the "~~exact~~ ~~Place~~" and the "exact point." The "area" of ~~the~~ the lapel is relatively large and if it were to have been moved by a bullet going through it, <sup>where</sup> ~~whether~~ <sup>by</sup> the bullet hit it would have to be well into the upper part of that lapel. Lapels taper down to ~~nothingness~~, and the bullet hole is "under the right nipple." That is not possibly even ~~the exact~~ "exact area" for any bullet to have been the cause of both Connally's wounds <sup>and</sup> the movement of that lapel. Indicative of Posner's awareness of this is the absence of any ~~of the available~~ photographic proof <sup>that part of</sup> of it. He could have had Failure Analysis enlarge ~~that~~ enhanced frame and all those people who <sup>were</sup> so wonderful to him at the Archives could have sent him pictures of Connally's clothing, if he ~~had~~ wanted it. Those pictures have never been restricted. 394 A have

~~And~~ without this cocakamania "confirmation" Posner has no case at all for his theory that it was the second bullet that cause <sup>all</sup> the non-fatal injuries after the first of the three bullets he and officialdom acknowledge. *The one he alone says missed.*

The next of these excerpts, the longest, most of a page in length (Page 334), begins. "Failure Analysis Associates applied <sup>the</sup> ~~the~~ latest computer and film-enhancement technology <sup>of</sup> to answer the question of whether one bullet could have caused all the

wounds and, if so, where the ~~the~~ sniper would have to shoot from for the bullet to do the <sup>the</sup> damage." This begins on the previous page, with ~~this~~ question, "Was it possible <sup>the</sup> for one bullet to have inflicted the neck wound on President Kennedy and all the wounds on Governor Connally?" Posner next quotes Dr. Robert ~~Dr.~~ Piziali (right),<sup>11</sup> who oversaw the Failure Analysis tests."

Still again Posner avoids any mention at all—even the tiniest hint <sup>that</sup> Failure Analysis did not do the work for <sup>him</sup> or of even the most indirect suggestion that the work was done for anyone else.

Carless still another time, Posner gets a little lost in his fabrication of both a justification for his own <sup>con</sup>coction and his covering up for the official mythology.

At the beginning of this rather long paragraph on Page 334 he locates the President's wound in the neck, referring to "the neck wound," and on Page 334, in the very next paragraph he is closer to the truth, not a common Posner practice, when he <sup>w</sup>rites, "The bullet punctured Kennedy's back and exited his throat ..."

The back is a pretty large part of any body but large as it is, it certainly ~~is~~ does not include the neck!

Because ~~the~~ Piziali used "a technique called 'reverse projection' to answer the questions," working backward from the presumed positions of <sup>the</sup> both victims in the car when struck, where projecting backward could have gotten to where the shot came from, projecting it backward several hundred feet, the exact location of the President's wound is extraordinarily critical. The ~~is~~ relatively short <sup>distance</sup> distance between a neck and a back wound, projected backward that distance, can result in a simple enormous difference between <sup>the</sup> conjectured points of origin.

Once again, whenever Posner is, atypically, even <sup>acc</sup>identally honest, he has ~~is~~ trouble. This is inevitable from the established facts that he either misrepresents or ignores. Here he does not say how Piziali determined the precise point for his "reverse projection" while never indicating why Piziali went to all this cost and trouble, the inference that ~~it~~ was for Posner's book remaining.



Three pages later Posner again refers to Piziali's experiments, this time with Dr. Martin Fackler, identified on Pages 337-8 as president of the Wound Ballistics Association, in firing bullets with reduced charges to equate the damage, if any, done to reduced-charge bullets with ~~those~~ <sup>which does</sup> that do not exist on that magical Exhibit 388 bullet.

Still again, Posner does not say ~~why~~ for whom this was done, again by the omission pointing to himself and his book as the reason for all that additional and costly work.

The next two excerpts are from unnumbered pages in Posner's appendix. <sup>(They are captions for the illustrations.)</sup> Each has different typography and both are <sup>of</sup> different typography than any in Posner's book. Both are in the part of the appendix relating to the bullet tests. Each merely credits the work cited. That this appendix <sup>was</sup> not prepared <sup>by</sup> Posner and his publisher is reflected also by the fact that they have no page numbers on them. They are pages 478 and 482, respectively.

Posner's final and unindexed reference to Failure Analysis Associates <sup>is</sup> his joint thanks to ~~the~~ Piziali and to West and for "access to their computer-enhancements and underlying tests." Piziali is identified as "of Failure Analysis Associates," the only mention of it.

The credit for the pictures used on page 472 is ~~is~~ different than any in Posner's book, being in italics and it is jointly with the Archives, "National Archives and Failure Analysis Associates".

With these all the mentions of Failure Analysis Associates in the book, it is without any question at all that 1) Posner is careful not even to indicate why or for whom Failure Analysis did all that costly work and 2) <sup>he</sup> uses every means possible to lead the reader to believe, in the absence of the norm, credit to the source, <sup>that</sup> it was for him and for his book.

And that is the way it was taken in ~~var~~ every public use made of it of which I am ~~aware~~ aware by having seen it or by being told of it, <sup>by having been</sup> or sent copies of it.

The oft- and justifiably-honored Philadelphia Inquirer said on September 7, "Posner's  
"Posner commissioned a firm that specializes in computerized reconstructions for use in litigation to conduct elaborate tests."

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<sup>News</sup>  
In his August 30 CNN appearance with that network's Leon Harris, asked how he thinks he closed the case, after several other plugs for himself Posner spoke this sentence, "I found the lost files from attorney Bin Garrison's investigation in New Orleans and I've used the latest computer and scientific enhancements and animation to study the assassination film - the Zapruder film and answer the questions what happened in Dealey Plaza Plaza in terms of the timing of the shots and resolve the issue of the single bullet - ..."

As we saw earlier, Posner "found" no lost garrison files and used not a single piece of paper from them in his book. He is not <sup>≡</sup>truthful in that part of this sentence and ~~in~~ giving no source for what he says he ~~sped~~ of the ~~gimcrackery~~ he implies that work is his.

As with the other illustrations that follow, if Posner or Random House corrected this I am not aware of it.

When introduced on ~~CS~~ CMI September 3, "Crossfire" host Mike Kinsley said, "Posner's most important new evidence is a computerized enhancement of the famous Zapruder film." Posner did not correct him and say that analysis was not "his."

<sup>397A hve</sup>  
In a three-page treatment of the book and of Posner, including an interview with him, Newday's Jack Sirica said in his interview, issue of September 16, "Posner also employed computer technology not available to the Commission in 1964."

What Posner told him, reported on the inside page, <sup>is</sup> that he "stumbled across" Failure Analysis's work <sup>is</sup> "for a Court TV mock trial." This does not say the work was done for Posner. It does say that Failure Analysis "allowed him to use its computer modelling in the book." This Failure Analysis does not confirm. And indicating that at least some of that work was his own, what Posner told Sirica led Sirica to ~~wrote~~ write of what Failure Analysis did, "Posner uses similar techniques," which is to say that some of that work is his.

There were graphics Posner did not use in his book that were used in U.S./News and World Report and <sup>my</sup> other publications. Along with an interview of Posner in the Chicago "Tribune" of October 3 one of these graphics has but a single citation of its source, "From Case Closed: Lee Harvey Oswald and the Assassination of JFK, <sup>8</sup> by Gerald Posner (Random House Sept. 1, 1993) <sup>This says it is the work of Posner and his publisher.</sup>" As it appears in the book, in the upper right-hand corner appears, "Appendix A - 477." It ~~actually is~~ actually <sup>p</sup> appears half on Page 476, which has no number on it, the legend of the original appearing where the page number ordinarily would.

That same one as published in what I believe is the Los Angeles Daily News of August 19, the city not appearing on the <sup>Copy/</sup> ~~news~~ sent me, does not include this page number and does include "Graphics by John Grimwade." This does not appear in the book.

In the U.S. News ~~#~~ August 30/September issue that has the twenty-page treatment of the book, what the Chicago Daily Tribune <sup>used/</sup> appears ~~after~~ two pages after the text notice of Posner's copyright (pages 90-1) and without either of the previously reported credits. ~~which were not at all~~ The graphics, editing and research as before is credited

*This copyright notice appears to claim the work is Posner's protected property.*

to Grimwade, Irving and ~~the~~ Pendola. This is also true on pages 76-7, 78-9 and 94.

But what is on the first page of Appendix A with the same three credited for their work on it, beginning with an actual-size side and "red" view of Bullet 399 appears on Page 88 with only the Posner copyright notice on that page. *This, too, seem to deem first also as Posner's property.*

None of these references to who did the graphics, editing or research bears any other credit, source of copyright notice.

One of Posner's longest and most effusive "Acknowledgements" ~~is~~ begins, "I owe a special thanks to David Perry, an insurance investigator," a professional that my friend Dave is. Posner also refers to him as "scholarly" and "unstinting in his assistance." (Pages 503-4)

*After referring to*  
 (The actuality, the subject of the next chapter, in his 1 letter to me of October 9, my friend <sup>and</sup> Dave, who is a professional and well warrants what Posner wrote of him, said, "However, the way that media is approaching 'Case Closed' the casual reader of the book or listener to the radio and tv (sic) appearances (referring to Posner's), it looks like Gerald and Random House Commissioned the study."

As the Inquirer said in the first quotation above and as Dave Perry says in the last, the general perception is that this state-of-the-art work was done for Posner and ~~for~~ his book. *Posner and Random House etc.* Everything possible ~~was done~~ to give this impression. Nothing was done to correct it, <sup>this</sup> ~~even~~ even, even when it was to Posner's face, as on CHN.

And none of it is true.

Yet it is integral in what Historian ~~and~~ Stephen ~~and~~ Ambrose told Newsday's Jack Sirica is "just a model of ~~his~~ historical scholarship."