

9/2/71

Dear Walter,

We had barely finished talking yesterday when a correspondent friend phoned from DC to read me the wire copy on the Jackson autopsy. That, from today's Wash Post, turns out to be a very considerable understatement.

I am reluctant to take up so much of your time on the phone, so this hasty note when I also should be doing other things to suggest what I think should -really must- be done and can be. The family has rights and should exercise them. What I suggest may or may not have value for Bentan, as Bentan can decide without obligation to me.

The mother should immediately ask for everything connected with the autopsy. She has the right to prevent publication of anything besides the autopsy report itself. But she may want publication rights. She should ask for the complete protocol and all agendas of any kind. She should ask for all versions, not on the first and obviously inaccurate one, but the drafts. Let them say the drafts were not preserved. She should ask for copies of all

Trays and pictures of any kind-and dozens had to have been made;

Spectrographic or neutron activation tests (let them say none were made, especially of the clothing;

Interviews to determine what happened, but not restricted to determination of the cause of death;

Fingerprints and other testing of the weapon he is alleged to have had, including nitrate, neutron activation and any other testing to see whether he had, in fact, fired a weapon at all or had even handled one; proof that recovered slugs, bullets or fragments came from that weapon; bullets remaining in the clip and if using especially the fingerprints from that clip (with Ray they were careless on the clip, which should hold prints well).

He appears to have been pretty thoroughly beaten. I suggest that it may be possible to prove that he was beaten on the back in such a manner as to have him bent forward when he was shot, like on his way down but bent at the waist, and that he was then shot from a hot, far away. Here identification of the recovered slugs or fragments and the above-listed tests are important, for they can identify the type and manufacture of the bullet, with luck, and with any fragment remaining in his body, with pretty fair certainty. I postulate the hot may have been from a powerful pistol, like a magnum, and not for a rifle. And I think it may be possible to do much with such evidence. I'd be willing to take the time to analyze it, to preserve confidence, to give the mother or Bentan the literary rights, and to suggest dependable independent experts who might be consulted. And inherent in all of this is the suggestion that despite everything there may be the basis for a civil action by the mother, from which there could be the most valuable by-products. I also think this should be done promptly, before the state has a chance to prepare, issue and achieve major attention for a dishonest report on the entire affair. When it does this, the press simply will not be able to cope with it.

Among the more obvious collateral interests that could be served is the saving of precious lives and the possibility of fairer trials for many accused. The film of the autopsy is the property of the public body that bought it, probably the county, but I think the family is entitled to have copies. The results of refusing it to them are obvious. Although it is late, when a young speaks to the mother and others, they should be asked to tape record their recollection of the appearance of the body when they saw it. ..."Revision" of an autopsy protocol seems very dubious...Somebody should be collecting all official statements and although it might seem presumptuous, and might be, perhaps the mother might demand to right to have the report on the affair reviewed by her own experts and consultants prior to final preparation and release and the right to have a disagreeing report made part of it. I suggest that on semantics alone it will fall. There will also be such selective choice of source material as to disqualify it, I'm confident. Excuse rush.