

Phila. Pmg
I 8/2/79

The JFK conspiracy: Look at the report

By G. Robert Blakey

Shanin Spector's Op-ed Page piece ("The JFK conspiracy theory does not hold up," July 23) does an injustice to the work of the Select Committee on Assassinations; it also raises questions about his objectivity and competence.

The continued, almost exclusive concentration by Spector and others on the conspiracy conclusions of the Select Committee ignores other important findings and recommendations.

The committee also concluded, for example, that no governmental agency, foreign or domestic, was involved in either the President's or Dr. King's murder; and it made a variety of valuable recommendations, including the preparation of a "White Paper" by the Department of Justice to settle doubts about the acoustical study, and the enactment of charter legislation by the Congress to prevent another harassment campaign

by the FBI similar to that conducted against Dr. King.

Spector's piece also misstates the Kennedy conspiracy conclusion; it did not, in fact, rest on the acoustical study alone.

The final report explicitly premises the conclusion on four factors: 1) an inadequate 1964 conspiracy investigation that precluded reliance today on its no-conspiracy finding; 2) a finding of associates, who had the motive to murder the President, of Lee Harvey Oswald and Jack Ruby who were unknown or unappreciated by the Warren Commission; 3) the inability of the committee to rule out the complicity of certain individuals; and 4) the scientific fact of two shooters.

Reading Spector's piece, I wonder if he read the final report, an indispensable prerequisite to discussing it, much less criticizing it.

Contrary to Spector's assertion, no-

evidence is "sharply inconsistent" with the acoustical study. Proving that Oswald shot the President, does not prove that another was not also involved. In addition, it is a half-truth to say that no one "saw" the second gunman.

In fact, a policeman, a Secret Service Agent, and a Korean veteran (over whose head the third shot was fired) — among others — said they "heard" the shot from the knoll as well as the shots from the Depository. Others "saw" smoke on the knoll. (Modern guns do emit white gases.)

Finally, footprints were found behind the knoll fence, and a policeman accented a suspicious person behind the fence, who identified himself as a Secret Service agent, even though no agent acknowledges being in that area. As Spector does not note, these facts, too, put the Kennedy conspiracy finding "in perspective."

The committee itself acknowl-

edged that the term "conspiracy" had varying meanings and might be misunderstood, as Spector comments. Yet it also observed, rightly I believe, that it had a duty to be candid.

If two persons acted in concert to assassinate the President, that was a "conspiracy," no matter how unpleasant the word sounds. To have used some euphemistic variation would have been an unfortunate attempt to sugarcoat the truth. (We have enough of sugarcoating by government now. That — and not the truth — is the cause of mistrust of government.)

No one who reads the final report — will fail to understand the proper sense in which the term was used.

Spector is right in saying that acceptance of the acoustical study implies the acceptance of its assassination scenario. But he is egregiously wrong in describing it.

Spector's calculations are, for example, imprecise; they apparently

do not reflect such distinctions as average running time of the camera, corrected time of the tape, and time of trigger pull as opposed to time of impact.

According to the acoustical study, the first shot, not noted by Spector, occurred around Zapruder frame 156-161. It is, as such, consistent with Gov. John Connally's testimony, rejected by the Warren Commission, that he heard the first shot, reacted to it, but was not hit by it. Connally can, in fact, be seen in the film to turn to his right at 142-147. (The startled reaction of a little girl can also be seen in the background.)

The second shot occurred around 188-191. Contrary to Spector, Connally's wrist is not in sight during these frames, much less high on his chest; from the configuration of his shoulder and arm, the wrist appears to be on the governor's lap, right where it should be to receive the impact of the second shot. Spector has apparently not only not read the report, he has not carefully studied the film.

Expert FBI testing in 1964 indicated the rifle could be repeatedly shot at between 2.3 and 2.25 seconds, using the telescopic sight. Using the open iron sights, however, it is possible, though difficult, to shoot the weapon at a much faster pace. (I did it myself in 1953.)

With familiarity with the weapon, which Oswald had, accuracy can be added to speed; it is hardly "humanly impossible" to shoot the weapon as the acoustical study indicates it was shot.

Spector also misleads his readers in discussing the tree. Apparently, he has never seen a child run behind a picket fence. While the child is "obscured," he can be clearly seen as he runs; the mind's eye fills in the details. In any event, the trigger pull was probably 187, not 191, which is near to, if not right at, the break in the foliage. The acoustical study, therefore, hardly implies "blind firing," as Spector suggests.

When former President Ford appeared before the committee, he was asked why the work of the Warren Commission had fallen on such hard times (80 percent of the American people do not believe Oswald acted alone). The former president said its critics had "deliberately or negligently misled the American people by misstating facts and omitting crucial facts . . ."

He also noted that people had not read the Warren Commission's report. Mr. Spector's piece seems to be following in that tradition. It also seems to be less an objective study of the work of the committee than an effort to vindicate a father; it also calls into question the quality of the staff work that supported Rep. Robert Edgar's dissent to the committee's conspiracy conclusions.

(G. Robert Blakey, a professor of law at Cornell University, was chief counsel and staff director of the House Select Committee on Assassinations.)