

MEMORANDUM

April 4, 1996 [updated April 8, 1996]

To: The File

From: Joe Freeman

Subject: Arlen Specter - Background

Curriculum vitae: USAF Office of Special Investigations, 1951-53; Yale Law School, 1953-56; associate at Barnes, Deckert, Price, Myers & Rhodes in Philadelphia, fall of 1956 to Oct. '59; Assistant DA in Philadelphia, Oct. '59 to January '64; Warren Commission, Jan. to July, 1964.

Warren Commission and Post-Commission Era

Warren Commission: Specter was a Junior Counsel in Investigative Area I ("Assassination of President Kennedy on November 22, 1963 in Dallas", ie., basic facts of the investigation); Francis Adams was his nominal superior but, due to other commitments, Adams spent relatively little time on the investigation -- Specter was essentially the sole counsel in Area I. Nonetheless, Specter was the only Staff Counsel to submit his draft report to the Commission by June 1st, Chief Counsel Rankin's deadline. It seems clear from Fonzi's book that Specter and Humes developed a mutually respectful relationship during the WC period: Specter found Humes personally impressive and trustworthy; Humes found Specter sharp and able.

Fonzi interview: conducted for *Philadelphia Magazine* "...about a year after he [Specter] had returned from his Warren Commission job; he had recently been elected DA." (*The Last Investigation*, p. 19); the interview was conducted in two sessions which Fonzi tape-recorded (he still has the tapes). Specter was elected DA in November of 1965; Fonzi's description, then, would seem to date the interview sometime in late 1965 or early in 1966. The article, "The Warren Commission, Arlen Specter and the Truth," ran in the August, 1966, issue, after the publication of Epstein's *Inquest*. Lifton seems to have had access to these tapes -- see *Best Evidence*, bottom of page 508, although he places the interview as late as July of 1966.

Nation article: Jacob Cohen conducted what he described as a "lengthy" interview with Specter on June 13, 1966 for an article published in *The Nation* on July 11, 1966: "What the Warren Report Omits: Vital Documents." Cohen's states that "Arlen Specter... told me that he had not seen any of these documents." While not entirely clear, the context of the quote in the article suggests that Cohen/Specter are speaking in this instance only of the X-rays, as opposed to the X-rays *and* autopsy photos.

***U.S. News and World Report* interview:** the October 10, 1966 issue of U.S. News and World Report carried an interview with Specter in which -- in response to the question "Have you seen the pictures?" -- he said: "The complete set of pictures taken at the autopsy was not made available to me or to the Commission. I was shown one picture of the back of a body which was represented to be the back of the President, although it was not technically authenticated. It showed a hole in the position identified in the autopsy report. To the best of my knowledge, the Commission did not see any photographs or X-rays." During this interview, Specter also stressed a point he would reiterate eleven years later to the HSCA: "I think it is important to note that [the single bullet theory] was not a prerequisite to the Commission's conclusion that Oswald was the sole assassin. The point is often made that such a conclusion is indispensable to a single-assassin finding, but that is not so." Specter goes on: "As a matter of fact, the original thought...was, or the preliminary thinking was, that a single bullet passed through the President's neck, a second bullet struck the Governor and a third bullet hit the President's head... there was sufficient time for three shots to have been fired even if one bullet did not strike both the President and Governor."

***Life Magazine* interview:** according to Josiah Thompson (*Six Seconds in Dallas*, p. 210), Specter was interviewed by *Life* in conjunction with an article the magazine ran (Doug Horne and I believe it was probably a November '66 cover piece entitled "Did Oswald Act Alone? A Matter of Reasonable Doubt" -- but Thompson's footnote is not specific); Thompson claims to have seen an interview report in which Specter is quoted as saying: "...the dominant thinking with many people right up to the time the Report was published" was that JFK and Connally were hit by different bullets. This quote, apparently, did not appear in the article itself: it was in an unpublished staff interview summary.

October 24, 1966 call from Liebler to Specter: this was a private phone call between the two on the day David Lifton sprung the Sibert/O'Neill language concerning surgery on top of the President's head (prior to autopsy) on Liebler (*Best Evidence*, Chapter 9, call to Specter referenced on p. 224). It would be interesting to see if Specter has any recollection of this call or any reaction to Lifton's recounting of this event.

HSCA Era

Interview with HSCA Counsel Ken Klein: Klein interviewed Specter on October 27, 1977, at Specter's law office in Philadelphia. The interview summary indicates that Klein's questions were mostly of a procedural nature: ie., questions about how the Warren Commission functioned.

Testimony before HSCA: Specter testified on November 8, 1977. HSCA Counsel Kenneth Klein had arranged for Specter to testify on procedural questions relating to the operations of the Warren

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Commission. Thus, Specter had not reviewed substantive issues in preparation for his testimony and testily resisted Klein's efforts to drag him into these areas during questioning. Specter's lack of preparation is evident, for instance, in that he seems unclear at one point (p. 26 of 68 pages of testimony) as to whether or not Pierre Finck was present at the autopsy. Nonetheless, Specter handles himself well overall -- definitely sharp. He stresses that he has no problem with a reopening of the investigation of the assassination. He doesn't think the substantive conclusions of the WC are likely to be overturned, but believes strongly that new developments (CIA/Castro assassination plots, FBI/destruction of the Hosty note) should be looked into (p. 13 and subsequently). The issue of his having pushed for access to autopsy photos and X-rays arises several times (p. 14, for instance). Aside from the photos and X-rays, other regrets include his conviction that LBJ/Lady Bird should have had to testify or at least specifically answer the interrogatories he prepared, and that Jackie Kennedy should have been questioned more rigorously and at greater length. More generally, he says that all of the WC counsels felt that, in a perfect world, it would have been nice to have independent investigative staff instead of having to rely on the FBI, CIA, etc. Specter still believes the single-bullet hypothesis is valid, but also says that his belief in Oswald as the sole assassin can stand alone, ie. "I think they [JFK/Connally] could have been struck by separate bullets, all fired by Oswald" (p. 28, see also p. 27). This is consistent with the position he staked out in the '66 *U.S. News and World Report* article. Specter says twice that *he* did not see autopsy photos or X-rays (p. 30-31 and p. 66), but he says others may have, specifically Earl Warren. In fact, Specter has a recollection of having *written* Earl Warren on the matter after the WC wrapped up its work: he references an *exchange of letters* and *meetings* (p. 66). Of course, 1977 was the same year Earl Warren's posthumous memoir was published in which Warren states that he saw the photos -- given that Specter testified before HSCA late in the year, it's likely the book was already out and Warren's admission public.

1992 JFK Act Testimony: Specter was an important sponsor of the statute setting up the ARRB; on May 12, 1992, he testified on behalf of S.J.Res. 282 before Sen. Glenn's Committee on Governmental Affairs, strongly supportive of moving the legislation; Specter endorsed full disclosure: "I believe that public confidence requires full disclosure of all the Warren Commission records... I personally know of no materials which ought not to be released... Perhaps there is something that ought not to be released, but I think that there should be a very, very, very strong case made before any information is withheld, and I would have a doubt expressed here this morning that any information ought not to be released... I think it is very important to put it all out there and let the chips fall where they may."

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File 4.0.2 Specter, Arlen