

MEMORANDUM

May 1, 1996 [last revised September 19, 1996]

To: Jeremy Gunn
From: Joe Freeman
Subject: Specter/Warren Commission Milestones

11/29/63 Warren Commission (WC) appointed by Ex. Order No. 11130.

12/5/63 **First executive session meeting.** Katzenbach present for most of it. Transcript is 68 pages long. Topics discussed included: how to handle/head off the Texas Board of Inquiry; leaks to the press concerning the FBI investigation; scheduling of Ruby's trial and constraints that would place on WC; issue of whether WC should have subpoena power; Chief Justice Warren floats Warren Olney as possible Chief Counsel; how to handle the press.

p. 33 Senator Russell: "I told the President the other day, fifty years from today people will be saying he had something to do with it so he could be President."

12/6/63 **Executive session.** Twenty-six pages in length. Olney out, Rankin in (honorable mention to Lloyd Cutler and others).
Immunity power discussed, as is letter to Texas AG Waggoner
re: Texas Board of Inquiry.

Carr,

12/9/63 Commission receives FBI report on assassination w/cover letter from Deputy AG Katzenbach.

ALSO on 12/9: Henry Suydam of LIFE Magazine calls office of Earl Warren, offering the Commission the Zapruder film.

12/12/63 Letter from Earl Warren to Henry Suydam of LIFE, expressing thanks for call of 12/9 and indicating interest in securing the Zapruder film for the Commission.

12/16/63

Executive session. Sixty-one pages. J. Lee Rankin sworn in as Chief Counsel; Commission signs off on Rankin choice of Adams and Jenner as senior counsel. Members have had some time to look over FBI report; their reaction is skeptical and Rankin goes so far as to suggest that WC may need some investigative staff of its own to handle "tender spots": areas where the credibility or performance of existing agencies may be open to question. Other topics include: when to go to Texas; how to handle potential VIP witnesses like Jackie Kennedy, the Connallys and LBJ. McCloy, in particular, feels strongly that the Commission must speak with Jackie as soon as possible (p. 55). Dulles distributes his history of previous U.S. assassinations.

- p.12 Boggs: "There's nothing in there [FBI report] about Gov. Connally."
Warren: "No."
Cooper: "And whether or not they found any bullets in him."
McCloy: "This bullet business leaves me confused."
Warren: "It's totally inconclusive."
Russell: "They couldn't find where one bullet came out that struck the President and yet they found a bullet in the stretcher."
- p. 55 McCloy: "She's [Jackie Kennedy] the chief witness as to how those bullets hit her husband. She saw both of them."
Russell: "Yes, there's no question about that."
McCloy: "This is looming up as the most confusing thing that we've got."
Warren: "I wonder if the report we get from the Secret Service wouldn't pretty much clear that up. If it doesn't, good Lord, what can they report to us on that will help us? They were there, right at the car, and know exactly what happened."
Boggs: "Well, this FBI report doesn't clear it up."
Warren: "It doesn't do anything."
Boggs: "It raises a lot of new questions in my mind."

12/18/63

Secret Service submits report to Commission.

12/20/63 Per its request, the Commission begins receiving the raw FBI investigative reports upon which the 12/9 Report was based.

1/2/64 Arlen Specter forwards cover letter and resume to Commission.

1/9/64 Hiring of Arlen Specter announced. FBI SAC Philadelphia forwards biographical sketch of Specter to Director Hoover.

1/20/64 Chief Justice attends staff meeting at which Specter and other new hires are present. He tells lawyers: "Your only client is the truth."

1/21/64 **Executive session.** One hundred and twenty-six pages. The structure of the Commission's inquiry begins to take shape: six areas of inquiry, completion of staffing, setting up of subject teams composed of one senior and one junior counsel, June 1st target date for completion, etc. Other discussion items: Jackie Kennedy's potential testimony, press relations, differences between FBI/USSS estimates on distances in Dealey Plaza, protection of Oswald's body (and fear of move to exhume and cremate him), negotiations with Marina's lawyer (re: upcoming testimony), protective custody of Marina, approach to Soviet Union for records, Ruby trial, etc. There is an obscure passage, reproduced below, which suggests that the Commission had physical possession of the autopsy photos at this point.

p. 20 McCloy: "...let's find out about these wounds, it is just as confusing now as could be. It left my mind muddled as to what really did happen... why did the FBI report come out with something which isn't consistent with the autopsy when we finally see the autopsy?"

p. 35 McCloy: "They [unclear what this pronoun references -- perhaps FBI or other agency documents] talk about the colored photographs of the President's body -- do we have those?" [again, does 'those' refer to the reports or to the

photographs?].

Rankin: "Yes, it is part of it, a small part of it."

McCloy: "Are they here?"

Rankin: "Yes. But we don't have the minutes of the autopsy, and we asked for that..."

1/22/64 **Executive Session.** This was an unplanned, emergency session called to discuss an alert from Texas AG Waggoner Carr, re: allegation that Oswald was an FBI informant. Meeting lasted from 5:30 PM until after 7:00 PM. Decision was made to have relevant Texas officials come to Washington to speak with WC staff. This took place two days later, on 1/24.

1/23/64 Specter/Adams memo to Rankin: "Statement of Objectives and Problems in Response to Your Request of January 22, 1964." Attached to this two-paragraph memo is a four-page "Revised Outline of Subject Matter of Phase I" and a two-page "Memorandum of Things to Be Done and Some of the Problems Involved." The latter list includes "(f) Further viewing and analysis of the moving pictures of the actual happening and of the reconstructions." This suggests that Specter may already have seen a copy of the Zapruder film. Note also the next item: "(g) There would seem to be a considerable amount of confusion as to the actual path of the bullets which hit President Kennedy, particularly the one which entered the right side of his back."

1/27/64 **Executive session.** Eighty-five pages. Since the executive session of the 22nd, the Oswald-as-FBI-informant issue had risen to prominence in the media. The Commission spent a great deal of time discussing allegations published in the Houston Post ("Oswald Rumored as Informant for U.S.", by Lonnie Hudkins, January 1, 1964), and subsequently recycled in the *Nation* (Harold Feldman's article "Oswald and the FBI" ran in the magazine's 1/27 issue, which was available on newstands on 1/24) and N.Y. Times, that Oswald was an FBI informant. Members wrestled with the difficulty of getting to the truth of the allegation: it was in the context of this discussion that Allen Dulles made his now-famous remark about how he would expect an agent, or even

J. Edgar Hoover, might lie about the matter under oath. More generally, frustration with the FBI continues to manifest itself. Frustration is also voiced about the likelihood of getting to the truth regarding Oswald's stay in the Soviet Union. Discussion reflects increasing focus on specific investigative areas, including the autopsy/medical evidence. Members are still confused by differences between the FBI report and the autopsy, and Rankin raises what will become and remain a key problem: the location of the back/shoulder wound. In the passage reproduced below, Rankin refers to a "picture" of the back wound; since the Rydberg drawings have not been made at this point, it would seem that Rankin must be referencing one of two things: an autopsy photo, or the autopsy face sheet. Also, Rankin references the confusion over which stretcher CE 399 was on.

- p. 171 Rankin: "Part of our difficulty in regard to it is that they [the FBI] have no problem. They have decided that it is Oswald who committed the assassination, they have decided that no one else was involved, they have decided --
- Russell: "They have tried the case and reached a verdict in every aspect."
- Boggs: "You have put your finger on it."
- McCloy: "They are a little less certain in the supplementals than they were in the first."
- Rankin: "Yes, but they are still there. They have decided the case, and we are going to have maybe a thousand further inquiries... And I think their reaction probably would be, 'Why do you want all that? It is clear'."
- Russell: " 'You have our statement, what else do you need.' "
- McCloy: "Yes, 'We know who killed cock robin'..."
- p. 193 Rankin: "Then there is a great range of material in regard to the wounds, and the autopsy and this point of exit or entrance of the bullet in the front of the neck, but with the elevation the shot must have come

from, and the angle, it seems quite apparent now, since we have the picture of where the bullet entered in the back, that the bullet entered below the shoulder blade to the right of the backbone, which is below the place where the picture shows the bullet come out in the neckband of the shirt in front..."

ALSO on 1/27: Epstein states that this is the date on which WC staffers Specter, Redlich and Eisenberg first meet with FBI personnel Shaneyfelt and Gauthier and USSS Inspector Kelley to conduct a frame-by-frame analysis of the Zapruder film (*The Assassination Chronicles: Inquest*, p. 123).

- 1/30/64 Five-page Specter memo to Rankin: "Suggestions on Questioning of Marina Oswald in Response to Your Memorandum of January 29th."
- 1/31/64 One-page Specter memo to Rankin: "Comments on Pages 47-57 of Proposed Questioning of Marina Oswald."
- 2/3/64 First Commission hearing; Commission and staff would take testimony from 552 witnesses: 94 before members of the Commission, 395 before WC staff attorneys, 61 by affidavit and two by statement.
- 2/19/64 Specter memo to Rankin: "Comprehensive Memorandum on Phase I." (The memorandum itself is dated 2/18; forwarding/cover memo is dated 2/19.)

Subtitled "The Assassination: President Kennedy's Agenda and Activities From Planning the Dallas Trip Through Autopsy," this 106-page document lays out what Specter and the Commission know at this date and what remains to be done. The first 27 pages review trip planning and chronicle in great detail all the newspaper articles concerning the trip, Dallas motorcade route, etc. Pages 28 through 37 take the reader up to the moment of the assassination, recounting the arrival in Dallas, the make-up and route of the

motorcade, etc. On page 36, under the heading "6. Speed of the Motorcade," Specter recounts MPH estimates and then states:

"Efforts have been made to ascertain a more exact calculation of speed by viewing the films taken by Mr. Abraham Zapruder and Mr. Orville O. Nix. Those calculations are as of this moment incomplete because the precise positions of the President's automobile have not been fixed."

Study of the Zapruder and Nix films is referenced again on page 39, where Specter also states: "The original of the Zapruder film has been requested." It's clear that much more study of the film evidence is intended; it is less clear how much has already gone on: "...at the time of this writing that supplemental viewing remains to be conducted."

Pages 40-54 recount eyewitness testimony from Dealey Plaza -- motorcade participants as well as bystanders -- including the witnesses who would testify before the Commission (under Specter's questioning) on March 9th and 10th. Pages 58-70 reference the treatment of the President at Parkland; pages 70-74 reference Connally's treatment. Pages 74-80 recount the activities of the rest of the Presidential party at Parkland, departure back to Love Field, President Johnson's swearing in, etc. Specter recapitulates the autopsy report beginning on page 80. Pages 89-100 address the disposition of the President's clothing, the Presidential car and the bullets. In the memo's recommendations section (p. 100-106), Specter lists individuals he believes should testify before the Commission. He stresses his belief that various VIP witnesses whose recollections of the assassination had yet to be recorded (Jackie Kennedy, LBJ and Mrs. Johnson, Gov. and Nellie Connally) should be contacted: "It is crucial that the Commission demonstrate that it is obtaining all the information from all the sources... it is recommended... that these five key individuals give depositions under oath in a question and answer form to be stenographically tran-

scribed" (p. 101, emphasis in original). Under the heading "Further Fact Finding", Specter reiterates: "The original Zapruder film should be viewed" (p. 103). The single-bullet theory has not yet made its appearance, but his recommendations include further research into "what paths the bullets took in the bodies of President Kennedy and Governor Connally. The probable reaction time of Governor Connally should be ascertained, if possible, to best determine the time sequence of the shots" (p. 104). Specter also recommends, under "(g) Further medical data to be obtained as follows:", securing the autopsy photos (which he calls "pictures") and X-rays (emphasis in original, p. 104).

- 2/24/64 **Executive session.** Six pages, re: Marina disclosure of Oswald threat to Nixon, Oswald/FBI informant, Hosty name being left off the FBI transcript of Oswald's address book, etc. Reference is made to the comprehensive staff memos (like Specter's) being submitted.
- 2/25/64 Rankin responds to Specter's memo of 2/19 with a two-page memo of his own. The memo instructs Specter to take seven specific steps: 1) prepare questions for the five VIP witnesses, 2) be responsible for taking the testimony the Commission eventually hears on March 9th and 10th from the Secret Service agents and Dealey Plaza/TSBD rifle witnesses; in this regard, Rankin requests a memo, re: evidence Specter expects to elicit, 3) prepare a similar memo for the autopsy doctors; Specter is instructed to consult with Redlich on this subject and Rankin also suggests that the autopsy doctors should be interviewed before their testimony (see 3/12), 4) prepare questions for Yarborough, O'Donnell, Powers and Carter, 5) prepare to go to Texas in mid-March and take depositions of various witnesses Specter recommended be deposed in his memo, 6) work with Redlich, Eisenberg and Belin on ballistics; Rankin also states that Specter should "consult with Mr. Willens as to the necessary steps to obtain the material set forth in subsection G on page 104... [which, as noted above, references the autopsy photos and X-rays, among other items]," 7) instructs Specter to, again, consult Willens on

other evidentiary items Specter recommended be obtained.

ALSO 2/25/63: Herbert Orth of *Life* magazine delivers original Zapruder film to the Commission (Belin, *November 22, 1963: You Are the Jury*, p. 304).

- 2/28/64 Specter memo to Rankin: "Written Material Requested in Your Memorandum of February 25, 1964." This eight-page memo outlines questions to be asked of the Secret Service agents and TSBD rifle witnesses who will testify on March 9th and 10th.
- 3/3-4/64 Specter interviews Secret Service agents who will testify on 3/9.
- 3/9/64 Specter conducts questioning of Secret Service agents Kellerman, Greer, Hill and Youngblood during their testimony before the Commission.
- 3/10/64 Specter conducts questioning of Dealey Plaza witnesses Robert Hill Jackson, Arnold Rowland, James Worrell and Amos Euins during their testimony before the Commission.
- 3/11/64 Specter memo to Rankin: "Witnesses Who Testified Before the Commission on March 9 and 10, 1964." This 3-page memo summarizes testimony of witnesses Specter had questioned on 3/9 and 3/10. Specter notes discrepancies in testimony and 3/3 interviews of Secret Service agents; he also notes that no pre-testimony interviews were conducted of Dealey Plaza/TSBD rifle witnesses.

ALSO 3/11: Specter and Joseph Ball interview Galloway, Humes and Boswell at Bethesda. The interview lasts approximately two hours. Specter and Ball ask Humes and Boswell to prepare what becomes the Rydberg drawings. According to a mid-1970's interview Specter gave to Tom Snyder, this interview is where the single-bullet theory began to take shape:

"The first real inkling that I got of the single-bullet

conclusion [Specter indicates that he prefers the term 'conclusion' to that of 'theory'] came when I was questioning Dr. Humes. I had one brief session with Dr. Humes, who was the chief autopsy surgeon, at the Bethesda Hospital on the Friday preceding the Monday when he testified before the Warren Commission. I only saw him one afternoon and did that in order to get an idea as to his testimony generally and to tell him about the procedures. Up to that time the general thought had been that the first shot had hit the President in the neck, and the second shot had hit Governor Connally, and the third shot had hit the President in the head...[Specter indicates that he and Humes had a discussion of the path of the bullet through the President's body, the deduced trajectory of the shot, etc., and that] the first thought that came to my mind... [was] where did the bullet go? What happened to the bullet? Where did it go... and that's when we started to explore the possibility that it had hit Governor Connally."

This rendition would also be consistent with Epstein's citing of "early March" as the period in which the single-bullet theory began to evolve (*Inquest*).

3/12/64 Specter memo to Rankin: "Interview of Autopsy Surgeons." This one-and-a-half page memo summarizes the interview of the day before. It makes no mention of the single-bullet theory but it does state that Humes and Boswell "said it was their current opinions that the bullet passed in between two major muscle strands in the President's back and continued on a downward flight and exited through his throat. They noted, at the time of the autopsy, some bruising of the internal parts of the President's body in that area but tended to attribute that to the tracheotomy at that time." This summary memo is instructive in that it suggests that the transit theory for the bullet that entered the President's back may have developed *after* the autopsy (ie., after Humes' call to Dr. Perry of Parkland Hospital) instead of *during the course of* the autopsy itself. Lifton discusses all this in *Best Evidence*. Later, in his 1966 interview with Fonzi (see below), Specter supports the contention that the

probability of the bullet having transited the President's body was a conclusion which was drawn during the autopsy and subsequently ratified by the call with Perry. In the context of a discussion regarding the Sibert-O'Neill report and its non-transit conclusion, Specter tells Fonzi:

"... that was before they cut into the President to see the path that was later detected in the President's neck... Humes talked to Perry, the surgeon at Dallas, on the telephone Saturday morning and then, *by that time*, Humes had also cut into the President and found... the physical evidence that the bullet passed through the President's neck [emphasis added]."

ALSO 3/12: Specter interviews FBI agents Sibert and O'Neill for about forty-five minutes and drafts a memo to Rankin of the same date, "Interview of FBI Agents Present at Autopsy." Specter questions the agents about "the portions of the FBI report which Kellerman and Greer have repudiated."

ALSO 3/12: Ruby trial ends in Dallas.

3/13/64 WC long-distance telephone call sheet references a Specter-Humes call on this date.

3/16/64 Specter questions Humes, Boswell and Finck during their testimony before the Commission.

The single-bullet theory makes its first public appearance in the following historic passage (WC Hearings: Volume II, p. 375):

Specter: "Now assuming that there were only three missiles fired, and bearing in mind the positions of President Kennedy and Governor Connally... do you have an opinion as to the source of the missiles which inflicted the wound on President Kennedy... and the wound in Governor Connally's

chest...?"

Humes: "Yes... this missile struck no bony structures in traversing the body of the late President... it was moving at its exit from the President's body... at great speed... Governor Connally is sitting directly in front of the late President and [I] suggest the possibility that this missile, having traversed the low neck of the late President, in fact traversed the chest of Governor Connally."

Humes is not postulating a full-blown single-bullet theory here, in that a page later Humes states that he thinks it "extremely unlikely" that this same bullet -- even if it traversed the President's neck, the Governor's chest *and* the Governor's wrist -- could *also* have caused the Governor's thigh wound.

ALSO 3/16: Specter leaves late that day for Dallas, via Chicago and Kansas City. Between 3/20 and 3/25 he deposes or interviews 29 people, as follows:

Parkland Hospital Doctors

Akin, Bashour, Baxter, Carrico, Curtis, Clark, Dulaney, Giesecke, Gregory, Hunt, Jenkins, Jones, McClelland, Perry, Peters, Salyer, Shaw, Shires and White

Other Parkland Personnel (stretchers and bullets)

Diana Bowron
R.J. Jimison
Margaret Henchcliffe
Doris Mae Nelson
Henrietta Ross
Ruth Standridge
Darrell Tomlinson
Jane Wester

Also: Parkland Hospital Administrator Charles Price

Other: Jean Hill (3/24)

- 3/17/64 One-page Specter memo to Jenner and Liebeler asking them to ask the Paines what newspapers Oswald read or subscribed to.
- 3/26/64 Specter returns to Baltimore/Washington
- 3/30/64 Specter conducts questioning of Drs. Carrico and Perry during their testimony before the Commission.
- 3/31/64 Five (5) Specter memos to Rankin, re: suggested questions for VIP witnesses Gov. Connally, Mrs. Connally, President Johnson, Mrs. Johnson and Jackie Kennedy, respectively -- 372 questions in all. In an 11/3/66 interview with author Richard J. Whalen, Specter characterized the questions he drafted for Mrs. Kennedy as a list "that would choke a horse."
- 4/9/64 Letter from Rankin to J. Edgar Hoover, re: request for FBI examination of Connally's clothing:

"We are interested to know if all of the holes could have been made by one missile. The theory has been advanced that the bullet entered Governor Connally's back, exited from his lower chest, entered the dorsal aspect of his Wrist, exited from the volar or underside of his wrist, and then entered his left thigh."

There is no mention of such a missile having previously struck the President.

ALSO 4/9: Specter/Adams memo to Rankin, re: interviews of Clifford Carter, Dave Powers and Sen. Yarborough. The memo suggests that Ken O'Donnell doesn't much want to be interviewed.

Specter also reiterates his view that VIPs should not only be interviewed, but that their testimony should be taken by the Commission. A subsequent memo (see 4/20) makes clear that

Yarborough, at least, was interviewed on this date.

4/10/64 Redlich memo to Rankin, "Commission and Staff Action for Completion of Investigation."

Item "V" on page 3 of this memo is "Completion of Examination of the Films of the Assassination and Further Investigatory Work Resulting Therefrom." This memo indicates that the viewing of the Zapruder slides was scheduled for April 14. Redlich references that, for the planned reenactment in Dallas, staff plan to ask the FBI to provide dummies that could be marked by the Bethesda doctors "with the exit and entry points of the first bullet that hit President Kennedy *and the bullet that hit Governor Connally* [emphasis added]." While open to interpretation, this line clearly suggests that Redlich, at least at this still-early juncture, believes that Connally was hit by a different bullet than the one that caused the President's back/throat wound.

4/14/64 A "conference" is held to view the Zapruder file, re: timing of shots. What we know of this conference comes from a 4/22 memo for the record authored by Melvin Eisenberg who, along with Redlich, were also heavily involved with the issue. It may or may not be of significance that the memo summarizing *this* conference is not written until after a *second* conference on 4/21. Attendees on 4/14 were Humes, Boswell, Finck, Drs. Light and Olivier from Edgewood Arsenal, Messrs. Malley, Gauthier and Shaneyfelt from the FBI (along with two other unidentified FBI agents), Messrs. Kelley and Howlett from the Secret Service and, from the Commission staff, Specter, Redlich and Eisenberg. This group not only had the original Life version of the Zapruder film but also slides of various frames which Life had prepared.

The possibility that Gov. Connally's chest wounds were caused by the bullet that passed through the President's back/neck is clearly under consideration at this meeting, but so is the possibility that the Governor's wrist wound was caused by a separate (the second) bullet. In a section laying out what Eisenberg describes

as "the consensus of the meeting," he writes:

"(c) The velocity of the first bullet would have been little diminished by its passage through the President. Therefore, *if* Governor Connally was in the path of the bullet it would have struck him and (*probably*) caused the wounds he sustained in his chest cavity. Strong indications that this occurred are provided by the facts that (1) the bullet recovered from Governor Connally's stretcher *does not appear to have penetrated a wrist* and (2) if the first bullet did not hit Governor Connally, it should have ripped up the car, but apparently did not. *Since the bullet recovered from the Governor's stretcher does not appear to have penetrated a wrist, if he was hit by this (the first) bullet, he was probably also hit by the second bullet.*" [emphasis added]

Later in the memo, Eisenberg notes Specter's divergence from the meeting's consensus on the issue of when Connally could have sustained his chest wounds:

"(I) After Governor Connally straightened up at frames 224-26 he starts a turn to the right. As a result of this turn, at no time after frame 236 was Governor Connally in a position such that a bullet fired from the probable site of the assassin would have caused the wound in the chest cavity which Governor Connally sustained -- that is, after frame 236, the Governor presented a side view to the assassin rather than a back view.*"

At the bottom of the page, Eisenberg's asterisk is explained: "Mr. Specter disagrees with this, and feels the Governor was in a position to receive the chest wound up to 242." Eisenberg also writes:

"(j) It is not possible to say whether prior to 236 Governor Connally was ever in a position such that one bullet could have caused the five wounds he sustained."

It should also be noted that the above observation is made before the Dallas reenactment.

Notable by its absence in this memo is the single-bullet theory: at no point in this document is it posited or even suggested that one bullet caused both the President's back/neck wound and *all* of Gov. Connally's wounds.

The FBI's read on this conference was reflected in a two-page memo from A. Rosen to Alan Belmont, dated the following day. The second page of the memo is essentially a recapitulation of comments ascribed to Humes, re: path of bullets:

"During this session Commander James J. Hughes advanced the theory that the first shot entered the President's body in the rear... and exited in the front without encountering any bone or other objects which slowed the bullet to any degree. Commander Humes was of the opinion the bullet continued and struck Governor Connelley [sic -- Hoover's marginalia on memo comments that "Malley should know how to spell Gov. Connally's name."] in the back... Commander Humes stated that here again, based on medical reports received from doctors in Texas who examined Governor Connelley [sic], the bullet met with no serious obstruction and passed through the body, merely grazing one of the rib bones. It was Commander Humes' opinion that the bullet from the first shot apparently lodged in some manner in the clothing of Governor Connelley [sic] and this bullet is the one found on the stretcher on which Governor Connelley [sic] was brought to Parkland Hospital... Commander

Humes states this bullet was not damaged in any way and it is for this reason that the first shot definitely passed through both the body of the President and Governor Connelley [sic]. In explaining his feelings concerning his theory, Commander Humes stated that another shot is believed to have hit the right wrist of Governor Connelley [sic] with such an impact that it caused the bullet to break into many

Memo to Jeremy Gunn
May 1, 1996
Page 17

fragments and he noted that many fragments were found in the wrist area of Governor Connelley [sic] as well as in the thigh of the left leg.... The other doctors present did not completely confirm the theory of Commander Humes but felt... that there was a possibility this theory was correct. Staff members of the Commission gave no indication what

additional action they planned relative to this theory.”
Again, it should be noted that Humes as cited here is not talking about the *full-blown* single-bullet theory, since he posits that Gov. Connally’s wrist wounds (and perhaps his thigh wound, as well) were caused by a separate bullet than the one that he believes caused the President’s back/neck wound as well as Gov. Connally’s chest wound.

4/15/64 WC phone log indicates Specter spoke with Parkland Hospital Administrator Charles Price on this date.

ALSO on 4/15: Rosen memo to Belmont, re: FBI take on 4/14 conference, cited above.

4/16/64 Two-page Specter memo to Rankin, “Remaining Work in Area I.”

Item 1, “Obtain accounts of assassination from the eyewitness celebrities.” Specter is still advocating that VIP witnesses testify, though he is now recommending that affidavits are sufficient for Clifford Carter and Dave Powers. He references that Gov. and Mrs. Connally are slated to testify on 4/21.

Item 2, “Obtain further medical evidence.” Under this heading, Specter states that “Photographs and X-rays of the autopsy should be examined to make certain of the accuracy of the artist’s drawings of President Kennedy’s wounds.” Specter returns to this theme with a vengeance on 4/30. Reference is also made to the upcoming testimony of Drs. Gregory and Shaw. Specter also notes that it might be a good idea to take depositions from Parkland medical personnel who were unavailable when he was in Dallas: Drs. Seldin and Crenshaw and David Sanders.

- 4/20/64 Two-page Specter memo to Rankin, "Interview of Senator Yarborough." Interview summary; at the end of it Specter recommends Yarborough be called to testify.
- 4/21/64 Specter conducts questioning of Drs. Shaw and Gregory, as well as Governor and Mrs. Connally, during their testimony before the Commission.

ALSO on 4/21: a second documented conference is held to view the Zapruder film, re: impact of first and second bullets.

Eisenberg's memo for the record is, like his earlier one, dated 4/22. Repeat participants from 4/14 were: Drs. Olivier and

Light from Edgewood Arsenal, Messrs. Gauthier and Shaneyfelt from the FBI (accompanied this time by only one unidentified agent), and WC staffers Redlich, Specter and Eisenberg. New participants at the second conference were Dr. Dolce from Edgewood, Drs. Gregory and Shaw from Parkland (present for their testimony before the Commission that same day) and David Belin from the WC staff. Described as joining the conference "later in the proceedings" were Rankin, Commissioner McCloy and Gov. and Mrs. Connally. Once again, Eisenberg's memo lays out "the consensus of the meeting." Once again, the consensus includes a conclusion that "at no time after frame 236 was Governor Connally in a position such that a bullet fired from the probable site of the assassin would have caused the wound in the chest cavity...". Once again, Specter's dissent from this conclusion is referenced via an asterisk. Eisenberg cites Connally as "positive that he was hit after he heard the first shot, i.e., by the second shot, and by that shot only." Eisenberg also cites Drs. Light and Dolce "as being very strongly of the opinion that Connally had been hit by two different bullets, principally on the ground that the bullet recovered from Connally's stretcher could not have broken his radius without suffering more distortion." Dr. Olivier, however, "withheld a conclusion" pending the upcoming tests on animal tissue.

- 4/22/64 One-page Specter memo to Rankin, "Information Requested in

Your Memorandum of April 16, 1964.” This is a short update on the status of Specter’s part of the investigation. In it he references that he expects to begin writing the first draft of the report in his area during the week of May 4th.

ALSO on 4/22: Eisenberg writes his two memos for the record, re: conferences on Zapruder film.

ALSO on 4/22: The FBI replies to Rankin’s letter of 4/9, re: testing of Governor Connally’s clothing. The Bureau’s conclusion: “It was not possible from an examination of the clothing to determine whether or not all of the holes were made by the same projectile or projectile fragments.”

4/23/64 Eisenberg writes another memo for the record which references conferences held “over the last several months” to view the Zapruder, Nix and Muchmore films, re: point of impact of the third -- head -- shot. The memo includes Specter in a list of individuals “present at most or many of these conferences” (as opposed to the list present at “all” of them).

4/24/64 Eisenberg memo to Redlich, Specter and Belin, “Determination of the Trajectories of the Three Shots.” This detailed memo, a little over two pages in length, concerns itself with the mechanics of how a reenactment in Dallas should be set up. The memo’s last sentence is most relevant to our purposes here in that Eisenberg states:

“In particular, an attempt should be made to photograph various relative positions of the persons simulating the President and Governor Connally *with a view to determining whether the first bullet probably did or did not hit the Governor as well as the President.*” [emphasis added]

4/27/64 Norman Redlich memo to Rankin, re: the necessity of undertaking a reenactment of the assassination in Dallas. Apparently, the final decision to undertake this project has not yet been made, and Redlich is making a strong pitch to Rankin that this is a crucial and

necessary step. Remember: Redlich has been very involved in the viewing of the Zapruder film, the conferences, etc. The second sentence of his memo is therefore significant:

“Our report presumably will state that the President was hit by the first bullet, *Governor Connally by the second*, and the President by the third and fatal bullet. The report will also conclude that the bullets were fired by one person located in the sixth floor southeast corner of the window of the TSBD building.” [emphasis added]

Redlich’s stated presumption, re: Connally’s wounds, indicates that -- at least insofar as Redlich is concerned -- the single-bullet theory has not yet won the day as late as the end of April. Also clear is that, even after repeated viewing of the Zapruder film and long discussion of the timing problems it presents, Redlich, at this juncture, sees no absolute contradiction between

Connally having been hit by the second bullet (not the first) and a lone assassin. (Of course, Specter himself has always insisted that the single-bullet theory is not necessary to a lone-assassin conclusion.) Redlich admits in his memo, however, that this presumed conclusion is only “a reasonable hypothesis which appears to be supported by the medical evidence...”. He doesn’t feel any conclusions can be comfortably posited without empirical testing in Dealey Plaza. He is especially concerned with resolving the timing problem by determining how early the President may have been hit by the first shot. Redlich concludes his memo with a prescient warning:

“...it is a certainty that others will examine the Zapruder films and raise the same questions which have been raised by our examination of the films. If we do not attempt to answer these questions with observable facts, others may answer them with facts which challenge our most basic assumptions, or with fanciful theories based on our unwillingness to test our assumptions by the investigatory methods available to

us.”

Overly sanguine as he may have been regarding the efficacy of a Dallas reenactment in deflecting future critics, Redlich subsequently signed on to the single bullet theory. Eisenberg would later tell Epstein that “at first, some lawyers were incredulous of this hypothesis” (*Inquest*, p. 126).

Note: In *Inquest* (p.130), Epstein cites Specter as the one who proposed the reenactment, and Epstein says this happened in May. But this Redlich memo of April -- which cites several unnamed WC staffers as sharing his concerns -- would certainly predate Epstein’s citation.

ALSO 4/27: Wound ballistics tests conducted by U.S. Army personnel at Edgewood Arsenal. Epstein describes Specter as having supervised these tests (*Inquest*, p. 128).

4/29/64 Specter memo to Rankin, re: authorization of affidavits. This memo references that a decision has been made to proceed with securing affidavits from Yarborough, O’Donnell, Powers and Carter.

4/30/64 Two-page Specter memo to Rankin, “Autopsy Photographs and X-Rays of President John F. Kennedy.”

“In my opinion it is indispensable that we obtain the photographs and X-rays of President Kennedy’s autopsy...”. So begins Specter’s memo. In it, Specter stresses “all of the outstanding controversy about the direction of the shots” and cites the fact that the Parkland doctors never saw the President’s back wound or the entry point for the head wound. Therefore, the photos must be looked at to verify that these holes “had the characteristics of points of entry.” Specter sees a need to verify the testimony of Humes, Finck and Boswell which, he points out, “has come only from Government doctors.” The location of the entry wound in the back also requires verification:

Memo to Jeremy Gunn
May 1, 1996
Page 22

“It is essential for the Commission to know precisely the location of the bullet wound on the President’s back so that the angle [of the shots] can be calculated.”

Specter is also concerned about testing the accuracy of the Rydberg drawings:

“Some day someone may compare the films with the artist’s drawings and find a significant error which might substantially affect the essential testimony and the Commission’s conclusions. In any event, the Commission should not rely on hazy recollections, especially in view of the statement in the autopsy report (Commission Exhibit #387) that ‘The complexity of these fractures and the fragments thus produced tax satisfactory verbal description and are better appreciated in photographs and roentgenograms which are prepared’.”

Specter is fully aware of the sensitivities regarding Commission access to the photos and X-rays and suggests that the number of individuals given access be held to an “absolute minimum” and that the photos and X-rays not be made a part of the Commission’s official records.

ALSO on 4/30: **Executive Session.** Specter’s memo sets the stage for a discussion of the autopsy photos and X-rays by the members of the Commission itself. The transcript for this session is 43 pages long. Members present are the Chief Justice, Sen. Cooper, McCloy and Dulles. Absent are Ford, Boggs and Russell. Topics discussed include general progress by staff on various issues, the General Walker case, securing more information on the Schrand incident, developments at the Ruby trial, securing the affidavits of agency heads on their respective agencies’ non-involvement with Oswald, possible testimony by RFK, etc. Item 5 on Chief Counsel Rankin’s agenda is: “Autopsy Pictures of President Kennedy.”

p. 5880-5884:

Rankin: "The staff feels that we should have some member of the Commission examine those pictures. We have a very serious problem in the record now that Dr. Humes testified, as you recall, that the bullet in his opinion probably passed through the President and then through Governor Connally. And we now have the testimony of Governor Connally that that couldn't have happened. He is certain it didn't happen. And that the bullet that struck him is one that did not hit the President. We also have some drawings of President Kennedy which are reconstructions... and we don't know whether these drawings conform to the pictures of the autopsy or not...I feel that a doctor and some member of the Commission should examine them sufficiently so that they could report to the Commission that there is nothing inconsistent with the other findings in connection with the matter in those pictures. In that way we can avoid any question that we have passed anything up that the Commission should know or that we haven't tried to take advantage of information that should be available to us."

McCloy: "There is this element. In the record there is an indication by the doctor [Humes] that there was a certain -- he would prefer to have the pictures -- see the view of the pictures in connection with the charts that he was representing to us. There was a certain little note of minor inadequacy in connection with the chart which he had, without the pictures... I remember he said, 'I think I could show you this better on the photographs than I could through these charts'."

Rankin: "That is right."

Warren: "Well, I think you can work that out, Lee, to do that, but without putting those pictures in our record. We don't want those in our record."

McCloy: "Certainly not."

Warren: "It would make a morbid thing for all time to come."

Rankin: "Is that effort to proceed in that manner, without having them in the record, and having an examination by the doctor and one of the members of the Commission satisfactory then?"

Warren: "Only for verification purposes. Yes, I think that would be all."

Dulles: "By the doctor and a member of the Commission."

McCloy: "Oh, yes, you would need a doctor present to interpret it to you."

Warren: "All right."

Rankin, and by extension Specter's memo, carries the day at this Commission meeting. The history of any follow-up to the decision recorded here is obscure. For many years, it was stated by various people (including Specter) and widely understood that no such examination of the autopsy photos and X-rays took place. Even Commissioner McCloy, in a 1967 CBS News interview (cited by Wiesberg, *Post Mortem*, p. 553), stated: "I thought that he [Earl Warren] was really going to see them, but it turned out that he hadn't." Warren died in 1974, but in his posthumously published memoirs he writes: "I saw the pictures when they came from Bethesda Naval Hospital, and they were so horrible that I could not sleep well for nights" (*The Memoirs of Earl Warren*, p. 371). Whether this viewing took

place before or after this 4/30 Executive session, and whether the Justice was supported by medical personnel, is unclear.

Chief

The Commissioners closed this session by personally examining the windshield from the President's Lincoln.

5/5/64 One paragraph memo from Specter to Rankin, re: Kenny O'Donnell. Specter recounts a phone call to O'Donnell's office. O'Donnell was out of town and his secretary informed Specter that O'Donnell wants a letter -- presumably concerning his having to testify or otherwise cooperate with the Commission.

5/6/64 One-page memo from Specter to Willens and Eisenberg; re: order of his depositions.

5/12/64 One-and-one-half-page memo from Specter to Rankin, "Examination of Autopsy Photographs and X-rays of President Kennedy."

This, the second of Specter's two memos on the subject, would appear to reflect the Commission's decision of 4/30 in that Specter writes: "*When* the autopsy photographs and X-rays are examined..." [emphasis added]. Specter is no longer advocating; here he is explicating on what should be looked for during the examination. Specter appears to be assuming that he was not going to be part of any viewing; hence the need to tell others what to look for. His suggestions essentially restate what he has already listed in his earlier memo: the need to confirm the location of the wounds, exit vs. entrance characteristics of the wounds, clues as to bullet trajectory, verification of the Rydberg drawings, etc.

Specter also states: "I suggest that we have a court reporter present so that we may examine Dr. Humes after the X-rays and photographs are reviewed...". Although it can be interpreted differently, it would appear that Specter expected Humes to be part of the viewing.

5/12/64 Four-page memo from Specter to Rankin, "Agenda for On-The-Site Tests at Dallas."

This is a detailed memo submitted in preparation for the re-enactment in Dallas, in which Specter was a key player. Among

the objectives Specter lists is making a determination "whether the wounds on President Kennedy or Governor Connally could have been caused by a shot fired from the Triple Underpass." But most of the memo assumes the shots came from the TSBD and the main thrust of the reenactment, clearly, is to try and nail down the timing of the presumed number of shots (three). While the single-bullet theory is nowhere mentioned in the memo, the document's attention to seating and positioning detail suggests the theory is not far from the author's thoughts.

The memo states that Inspector Malley of the FBI is arranging to have a dummy of the President made for purposes of the reenactment. Specter then writes: "I suggest that Commander Humes mark the points of entry and exit of the neck wound and the point of entrance of the head wound [on the dummy] *when he reviews the X-rays and photographs of the autopsy* [emphasis added]." Specter is clearly still under the impression that the photos and X-rays are going to be viewed, and that Humes will be one of the viewers.

Specter also states: "Under your [Rankin's] supervision, this project should be handled by the same people who worked on these problems *during the numerous viewing of the films and slides* [emphasis added]." In this regard, Specter references FBI personnel Malley, Gauthier and Shaneyfelt, USSS personnel Kelley and Howlett, as well as Norman Redlich and himself.

ALSO on 5/12, Specter pens a short memo to Rankin, re: Commission exhibits which Connally, Kellerman, Greer and Hill have marked indicating when/where the various shots took place.

5/13/64 Specter conducts questioning of FBI forensic expert Robert Frazier, and Drs. Olivier and Light as well as Arthur Dziemian of Edgewood Arsenal, during their testimony before the Commission. Specter is also present for the testimony of Lt. Revill and Det. Brian of the Dallas Police Department.

ALSO on 5/13: Two-paragraph memo from Specter to Rankin, re: a New York Herald Tribune article of 5/7/64 which referenced a theretofore unseen film of the assassination.

5/18/64 With Norman Redlich present, Specter deposes Kenny O'Donnell. This deposition later becomes a matter of some controversy in that, in 1972's *Johnny, We Hardly Knew Ye*, O'Donnell states that a Warren Commission lawyer (clearly Specter) asked him to change his testimony (re: O'Donnell/LBJ conversations at Parkland Hospital) to conform with that of President Johnson's. Specter strenuously denies this charge.

5/19/64 Letter from Specter to Drs. Shaw and Gregory of Parkland Hospital requesting copies of the X-rays utilized during their testimony before the Commission.

ALSO 5/19: **Executive session.** This session was concerned exclusively with personnel matters regarding Norman Redlich and, to a far lesser degree, Joseph Ball.

5/23/64 Specter, along with Rankin and Redlich, departs for Dallas to reenactment of assassination. Specter returns on 5/27. conduct

5/24/64 The reenactment is conducted.

According to an 11/3/66 interview with Specter conducted by Richard Whalen, Specter -- while in Dallas on either this date or the following day -- was shown a single autopsy photo by U.S. Secret Service Inspector Tom Kelley. The photo Specter saw was the one depicting the President's back wound. Whalen's notes quote Specter:

"I saw one picture taken at the autopsy, which was not technically authenticated, which showed the back of a body with a bullet hole, apparently of entry, in the place where the autopsy report said it was. I saw the picture in Dallas. It was shown to me by a Secret Service man.

He showed it to me then and there because he'd have a chance to show it to me."

Specter told Whalen that the viewing was "very private and quite unofficial" (now quoting Whalen's notes and not his verbatim rendering of Specter's words). Specter told Whalen that he did not ask to see any photos, but that his position in regard to the need for the Commission to view the photos was well known to Kelley, who -- theorizes Whalen -- "presumably volunteered to show the picture to Specter and thereby set his mind at ease." Whalen's notes provide no hint as to whether Kelley had other photos with him, or just the one he showed Specter.

6/64 According to a 8/17/92 *U.S. News and World Report* cover story entitled "JFK: The Untold Story of the Warren Commission" (p. 40), sometime during this month Robert Kennedy privately gave permission for Warren, Rankin and the autopsy doctors to view the autopsy photos and X-rays. The article implies that Howard Willens, who had come to the Commission from the Justice Department, was somehow instrumental in securing this OK. This scenario is recounted again in Gerald Posner's *Case Closed* (p. 407-408). While *U.S. News* implies that only Warren actually saw the photos, Posner implies that both Warren and Rankin did.

6/1/64 **Original deadline for submission of reports.** Specter is frequently cited as the only WC counsel to meet this deadline, though it is unclear whether his draft was literally in by 6/1. Epstein says at various points that it was in by the deadline, or in by June 5 (*Inquest*. pp. 95, 132). The draft itself is dated June 8th, and the cover memo forwarding it to Rankin is dated June 9th (see below).

6/4/64 Specter conducted, before the Commission, the questioning of FBI and USSS officials who had participated in the reenactment in Dallas: Kelley, Guathier, Shaneyfelt and Frazier.

Frazier gave Specter some difficulty during his testimony insofar as he was willing only to admit the possibility of the

the single-bullet theory -- based on the assumption that the bullet wasn't deflected by having passed through the President -- rather than provide a ringing endorsement of the hypothesis. In his 11/3/66 interview of Specter, Richard Whalen quotes Specter as saying that Frazier's 'introduction' of the deflection caveat "left me out on a limb."

ALSO on 6/4. **Executive session.** This session dealt primarily with press leaks.

6/7/64 Interview, in Dallas, of Jack Ruby. Specter is part of the WC delegation, brought along at Warren's request because of his acquired expertise regarding events on the day of the assassination. Because various Dallas and Texas officials are also present at the interrogation, and there is a concern about too big a crowd, Specter is not actually in the room when the interrogation of Ruby begins, but he subsequently enters (WC Volume V, p. 190).

After the Ruby interrogation, Warren and Ford visit Dealey Plaza. According to a 8/17/92 *U.S. News and World Report* article ("JFK: The Untold Story of the Warren Commission," p. 40), it was on this trip that Specter got a few private moments with Earl Warren at the sixth-floor window of the School Book Depository Building. As Specter related to Whalen: 'it was there that Specter explained to him [Warren] how one bullet could have passed through both men. "It was the only time he was ever quiet for a few minutes; he didn't say anything but I think I convinced him".'

6/9/64 Short cover memo from Specter to Rankin, re: attached draft of Specter's portion of the Report (the draft itself is dated the day before, 6/8). The draft is 86 pages in length and contains material that ends up in both Chapter II ("The Assassination") and Chapter III ("The Shots from the Texas School Book Depository") of the final Warren Commission Report. Epstein, in *Inquest*, states that Specter made "some" contributions to the writing of Chapter II -- which Epstein says "was written mainly by Redlich" -- and that Chapter III "was originally written by

Specter” but was “substantially rewritten” by Redlich (p. 138 of *The Assassination Chronicles* edition). Nonetheless, a cross-referencing of Specter’s submission and the final Report reveals that much more of Specter’s work survived the editing process than Epstein suggests. While there are clearly changes -- and much rearranging of sections and topics -- it is also true that large portions of Specter’s draft are retained, verbatim, in the final version. By the same token, Specter must also take responsibility for some of the final Report’s errors: the reference to the President having given a speech at Rice University earlier in the fatal Texas trip appears in Specter’s draft, for instance. Specter’s draft also buttresses his later claims that -- in his mind -- the case for the single-bullet theory arose mainly out of the need to explain what happened to the bullet that he believed passed through the President’s back/neck and exited from his throat -- if it didn’t hit Gov. Connally, then where did it go?

- 6/10/64 Cover memo from Specter to: Willens, Redlich-Eisenberg, Ball-Belin, Jenner-Liebeler, Coleman-Slawson, Hubert-Griffin, Stern, Goldberg and Mosk-Ely, forwarding his draft portions of the Report and indicating he would welcome suggestions.
- 6/11/64 One paragraph memo from Specter to Rankin, re: suggestion that Jim Tague and Virgie Rackley be deposed “to determine the knowledge of each on where the missing bullet struck.” Now that the single-bullet theory is fully developed, the third bullet can be described as the “missing” one.
- 6/17/64 One-and-one-half page memo from Specter, Griffin and Redlich to Rankin, re: suggested topics for polygraph questioning of Jack Ruby.
- 6/23/64 **Executive session.** The issue of Nosenko -- how much credibility to give him, how and whether to reference him in the final report -- dominated this brief executive session.

6/29/64 One page memo from Specter to Rankin, re: recommendation that the original sound tape of "Four Days That Shook the World" be analyzed for the sound of gunshots.

ALSO 6/29: short Specter memo to Eisenberg, re: forwarding of films (CEs 904-907).

Note: it is clear that, by sometime in June or very early July, Specter has returned to Philadelphia and is no longer working full-time on Commission business. He remains available for specific tasks, like the Ruby polygraph test, but he is no longer based in Washington.

7/8/64 Rankin letter to Jim Tague informing him that Specter will take Tague's affidavit or deposition on July 16th in Dallas. Apparently, this didn't work out because, as it happened, Tague wasn't deposed until 7/23 and the deposition was conducted by Liebler, not Specter.

7/18/64 Specter flies to Dallas and, with FBI personnel, conducts a polygraph examination of Jack Ruby. He also deposes Ruby's psychiatrist, Dr. William Beavers.

7/21/64 Four-page memo from Specter to Rankin, "Polygraph Examination of Jack Ruby on July 18, 1964." Summary memo.

7/24/64 Attached to the 7/21 polygraph memo is an addendum of this date, re: the publication by the Dallas Times Herald of the questions and answers of Ruby's polygraph examination. This is a significant flap and a serious embarrassment to Specter and the Commission.

ALSO ON 7/24: Rankin and Specter take depositions of Maj. Eugene Anderson and Sgt. James Zahm, re: Oswald's marksmanship capabilities.

ALSO ON 7/24: One-page Specter memo to Willens: "Footnotes

On Chapters 2 and 3.”

7/25/64 One-page memo from Specter to Rankin, “Footnotes in Report.”

This involves a formatting issue, re: the final report, that seems to briefly engage the attention and energies of several WC staffers. Specter urges that footnotes appear on the bottom of the same page; others argue for placing them at the end of the report. Specter loses this argument.

7/28/64 Specter deposes FBI agent Bell Herndon, re: Herndon’s analysis of the results of Ruby’s polygraph examination of 7/18/64 (Herndon was a polygraph expert, had worked with Specter in composing the questions for the test, and was present at the examination.

7/30/64 Commission, by letter of this date, asks the FBI to investigate the leak of the Ruby polygraph questions/answers.

8/4/64 Rankin departs for the Las Vegas and Los Angeles, returning 8/8.

8/5/64 Specter deposes Ruby associates Breck Wall (Billy Ray Wilson) and Joseph Peterson in Las Vegas, Nevada.

8/6/64 Specter is in Los Angeles, California, to take the deposition of Harry Olsen, Dallas PD member and Ruby witness, and his wife Kay Helen Olsen, former Ruby employee at Carousel Club.

8/17/64 One-page memo from Specter to Rankin, re: draft section on Ruby polygraph. While dated 8/17, it appears this memo may have been drafted on 8/8.

ALSO on 8/17: One-paragraph memo from Specter to Rankin, re: final draft of an insert for Chapter 4 on Oswald’s capabilities as a marksman, as well as a final draft on the wound ballistics experiment to be inserted in the appendix. Says Specter: “These two drafts, together with the Ruby material which I am submitting today, completes the writing currently assigned to me.”

Memo to Jeremy Gunn

May 1, 1996

Page 33

- 8/24/64 One-page memo from Specter to Rankin, "Deposition of Mr. Harry Olsen."
- 9/7/64 Commissioners Russell, Cooper and Boggs travel to Dallas to reexamine Marina Oswald.
- 9/16/64 Senator Russell has exceptions/footnotes drafted reflecting his differences with the Commission's draft report; one dealt with the single-bullet theory (Russell believed Gov. Connally's testimony, re: his having been hit by a second shot, not the one that first wounded the President) and the other with the possibility of a conspiracy (Russell didn't feel the investigation had been so complete and thorough as to rule out the possibility of conspiracy, although he acknowledged that the Commission's efforts had not uncovered any evidence of same).
- 9/18/64 Warren Commission's final Executive Session. No verbatim transcript exists for this final session, though some researchers believe a stenotape may in fact have been made but was subsequently destroyed by Warren or Rankin because they did not want a verbatim record of what is believed to have been a contentious session at which Russell (and perhaps others, like Sen. Cooper) voiced strong concerns about various aspects of the draft Report. Russell wins concessions on language regarding the single-bullet theory (drafted by McCloy, see below) and the degree of certainty with which the Commission dismisses the possibility of conspiracy.
- 9/19/64 Specter interviewed in Philadelphia by FBI, re: Ruby polygraph leak.
- 9/24/64 Presentation of Report of the Warren Commission to LBJ
- In the end, the Commission adopted compromise language regarding the single-bullet theory, describing the evidence in support of the theory as "very persuasive."

“Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President’s throat also caused Governor Connally’s wounds. However, Governor Connally’s testimony and certain other factors have given rise to some difference of opinion as to this probability...”
(WC Report, p. 19)

According to various sources, Sen. Russell was the most adamant opponent of the theory among the Commissioners, followed by Cooper and, to a lesser degree, Boggs. Ford, Dulles and McCloy, as well as Warren himself, gave less credence to Connally’s testimony and were supportive of the single-bullet hypothesis. Richard J. Whalen’s interview notes of his 11/8/66 interview with WC staffer Howard Willens state that the above language “was imposed on the staff by the Commission. It was written by the WC. Staff protested to Rankin and he said that’s the way WC wanted it.”

9/28/64 Commission’s Report is released to the public.

Senator Richard Russell is questioned at a news conference, re: the newly-released Report of the Commission. Journalists Ted Lippman and Margaret Shannon -- Washington correspondents of the *Atlanta Constitution* and *Atlanta Journal*, respectively -- were present and filed stories for their papers. The Lippman/*Constitution* article states:

“The only conclusion the Commission reached that he [Russell] did not agree with was on what bullet hit Governor Connally. The report says it was the same one that pierced the President’s neck. Russell said he agreed with Connally’s view that a later shot hit the Governor.”

Shannon’s article for the *Journal* concurs:

'[Russell] disagrees with the Commission finding that the first bullet that struck President Kennedy also wounded Texas Gov. John Connally... he is convinced that Oswald's first shot hit Mr. Kennedy in the neck, his second wounded Gov. Connally, and his third was the lethal bullet that blew the President's brains out... "I strongly support Gov. Connally's testimony," Russell said.'

10/12/64 Specter turns in his desk and building keys.

Post-Warren Commission Era

11/65 Specter elected District Attorney in Philadelphia

11/25/65 The *Philadelphia Inquirer* ran a front-page article entitled "Specter Predicted One-Bullet Theory Would Stir Doubt." This article is cited by Josiah Thompson in *Six Seconds in Dallas*. When Specter returned to Philadelphia following his stint on the Warren Commission staff -- according to Thompson (pp. 196 and 213) -- he told his then-boss (and later his opponent in the District Attorney race) DA James Crumlish that "I don't think the people are going to believe [the single-bullet theory] -- this year, next year, or a hundred years from now... This thing will be challenged today, tomorrow and forever."

4/66 Jacob Cohen writes Robert Wallace, Assistant Secretary of the Treasury, re: autopsy photos and X-rays. David C. Acheson replies and states that "X-ray films were made available to the [Warren] Commission and were in fact used in briefing the Commission staff on the autopsy procedure and results." According to Cohen, the reply made no mention of autopsy photos.

5/66 Epstein's *Inquest* is published.

- 6/13/66 Jacob Cohen conducts what he later described as a “lengthy” interview with Specter for an article which runs in the 7/11/64 edition of the *Nation*. Cohen claims Specter told him that “that he had not seen any of *these documents*, and that when he asked Justice Warren for them Warren said that the Commission had decided ‘not to press the matter’ [emphasis added].” “These documents” refers to the X-rays; it is unclear whether Specter is also talking about the autopsy photos.
- 6/14/66 Memo from Robert E. Jordan, III, Staff Assistant to the Special Assistant to the Secretary (for Enforcement), apparently to Burrill Peterson, Assistant to the Director (Information and Liaison), U.S. Secret Service, re: “Responding to Inquiries Concerning Autopsy Films.” This memo concerns an agreed text for such responses and indicates that the language therein has been cleared with the Dept. of Treasury Public Affairs Office, and that the White House “has been told that we are using this text.” The agreed text includes the following language: “*The X-ray films were used for the briefing of the Warren Commission’s staff on the autopsy procedure and results.*” According to Weidberg (*Post Mortem*, p. 555), a statement incorporating this language was given to Paul Hoch by the USSS a week later, on June 21st.
- 7/11/66 “The Vital Documents: What the Warren Report Omits,” by Jacob Cohen, runs in *Nation*.
- 8/66 Gaeton Fonzi publishes “The Warren Commission, Arlen Specter and the Truth” in *Philadelphia Magazine*. Unclear when the interviews (there were two sessions) took place. Fonzi taped the interviews (the tape of at least one of the sessions is at Archives II). There are at least four instances in the article where Fonzi references the autopsy photos and X-rays and the fact that Specter never saw them:

photographs or X-rays which would have corroborated the autopsy report.”

“Arlen Specter never saw the most important pieces of evidence directly related to his area of investigation.”

“He [Specter] admitted he never saw the X-rays and photographs.”

p. 79 “... Arlen Specter never saw those X-rays or photographs.”

p. 86 “Specter never saw the X-rays and photographs that would have without question removed any doubt [about the entry/exit, back/neck wounds].”

On the tape itself there is this exchange, not quoted in the article:

Fonzi: “Did you see the X-rays yourself?”

Specter: “No.”

The article also discusses the single-bullet theory:

p. 79. ‘The fact that the bullet exited through Kennedy’s throat was, according to Specter, the prime factor which led to the double hit theory. The bullet had to have hit Connally because there was no indication that it hit anywhere else in the car. “That was the single most persuasive piece of evidence,” says Specter.’

8/9/66

Specter letter to Chief Justice Earl Warren, re: expressing his concern over the fact that the Commission never viewed the autopsy photos and X-rays and suggesting that the now-former Commissioners reconvene to do so. Specter also expresses his concern that there appears to be some doubt even as to the whereabouts of the photos and X-rays. (While I do not have an exact publication date for the Fonzi interview of Specter -- see above -- it is not unreasonable to speculate on a connection

between the interview/article and Specter's letter to Warren.)

10/10/66

Interview of Specter runs in *U.S. News & World Report*.

Specter is asked: "Have you seen the pictures [of the President's body]?" He replies:

"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."

On the single-bullet theory, Specter notes:

"... I think it is important to note that the [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. As a matter of fact, the original thought, before the Commission conducted its extensive investigation, 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... the [single-bullet theory] is not a *sine qua non* for the conclusion that Oswald was the sole assassin... it was a theory reached after exhaustive study and analysis, largely because of the factor that when the car was lined up, as we lined it up in Dallas, and you looked through the Oswald rifle, as the assassin must have stood, based on all the other independent evidence, the bullet that went through the President's neck would most certainly -- or perhaps I should say only most probably -- have had to

strike either some occupant in the car or something else in the car...".

10/24/66

According to Lifton's *Best Evidence* (p. 224), Liebeler calls Specter on this date to discuss Lifton's 'discovery' of the Sibert/O'Neill language concerning "surgery" to the top of the President's head. Lifton describes this call as lasting about ten minutes. A week later, Specter tells Richard Whalen that "He's [Liebeler] on the telephone to me interminably from California."

11/1/66

Richard J. Whalen phone interview of David C. Acheson of Treasury, re: autopsy photographs. Acheson tells Whalen that "at least one [staff] member of the WC saw them [autopsy photos]." Acheson is also of the opinion that one or more of the Commission

members saw the photos. Many of Acheson's comments, as reported by Whalen, appear highly speculative. Whalen talks to Acheson a second time later this same day and -- confronted with Specter's statement in *U.S. News and World Report* to the effect that Commission members had *not* seen the photos -- Acheson retracts his earlier contention, indicating that he "would certainly resolve any question in favor of Specter's recollection." In this second phone interview, as in the first, Acheson's utterances contain various errors in fact and reveal, more than anything else, his relatively limited knowledge as to the handling and disposition of the autopsy photos. Perhaps realizing he has made statements he can't substantiate, Acheson apparently does some checking before speaking to Whalen for the third and final time that day. In this last conversation, Acheson displays knowledge concerning the Secret Service's transfer of autopsy materials to the Kennedy family at an office in the National Archives. Whalen's notes indicate that "in reply to my question, Acheson clarifies the nature of the Secret Service custody [of the autopsy materials]. The photographs and X-rays did *not* ever leave the Protective Research Section of the Secret Service; they were never turned over to the Commission, although Acheson assumes that Specter must have had at least one photo briefly in his hands at some

point [emphasis in original]." The handwritten version of the notes put this a slightly different way: "Photographs examined by Specter evidently were in his custody at some point."

- 11/2/66 According to a memo to Chief Justice Warren from one of his aides, a *New York Times* article of this same date states that Warren saw the autopsy photos and X-rays. UPI and AP follow up; Warren refuses comment.
- 11/3/66 Richard J. Whalen interview of Arlen Specter (see entry for 5/24/64 and elsewhere). Specter again admits having seen the single autopsy photo, using language very similar to his remarks in *U.S. News and World Report*. Specter states his belief to Whalen that Chief Justice Warren did *not* view any autopsy photos. (After subsequently learning of proof to the contrary, Specter will adjust the degree of certainty he feels on this issue when he testifies before the HSCA in November of 1977.) Specter also stresses the impossibility of knowing *exactly* when Connally was struck: "Nobody can tell where in the Zapruder film Connally was hit. It simply doesn't lend itself to that precision. You just can't tell."
- 11/7/66 Whalen conducts phone interview with USSS Asst. Director Tom Kelley, who "can't confirm or deny" the accuracy of Specter's recollection, re: being shown the autopsy photo. Whalen relates Kelley as being unwilling to say whether or not Rankin asked him to show the photo to Specter in Dallas. Whalen cites Kelley as being "very nervous on the phone, long pauses, trembling voice and breathing."
- 11/8/66 Whalen interviews WC staffer Howard P. Willens. According to Whalen's notes of the interview, Willens credits Specter (plus Belin, Redlich and Eisenberg) with single-bullet theory. Whalen apparently raised the issue of Specter's admission of having seen an autopsy photo: Whalen cites Willens as stating that Rankin did *not* ask Kelley to show the picture to Specter. Says Willens: "These fellows [Specter and Kelley] had close working relationships." He

adds: "Specter, I'm sure, didn't tell you he saw a picture *for certain*. He just saw *a* picture [emphasis in original]."

ALSO on 11/8: date of Wesley Liebeler's celebrated (by Lifton) memo, "Autopsy Photographs and X-Rays of President Kennedy." In the memo, Liebeler states: "It does not appear from the Commission's Record that these pictures and x-rays were ever examined by any member of the President's Commission or by any of its counsel." Liebeler's memo calls for an independent examination of the materials to verify the autopsy report and, by extension, the Commission's report.

11/16/66 Wesley Liebeler letter to J. Lee Rankin, forwarding memo on autopsy photos and X-rays (see 11/8 above). In this letter, Liebeler states that "Arlen Specter and I have spent considerable time with the editors of Life magazine, pointing out why the Governor [Connally] is most probably mistaken [re: timing of shots]." Liebeler's and Specter's consultations with *Life* are in the context of the magazines upcoming piece on the assassination (see 11/25 below). Liebeler copies former Commissioners, various AG Clark and Burke Marshall. (see WC counsels,

11/23/66 J. Edgar Hoover writes Specter, taking issue with what Hoover states were inaccurate representations of his (Hoover's) comments before and about the Warren Commission that were attributed to Specter in articles which appeared in the Chicago Daily News and New York Post on 11/16/66.

11/25/66 *Life* magazine runs "A Matter of Reasonable Doubt: Did Oswald Act Alone." Specter was interviewed for the article. In *Six Seconds in Dallas*, Josiah Thompson claims to have seen an interview report done for the article that quotes Specter as saying: "... the dominant thinking with many people right up to the time of the Report was published" was that JFK and Connally were hit by different bullets. While this quote does not appear in the article, one which does has Specter again citing what he believes is the most compelling evidence in support of the single-bullet theory:

“One of our most impressive pieces of evidence is the FBI report on an examination of the limousine. It concludes that no part of the car’s interior was struck by a whole bullet... where, if it didn’t hit Connally, did that bullet [the one that passed through the President’s neck] go? This is the single most important reason why I concluded that one bullet hit both men.”

- 12/1/66 Rankin replies to Liebeler’s letter of 11/8 with a polite brush-off, declining to get involved in any effort to organize an official examination of the autopsy photos and X-rays: “For myself, I am satisfied with the testimony of the doctors who performed the autopsy and whose statements, in my opinion, were the best evidence of what was seen and heard at the autopsy.” Rankin apparently copies Earl Warren.
- 12/12/66 Warren letter to Rankin, thanking him for the copy of the latter’s reply to Liebeler: “I think what you said was correct and in the right tone.”
- 2/3/67 Earl Warren replies to Specter’s letter of the previous August, re: autopsy photos and X-rays. Warren states: “I saw them myself and they were horrible. The other members of the Commission had no desire to see them.” Warren invokes the recent deed of gift transfer (which had taken place since Specter had written Warren on the issue) by way of reassuring Specter that the issue of access and verification is being taken care of.
- 2/27/67 Specter replies to Warren’s letter of 2/3: “I am very much assured by the contents of your letter.”
- 3/4/70 In *Post Mortem*, Harold Weisberg states that he met with USSS Inspector Thomas Kelley on this date:

p. 285 “It was on this occasion that Kelley first told me that it is he who showed the X-Rays, not the pictures, to

certain members of the Commission's staff. Although he did not know the exact date, he is certain it was *before* the autopsy doctors testified, and as a preparation for the taking of that testimony [emphasis in original]."

12/18/72 Specter writes letters to Kenny O'Donnell, Dave Powers, Joe McCarthy (writer) and Little, Brown and Company (publisher), re: an apparent reference to him in the recently-published book, *Johnny, We Hardly Knew Ye*, as having asked Kenny O'Donnell to change his testimony regarding a conversation he had with LBJ at Parkland Hospital (pp. 37-38). Specter strenuously denies having done any such thing and asks the publisher to delete the reference from any future printings.

1/9/73 Specter letter to Warren, re: dispute over reference in O'Donnell-Powers book. Specter tells Warren that the publisher has agreed to delete the reference from future printings.

1977 Earl Warren's posthumous memoirs are published, confirming what he wrote privately to Specter in early 1967: Warren did, in fact, see the autopsy photos (Warren had passed away in 1974).

8/30/77 The HSCA's Jim Kelly and Andy Purdy interview Robert Bouck, USSS. This interview is summarized in a 9/6/77 memo from Kelly and Purdy to HSCA counsel Ken Klein. According to the memo:

Prior to the transfer [to Evelyn Lincoln], Bouck said the [autopsy] materials had only been seen "...about twice..." He said he did not recall when they were seen but believes was seen [sic] by "...some representative of the Warren Commission who asked to see the inventory or the materials." Mr. Bouck said he "... at least gave them the inventory to see, but a copy was not given to them." He said the "... stuff basically remained in the drawer." Bouck said he is not sure the materials themselves were viewed and

believes Tom Kelley may have been present during the inspection by the Warren Commission representative who he believes was "... possibly the general counsel or a staff attorney." Bouck believes the other time the material was viewed was "... rather early, when someone from Secret Service and possibly Mr. Kelley looked to see what was in there."

10/27/77 HSCA counsel Ken Klein interviews Specter in Philadelphia.

11/2/77 HSCA counsel Ken Klein talks with Specter on the phone, re: upcoming testimony.

11/8/77 Specter and Norman Redlich testify before the HSCA. Specter's testimony is 68 pages long.

Specter on the single-bullet theory, to which he still subscribes:

p. 25 "... the most persuasive evidence was the alignment of the President, the trajectory of the bullet and the necessity for the bullet to have hit someone in the car in the absence of having struck the car."

Specter on the issue of the indispensability of the single-bullet theory to the lone-assassin hypothesis:

p. 27 Q - In your opinion if the single-bullet theory was not valid could there still have been only one shooter?

"Yes.... it is entirely possible that President Kennedy was struck in the neck by a bullet which was fired before President Kennedy went behind the tree and that Governor Connally was struck by a bullet while the President and the Governor were behind the sign, so that the single bullet conclusion in my judgment is not [at] all [in]dispensable to the single assassin theory... I do not think that they were struck by separate bullets... but I think

they could have been struck by separate bullets, all fired by Oswald.”

Specter on the issue of the autopsy photos and X-rays:

p. 66 “...while I did not see the photographs and X-rays, others did. I was concerned about the question after the Commission concluded and once wrote to the Chief Justice about that subject. Precisely when I couldn’t tell you. I think he responded to me. We had some meetings about it afterward. I think he may have seen the X-rays. I did not.”

Redlich is asked: “Can you tell us how the single-bullet theory evolved?” He replies:

p. 104 “I can’t recall any specific moment in which someone said that this is the way it was. We were studying the film very carefully. By we I mean Mr. Specter, Mr. Belin, Mr. Eisenberg, myself, Special Agent Shaneyfelt who was a photography expert for the Bureau... Now, a question that was troublesome was that as one looked at Governor Connally’s position in the car and realizing the time within which it took to fire bullets from the rifle, if Governor Connally was hit at a certain frame, and I forget the number, but at a certain frame based upon his body position, and if President Kennedy was hit at a certain frame based upon our observation of the film, and if those frames were so close together that one person physically could not have squeezed off the two bullets, we would have had a situation where all the known facts that we had -- remember, there were no facts that we had that the bullets had come from anyplace other than the sixth floor window -- we would have had a situation where the facts imply would have presented an irreconcilable conflict. Now since Governor Connally was in front of President Kennedy one hypothesis which started to emerge, and I repeat I can’t tell you when it

Memo to Jeremy Gunn
May 1, 1996
Page 46

emerged, but one hypothesis that started to emerge, and it would have been logical to have emerged with Arlen Specter, one hypothesis was that the same bullet struck both men."

5/12/92 Specter testifies before the Senate Committee on Governmental Affairs, strongly supportive of S.J.Res. 282 (which would become the President John F. Kennedy Assassination Records Collection Act of 1992).

"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."

Freeman e:\wp-docs\040996
File 4.0.2 Specter, Arlen