

MEDICOLEGAL INVESTIGATION OF THE PRESIDENT JOHN F. KENNEDY MURDER

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Unlike many of its predecessors dealing with the same material, this engrossing book makes a concrete contribution toward an understanding of the events surrounding the assassination of President John F. Kennedy. Approaching the subject from a coroner's perspective, the author expertly and meticulously analyzes all of the available documentary evidence. The resulting, well-founded conclusions will interest laymen, criminal justice personnel, and forensic scientists.

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PREFACE

THE murder of President John F. Kennedy was an event in the history of the United States that left deep and lasting wounds in the body politic and social structure. Kennedy, a relatively young man as American presidents go, had not accomplished much as chief executive; his decisions were not particularly remarkable or effective. His great genius was that he had captured the emotions and the imagination of the common people; he had rekindled in Americans a pride that said we could accomplish anything to which we put our collective mind and resources.

It is also important to recall that he was a Catholic. His election forever obliterated the silly and despicable prejudice that a Catholic president would turn the nation over to the Vatican State. Now it no longer matters whether a Catholic is elected to or even runs for president. When such can be said also for Jews, blacks, women, and other groups artificially pigeonholed in American society, then this nation can be said to have reached a mature status.

The murder itself was carried out in plain view of thousands of people. Radio announcers were reporting; television cameras were presumably grinding; photographers of all sorts — amateur, professional, still, and motion picture — were exposing their films as the event took place. Police at the local level and federal police were thronged around the murder area. Despite this assemblage of information-gathering and recording sources, the murder of John F. Kennedy is still, in the minds of most people in the United States and indeed of the world, an unresolved problem obscured by deceit, ineptitude, and official wrongheadedness.

A commission was appointed by President Lyndon Johnson to wring out, from *all* the evidence, the truth of what occurred.

The production of that Commission was and is a disaster. For the first time, as a consequence of the Commission's official report, the American people began to be aware that their government used the lie, cover-up, double-talk, and secrecy as tools of governing.* The end result of the latter 1970s has been a growing cynicism about the American system and the American dream. Repair of this unfortunate state of affairs must begin with a reevaluation of the entire complex situation of the Kennedy murder.

This book concerns itself only with the medicolegal aspects of the John F. Kennedy assassination. It is not intended to explore the details of international relations, federal police, or spies in the domestic and foreign scene. The book is primarily based on an evaluation of the medicolegal facts as available by a forensic scientist and practicing death investigator.

To my mind, there are such great inconsistencies in the summary Report published by the Warren Commission, as its official conclusion, and the twenty-six volumes of evidence and exhibits collected by the Commission and published by the Government Printing Office that a thorough, impartial, and reliable (credible?) reinvestigation is mandatory.

The inconsistencies are well illustrated by the strange medicolegal conclusions of the Commission that are so frequently at variance with the professional testimony of physicians and other experts.

From the first I was seriously disturbed by the autopsy report and the handling of physical evidence in the case. Later I read the responses of allegedly thoughtful and reliable persons to critical analyses of the Warren Commission findings. The invective, the *argumentum ad hominem*, and the strident responses of the defenders of the Report led me to the view that the Report was not very strong and that its defenders were

*This incipient awareness was to become full-blown as a result of the action of subsequent "blue ribbon" commissions that purported to study such matters as pornography, social violence, criminal justice, marijuana, and other matters of national concern. Confidence in and respect for the central government has eroded to an alarming degree.

emotionally in a panic. It, therefore, seemed appropriate to go through the chaotically organized twenty-six volumes of Hearing and Exhibits to ascertain what information was actually collected by the Commission. The exercise was revealing but disturbing. The Report was apparently written with preconceived ideas plugged in. The Hearings and Exhibits were used when the prewritten Report found the data supportive; they were ignored or suppressed when no support (or even contradiction) was given the prewritten script.

In addition to the inadequacies and distortions of the officially published volumes, there are the grave questions created by the governmental handling of the mass of Commission documents that were not published and are presumably on file in the National Archives. These files include crucial material of a medicolegal nature; the suppression (or even possible destruction) of this material suggests that something needs to be kept secret.

As the secret Kennedy murder materials in the National Archives collection have leaked out in bits and pieces, it becomes clear that the FBI resorted to lies in response to queries about certain evidence, the Warren Commission itself probably subscribed knowingly to lies, and various federal agencies have, with a high degree of probability, been guilty of destroying materials relevant to the case.

An Example of Suppressed Information

Unexpected news releases by government agencies from time to time try the faith of Americans in the integrity of the Warren Commission as a group and as individuals. For example, the following news release was carried on national radio and television services on 13 November 1976.

A memorandum from late FBI Director, J. Edgar Hoover, has recently come to light. In that document, Lee Harvey Oswald is said to have told Fidel Castro that he, Oswald, planned to murder President John F. Kennedy. A highly reliable source is said to have revealed the matter to Hoover after being himself

told of it by Castro. This memorandum, if true, suggests that Castro or his henchmen were involved in Kennedy's murder in retaliation for CIA attempts to kill Castro.

Reportedly, shortly after Oswald told Castro of his plans, he (Oswald) got a job at the Texas Book Depository Building. Detailed plans of the precise route that the presidential cavalcade would take through Dallas were presumably not firm until long after that time. Oswald's preknowledge of just what building would be ideal for his sniper attempt even before the parade route was allegedly selected is remarkable to say the least, especially for a nonentity working alone and with no help from anyone but himself.

Find a Better Answer

In response to critics of the conclusions published by the Warren Commission, many of its defenders have asserted that unless the critic comes up with a better answer and points the finger of guilt at a specific person other than Oswald (with all the necessary evidence), then the criticism is invalid and is the product of a warped mind or of a sensation seeker.

Such a contention is intellectually dishonest; those who take that pose know that it is dishonest.

The iron curtain of secrecy that has been drawn between the available documents and materials in the total file connected with the Kennedy murder and competent scholars who wish to study the record makes it impossible to move ahead until the rules are changed and the searchlight of scholarship is allowed to play over every note, minute, and speck of dust accumulated as part of the record. The record includes files and other materials squirreled away in obscure places other than the National Archives.

Because of the "stacked deck," as it were, the present book is based heavily on the public record made available in the public domain. When that material is put together, especially the medicolegal parts, it becomes obvious that the conclusions of the Warren Commission as published in the official Report are remarkably unsupported by the very evidence put into the

Record by the Commission staff.

A number of books are available to the ordinary reader who wishes to follow up certain details of the murder of John F. Kennedy. A basic volume to any study of the assassination is the Report of the President's Commission on the Assassination of President Kennedy (1964). It is available from the Government Printing Office and can be examined in most public libraries. The *Rockefeller Report to the President by the Commission on CIA Activities within the United States* (1975) is also available. It must be read with extreme caution because, in general, it is not honest, complete, forthright, or reliable. In essence the report on the CIA relied on the CIA to investigate itself.

One of the earliest and most scholarly of the studies on the murder of President Kennedy was produced by Sylvia Meagher (1967); it has been recently republished in paperback form by Random House (1976). It is recommended to all persons who have a serious interest in the assassination. Meagher (1966) also created a subject index to the jumble of Hearings and Exhibits put together by the Commission into twenty-six volumes as supporting material for the Report. The index is of great value to students of the assassination; unfortunately it has been out of print for some time.

Scott, Hoch, and Stetler (1976) have put together a useful anthology of writings about the John F. Kennedy assassination. One of the earliest books to call attention to questionable aspects of the Warren Commission conclusions was *Rush to Judgement* by Lane (1966); it has come out more recently in paperback form. Bishop wrote a popular account of the shooting in 1968; a paperback edition was available in 1973. The book is completely supportive of the Warren Commission findings. An anthology of writings about the murder has been put together by Blumenthal and Yazijian (1976).

A book that deserves serious attention has been written by Anson (1975). The author is a seasoned newsman; he includes in his work a detailed analysis of the color motion picture sequence of the shooting as well as an evaluation of the changing physical measurements of Oswald.

Other books are also available for those who have access to a good book store: Model and Groden (1976), Garrison (1970), Weisberg (1965), Fox (1965), Noyes (1973).

This listing does not pretend to be all-inclusive. It does give the reader a selection of books available for study. No attempt has been made to include personally published books or pamphlets dealing with the subject. Many of these contain valuable information and ideas. However, they are difficult to come by; the average reader has neither the time nor the patience to track them down.

Numerous serial articles have been written about the assassination; they have appeared in a variety of publications from *Playboy* to the *Journal of Forensic Sciences*. Only those that are actually used as a reference in this book are listed in the literature cited.

A Thought to Ponder

It is ironic that presumably sophisticated government bureaucrats and politicians do not understand one of the elementary facts of living: A lie begets further lies. A simple, possibly harmless, series of lies incorporated in the Warren Commission Report has required further lies to cover up the original lies. The result is a chain reaction of one lie built upon another in order continuously to cover up the track of prevarication. The average citizen understands this fact of living. How government bureaucrats seem to be unaware of this fact suggests that something is wrong with our choosing of governmental leaders. Something is wrong with our system of education that permits individuals of this sort to rise to high levels of public responsibility without having developed a keen awareness of the devastating results of lying as an official policy. To argue that the end result was so important that it justified these lies is reprehensible, naive, and counterproductive. No lie can ever be justified in terms of the end result. For, in the long run, an official lie begins a chain of further lies so that when the truth finally surfaces, there is revealed a stinking morass of interlocking lies that have caused long-term, if not permanent, damage to the

government subscribing to such a procedure and to the people afflicted with such a government.

There is little doubt that something in the assassination record is unsavory. Bureaucratic idiocy cannot explain the persistent refusal by all levels of the federal government to share with the public the records of the Kennedy murder. The collusion of the courts in this disgraceful secrecy is of grave concern to all thoughtful citizens.

Appeals to national security, "good taste," sensitivity, and the like are dishonest and insulting; they reveal a deep-seated contempt for citizens on the part of too many federal officials.

Collusion?

The various federal courts have cooperated with the bureaucrats of the central government to keep a barrier of secrecy (domestic curtain of iron?) between the total records of the Warren Commission and the people of this nation.

Among the more deceitful rulings issued by the United States Supreme Court was one dated 13 May 1974 to the effect that the Freedom of Information Act does not force the Department of Justice to open for public inspection spectrographic reports made on the fragments of bullets allegedly used in the murder of late President John F. Kennedy (Facts on File, 1974).

Collusion between the administrative and the judicial branches of the central government to hide information of grave public interest seems obvious.

At the end of this book there will be a series of conclusions based on the evidence that is available; the conclusions are those of the author, who is a forensic biologist and an active member of the coroner's office. This experience as a coroner's deputy, as well as active research in the subject of wound ballistics, will obviously aid in the formulation of the conclusions.

In the past, enthusiastic defenders of the Commission and its Report have done little to clarify issues; they certainly have not helped to get hidden data into the light of day.

The usual tactics in the past used against adverse critics of the Report or of the Commission operations fall under the

general umbrella of *argumentum ad hominem*. This device was known to the ancient world; it has been despised by all honest men since then as a shameful ploy used to subvert the truth.

Essentially the device is to ignore the argument or issue and to attack the proponent. The oponent must be degraded; his morals and integrity must be defamed; hidden evils in his character and base motives for his thesis must be whispered, but never must the thesis itself be analyzed in an objective manner. Thus, if the critic has clay feet, his thesis must be wrong. This logical fallacy has been the usual one inflicted on those who have criticized the Report.

It is hoped that with the passage of time this sort of anti-intellectual response will have died away. The problem is too important for our country and for the world at large to have it besmirched by the injection of cheap debate tricks into a sincere and grave evaluation.

Reviews and rejoinders based on intellectual considerations will be studied with interest in a positive way. Scurrilous comments and evaluations based on the *argumentum ad hominem* fallacy will be given the disposition they earn — a total disregard of their existence.

A peculiar fact emerges from the unpublished material in the National Archives files (Commission Document No. 5, p. 400). Lee Harvey Oswald was never charged or arraigned in connection with the death of President John F. Kennedy. Oswald himself asserted as much when questioned by newsmen. Did Chief Curry of the Dallas" police perjure himself when he claimed to be present at the time Oswald was arraigned for killing President Kennedy? Did other police officers commit perjury when they supported, under oath, Curry's testimony?

Oswald was charged only with the murder of Dallas police officer Tippit according to unpublished records of the Warren Commission.*

*According to the Report (p. 198), shortly after 1:30 a.m. Oswald was brought to the identification bureau on the fourth floor and arraigned before Justice of the Peace Johnston, that time for the murder of President Kennedy (Hearings, vol. 4, pp. 155, 221; Commission Exhibit No. 2003, p. 104; Hearings, vol. 15, pp. 507-508). The Report further stated (p. 200) that on Friday afternoon "about 5 hours later (than what?), he

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It is of great interest that Chief Justice Warren himself admitted that the whole truth of the matter may never be known in our lifetimes. Such admission is incredible but undisputed.

A book of this sort requires much help. With gratitude I wish to thank Sally Carson of New York City for her role as unpaid research assistant, my wife, Clare M. Wilber, who carried out the reading of proof, and the following members of the office staff, Department of Zoology and Entomology, Colorado State University, for heroic efforts in typing the final drafts of the chapters: Barbara Alldredge, Janelle Q. Simon, Sharon Sondag, and Susan Berry.

Finally, I thank the various audiences before whom I tried out portions of this book for their critical questioning and their encouragement to "make a book of it."

Charles G. Wilber, Ph.D.

was arraigned for the Tippit murder and within an additional 6 1/2 hours he was arraigned for the murder of President Kennedy." By Friday midnight, the Report admits (p. 201) that "at this time Oswald had been arraigned only for the murder of Patrolman Tippit. . . ." It is also apparent from the record that at no time did Oswald *de facto* have legal counsel.

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**Medicolegal Investigation
of the
President John F. Kennedy Murder**

CHAPTER 1

INTRODUCTION

ON Friday 22 November 1963 President John F. Kennedy was gunned down while participating in a motorcade through the streets of Dallas, Texas. Shortly after the killing, President Lyndon Johnson appointed a President's Commission to investigate the assassination of President John F. Kennedy. As soon as the report of the Commission had been issued, it generated a worldwide storm of protest and disbelief. That rejection of the Report as a document worthy of belief has been so widespread that today eight out of ten Americans discard the conclusions of the Report as having any validity.*

What went wrong? Why is there such virtually universal repudiation of the Commission and its work? Are most of the people of the world perverse and blind to the facts of history, or is there objective reason for rejecting the Report?

A detailed examination of the basic Report and the twenty-six volumes of Hearings and Exhibits discloses an amazing pattern of strange coincidences and questionable behavior that conspire to vitiate the arguments leading to the official conclusions of the Commission.

The official version of what happened that day in Dallas is bloated with irrelevances and is skeletonized in many critical parts.

Significant forensic science evidence included in the Hearings and Exhibits supports the contention that more than one individual was involved in the actual shooting of the President in Dallas. The Warren Commission opted to pick and choose

*Students of history may never unearth all of what actually happened on 22 November 1963 in Dallas. Why, for example, were federal police not covering the roofs of buildings that commanded a view of the murder site? A possible simple but logical answer may be buried in the records of a federal operating agency and may in essence be unavailable to scholars. Nevertheless, "Historians must be eternal skeptics of evidence whose original cannot be probed" (Wrone, 1972). Too much of the so-called medical evidence in the John F. Kennedy murder case falls into that category.

evidence that supported the single, unaided assassin postulate.

Official secrecy that has stubbornly persisted even in the face of laws passed specifically to break that secrecy, the hiding of items material to the investigation and the possible destruction or mutilation of critical physical evidence have contrived to cast doubt even on the laudable parts of the Commission Report.

What is the official version of the death of John F. Kennedy?

First of all, the Commission concluded that the President was killed by a lone assassin named Lee Harvey Oswald who had no confederates, discussed the matter with no one, and received no support or aid in any form from another person or persons. His motives were obscure but the Commission implied that he was "insane." The Commission emphasized as a key point that no "conspiracy" was involved.

However, even a cursory reading of the official Report reveals language that hedges at crucial points in the document. There is a skilled use of English which serves well to obscure the fact that the Commission admits uncertainty with respect to the number of shots that were actually fired in Dallas on that fateful day. Uncertainty is evident with respect to the sequence of shots and just how Governor Connally was wounded. The origin of the various shots is also a matter of quandry.

Central to the Commission's conclusions is the strange theory of the "single bullet" that is said to have passed through the body of President Kennedy from back to front (causing minor wounds), passed through Governor Connally, smashing the rib and a wrist, and leaving a trail of metal particles in the Governor's body, and then emerged in a virtually pristine state except for rifling marks engraved on its sides, but with no deformation of any degree.

Much concern surrounds the one bullet theory, because from various sources it is evident that the President and Connally were wounded within 1.5 seconds of one another. The rifle alleged to have been used in the murder could not have been fired that rapidly at a moving target even by skilled riflemen. The Commission was faced with the dilemma: Either one bullet caused the nonfatal wounds in Kennedy and Connally or two rifles fired by separate shooters had to be involved. At the