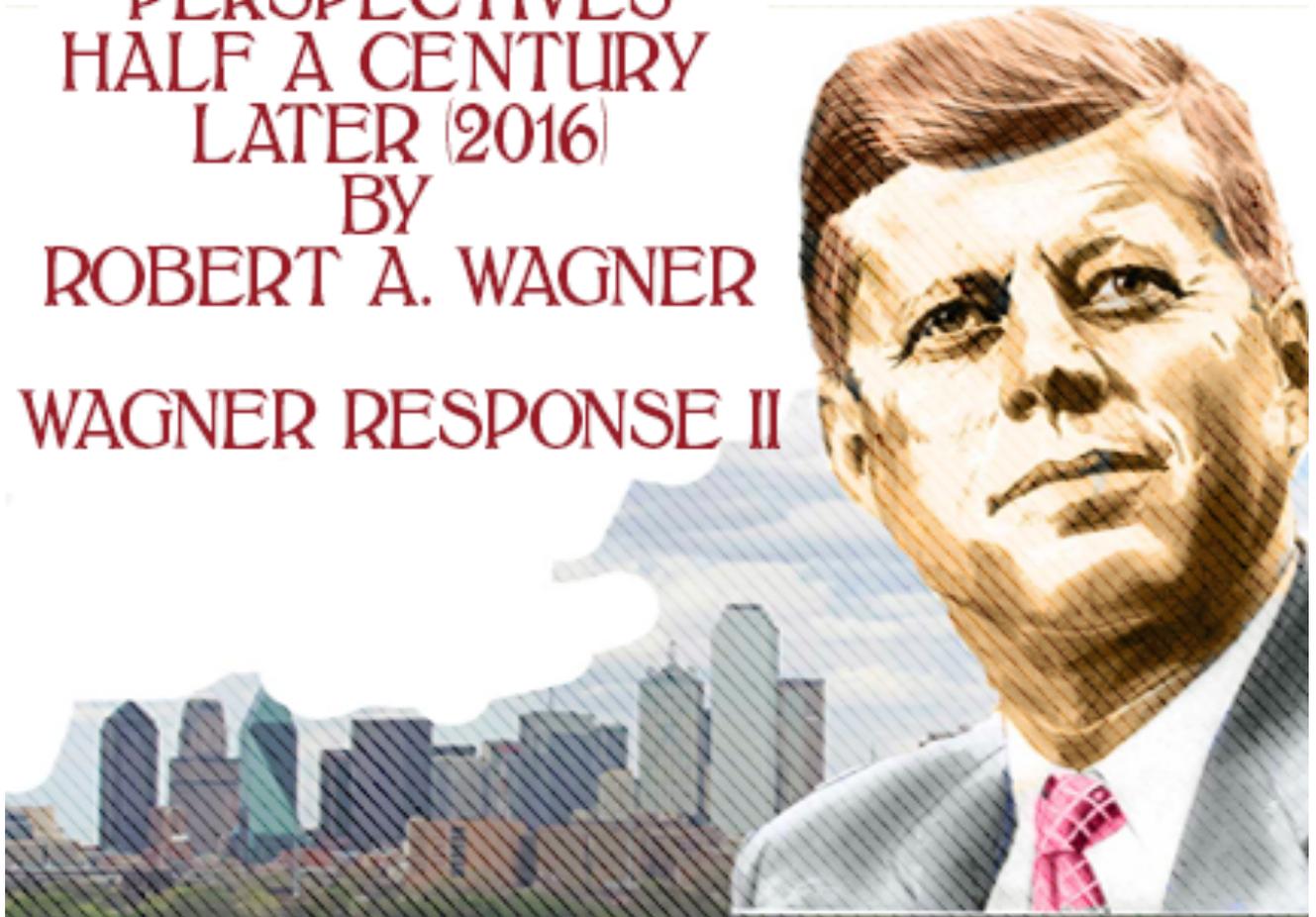


THE MANTIK VIEW

PERSPECTIVES
HALF A CENTURY
LATER (2016)

BY
ROBERT A. WAGNER

WAGNER RESPONSE II



THE ASSASSINATION OF JFK: PERSPECTIVES HALF A CENTURY LATER

By Robert A. Wagner

Author's October 2018 Response to Dr. Mantik's Follow-On Review Overview

First, I express my sincere appreciation to Dr. Mantik for taking the time to review my analysis, as well as for allowing me to respond to his reviews for publication. Dr. Mantik has my respect and attention.

Concerning the section in Dr. Mantik's second review entitled 'In the Courtroom with Robert Wagner,' I would like to provide some brief context. I am not a lawyer or scientist. I have a business background that, along with my professional experiences, qualifies me as able to provide expert opinions in state and federal courts on matters pertaining to financial and economic issues and related forensic reconstructions. My work often requires me to assess issues related to loss causation, which involve the evaluation of facts and circumstances that underlie claims of wrongdoing. The model I cited in my initial response is a model that courts use to clarify expert opinions so that laypeople (judges and juries) are able to adequately use those opinions in forming their decisions. JFK assassination researchers, like Dr. Mantik, offer an abundance of opinions built upon specialized skills and knowledge that the average layman does not possess. As I stated in my initial response, there are expert opinions offered by JFK assassination researchers that are in conflict with each other on very substantive issues. I'm sure that individuals holding conflicting expert opinions believe they are correct and the person who disagrees with them is incorrect. Where such expert opinions are truly in conflict, at least one must be in error.¹ How to resolve such conflict?

In court settings, the experts are asked, more or less, to articulate their opinions and the basis for those opinions, and also to respond to the opposing expert's opinions with their reasoning for asserting that those opinions are in error.² Through this process, laymen may be able to assess the credibility of one expert against the other and, informed by additional facts and circumstances, find a position that is thus sustainable. Of course, it is entirely possible that the process yields to a layman the result that neither expert view is helpful or valid – but it is nonetheless a useful adversarial process guiding the layman's endeavor to form their own viewpoint. Dr. Mantik often cites his own OD studies, which underlie some of his conclusions. As I said in my book, I recognize Dr. Mantik is highly qualified to do the work he performs, including the examination of the extant X-ray record at NARA. As I further mentioned in my initial response, I also believe that Dr. Robertson is highly qualified to opine on the same topic. Dr. Mantik and Dr. Robertson have significant disagreements with each other's viewpoints. I reached out to Dr. Robertson, and he is firm

in maintaining the beliefs I summarized in my initial response. He told me his position is that he does not need to do OD studies to come to his conclusions (Dr. Robertson believes the extant autopsy photographs and X-rays are legitimate).³ Dr. Mantik, on the other hand, believes his OD studies have immense value for interpretation of the extant X-rays.⁴ I am a layman. I see a conflict. I am in no position to resolve this difference of opinion within the confines of my education, skills, and experience. (I suspect that the vast majority of serious JFK assassination researchers—let alone the public at large—are similarly limited in their ability to independently resolve the many significant differences of opinion offered by these and other prominent members of the research community.) What I (and these other researchers) can do is weigh the divergent opinions of these two qualified individuals along with all other pertinent facts and circumstances that are relevant to the formation of my own views. Judges and juries confront this same problem every day. To the extent that the described situation fits a courtroom model, I believe the model is valid.

For JFK assassination researchers who do not possess medical or scientific credentials, these researchers (most, like me) have to implicitly confront conflicts among experts and do our best to understand them as we form our conclusions. Dr. Mantik is, of course, correct about the proper application of science, where it is relevant. But what if there are two scientists offering me different answers to the same question? As I suggested in my initial response, my first desire would be to see a full vetting of the differing opinions, including rebuttal analysis. If that vetting is absent, or if the vetting has advanced understanding as far as it can but still left important questions unresolved, then we are all left to find our answers from weighing other facts and circumstances. Can this process lead to error? There is that risk for all of us. I say in my book that the available record of this case will lead to disagreement among reasonable people. Perhaps, through constructive engagement, we can eventually narrow the scope of those disagreements without asking anyone to compromise their core views.

As for Dr. Mantik's discussion of my use of majority rule, I assume he first and foremost refers to my statements that the findings of the HSCA represent a significant line in the sand, particularly with the often 8-1 decisions of the Forensic Pathology Panel with Dr. Wecht in dissent. There are two points I will make here. First, the individuals that established the FPP's and the authentication panel's conclusions possessed specialized knowledge and skills that qualified them to do so. As with other expert opinions, I attempt to vet these conclusions against other facts and circumstances, as I explicitly say in the Preface of my book. Second, and specifically as it relates to the FPP, there is an additional factor that I believe useful in evaluating its conclusions – and I touched on this in my initial response. I believe Dr. Wecht has demonstrated integrity in the expression of his views.⁵ Aspects of agreement and disagreement with his colleagues on the FPP received my particular attention for the very reason that Dr. Wecht was swimming against majority rule. Particularly, I cite Dr. Wecht's dissenting views on the Single Bullet Theory as well as his suggestion of the remote probability of more than one bullet entry wound on the president's head, as expressed in HSCA testimony in 1978 and, after the subsequent avalanche of research related to the medical evidence by Dr. Mantik, Dr. Aguilar, Dr. Robertson, and many others, Dr. Wecht again more or less confirmed his 1978 views in conversation with Bugliosi in early 2000.⁶ My analysis did not seek to blindly follow the herd.

The product of my analysis does, however, find common ground with the herd only when I think the totality of facts and circumstances warrant it. To the extent that additional information or views come to my attention (and there is no shortage of this occurring lately), of course I will consider them carefully. If, after study and reflection, I am compelled to modify my views accordingly, I will. There is great value in receiving critical review. Like all assassination researchers, I have been on a journey. I ultimately care only about helping find the most reasonable explanations. I recognize and embrace that this is a topic bigger than any one of us.

In a conversation with another researcher I was asked what my 'Aha! moment' was. My response was that I did not have an 'Aha! moment.' For me, my conclusions were ultimately found as I weighed the totality of facts and circumstances as described in my book. From my own professional and personal experiences, I know that drawing conclusions from selective facts and circumstances in isolation, and not in an overall reasonable context, is a hazardous approach. In other words, any theory or interpretation of compartmentalized issues ultimately needs to be tested in the context of the larger picture. Interpretation of isolated issues, while seemingly logical and backed up by reasonable evidence, still could be in error for any number of unanticipated or other reasons. Highly qualified researchers even rigorously dispute the application of science on very material issues. Overall context is badly needed in assessing this case, and even then the best anyone can do is to assess alternatives and their respective probabilities.

Prior to addressing Dr. Mantik's specific points, there are two other issues discussed in the opening portions of Dr. Mantik's critique that require clarification.

'What about Wagner's scenario for his own Marvelous bullet?':

Dr. Mantik writes that I offer a scenario in which a bullet striking the president's back (deflected upwards, exiting his throat as well as the car) is the same bullet that struck the curb near Tague. I draw no such conclusion. While I present a range of possibilities in background in Chapter 3 (pages 116-117), I ultimately conclude in analysis in Chapter 7 (pages 259-260) that the Tague curb was most probably struck by a fragment of bullet from the head shot.⁷ While I cited Thompson's similar conclusion from Six Seconds, I also noted that Thompson's views on the shooting sequence have since changed (p. 99) and therefore he seems to no longer support that proposition.

'Wagner's basic premise':

As I have commented to many in the research community, my assessment of Oswald's guilt is based on the totality of issues I lay out in Chapter 2 (expanded in later discussion throughout the book). I do not suggest that one be persuaded by any singular issue, including the several that Dr. Mantik lists. On the contrary, I begin Chapter 2 by discussing the compartmentalization attempted by Gerry Spence at the London Mock Trial, and then assert that such an approach is not the proper avenue for analysis. Anyone on either side of the debate can successfully compartmentalize the record left to us in this case. (Critiques of my book often compartmentalize issue-by-issue in rebuttal to my Guilty-Oswald analysis.)

The point I am making, disagree as you like, is that the cumulative weight of the record leads me to conclude in the way I do. Additionally, there are two points on which no one has offered any substantive response, because I believe there can be no substantive response:

- A. As the common conspiracy argument posits rear and front shooters, a lone-gunman patsy (Oswald) frame-up makes no sense;
- B. The failure of the alleged conspiracy to control Oswald's movements prior to and during the assassination to prevent an easy Oswald alibi strongly suggests there was no patsy frame-up.⁸

Further, critiques of my work are often disapproving of my assertion that Oswald's guilt or innocence is a threshold question because, according to the criticism, Oswald could have acted in concert with others and there would still be a conspiracy. Of course, that is entirely correct. But that was not my point of my assertion. Rather, my point is that a guilty Oswald substantially narrows conspiracy possibilities, probabilities, and implications. For example, if Oswald was a shooter, I don't believe there would be many that would suggest a government conspiracy of any scope would enlist Oswald to be an assassin. Further, if Oswald—whom anybody would know to be high profile (defection, Fair Play for Cuba Committee, etc.) was a gunman and by necessity had to leave his easily traceable rifle behind, who would think it would be a good idea to sign on to that plan? Also, wouldn't conspirators be concerned about having an association with Oswald as they planned the assassination, when one should assume Oswald was under close watch (whether true or not)? On several occasions I've quoted Lamar Waldron's suggestion that the mafia would never hire an inexperienced hit man who would have to flee a major assassination using public transportation. I add to that the notion that no reasonable partner—mafia or anyone else—would do so at all. In my book, I ultimately allow for such irrationality (p. 323). I simply believe, however, that those arguing in support of irrationality should be playing defense, not offense. Finally, if there was a conspiracy to assassinate President Kennedy, but no government sponsorship, then there was no coup d'état (in the classic sense as, for example, promoted by Dr. Wecht). While I understand the establishment of any form of conspiracy would be important, the establishment of the *scope* of the conspiracy would be even more important. There is a great distinction between a rogue(s) killing and a coup d'état (although quite obviously awful in either scenario). So yes, on multiple levels, whether or not Oswald fired shots at the president is the threshold question.

From here, my replies to Dr. Mantik's second review will follow in the order of numbered issues he presents. I will not reproduce his citations to my book or his related comments.⁹

'Wagner's Grand Pronouncements' – Responses

1. I am concerned about truth as well. Reconciliation, as I understand it in this context, is the process of finding reasonable explanations for issues subject to legitimate controversy among reasonable people. My book is focused on narrowing controversy, not on seeking compromise against principle.
2. I greatly admire the work of John Newman. In Volume 1 of his recent work, *Where Angels Tread Lightly*, Newman discusses a working hypothesis that allows for the possibility of one of two scenarios: Oswald visited the Cuban and Soviet embassies

in Mexico City, or the person who visited the embassies was an imposter.¹⁰ On this issue, I was ultimately swayed toward the former explanation by three factors. The first is Silvia Duran's positive identification of Oswald – although the physical description she provided was contradictory in part, she identified Oswald from the picture on his visa application.¹¹ Second, while it may be controversial, I conclude that Marina's HSCA testimony (2 HSCA 257-260) about her late husband visiting Mexico City is credible. Dr. Mantik notes that in the immediate aftermath of the assassination, Marina told the FBI her husband had not been to Mexico City.¹² Regardless of which side of the fence one may fall on this issue, all will have to at least acknowledge the possibility that Marina initially lied about Oswald's Mexico City visit and other issues in order to protect her husband. This explanation is especially noteworthy considering that by the early 1990s, Marina was aggressively defending her husband's innocence in the Kennedy assassination.¹³ She could have later asserted that her testimony to the WC and HSCA about Oswald's Mexico City visit and attempted murder of General Walker had been coerced, but she did not. As to Marina's HSCA testimony in particular, unlike her 1964 Warren Commission testimony, she was not under any realistic threat. Marina could have told the HSCA that her Warren Commission testimony concerning such matters as Oswald's Mexico City visit, the backyard photographs that she admitted taking,¹⁴ and the Walker incident, all was given under duress and it would have been completely understandable, but she did not.

In fact, as I state in my book, Marina later readily affirmed her account of the Walker incident (again to Bugliosi), while continuing to defend her late husband's innocence with regard to Kennedy's death. Third, as I discuss in Chapter 2, the various assertions of Oswald's impersonators, Mexico City in particular, is that conspirators were building the 'Oswald legend' in advance of the assassination to frame Oswald for the president's murder. As I have discussed in my book, and throughout my responses to Dr. Mantik's critique, Oswald was not framed. Nevertheless, Oswald-related activities in Mexico City were strange. In Chapter 1 of my book, I discuss the issue of Oswald's possible impersonation during phone calls with Cuban and Soviet embassy officials, stating (p. 41), 'No one can be faulted for entertaining certain inferences from this and other information that we now know about Oswald's Mexico City activities and what may have been the CIA's reasons for evasion on this point. These are but examples of the entangled mysteries of Oswald's activities and associations that will likely be forever unclarified, hobbling our ability to know the full truth behind the assassination of President Kennedy.' In Chapter 9, I conclude discussion by noting that CIA (and other government agencies) would have likely been motivated to conceal knowledge of Oswald's pre-assassination activities to avoid being blamed for not taking action to prevent the assassination.

3. I am aware of Dr. Mantik's (and others') mostly negative reviews of *Reclaiming History*. Regardless of one's views on the assassination, however, the comprehensive nature of this work deserves recognition.
4. This point, I believe, links to the notion that Oswald was set up as the Dallas fall guy for months, including through the March 1963 ordering of the Carcano in order for it

to be later 'conveniently' tied to him. As I have repeatedly argued, a frame-up supposedly started months in advance of the culminate event failed in its most fundamental aspect: ensuring that the patsy had no alibi. The very fact that Oswald's movements were not controlled at the time of the assassination (as well as the common claim of multiple gunmen firing from both the rear and the front) tells us that no one was framing Oswald.

5. If the rifle was a plant and thus no one fired shots from the sixth floor window, why would a conspirator hide the weapon at the other end of the building away from the planted casings? If someone other than Oswald used the rifle, it follows that the assassin opted to imprison himself six floors up in a building, hoping to construct a sniper's nest and then make an escape undetected when the only sure avenue of escape was a stairwell that could very well be occupied by others. I find that assertion most unreasonable. In addition, no one reported the appearance of a suspicious stranger in the building. In the concluding chapter of my book, I allow for irrational behavior, but come to my conclusions on the basis of people consistently acting in accordance with the principle of self-preservation. If one wishes to interpret the facts and circumstances in another manner, or believes that there were highly irrational actors involved in the supposed conspiracy, one is certainly free to do so and thus reject my thesis.
6. Many years ago, I learned the argument Dr. Mantik makes that fear motivated Oswald's flight from the TSBD, but I rejected it. In part, the weight of Oswald's lies to interrogators combined with his guilty conduct, which I outlined in Chapter 2 of my book, led me to conclude that Oswald was not a patsy. He lied about the package he brought to work. He pulled a gun on an arresting police officer. I do not believe speculating about Oswald's supposed fear, as opposed to concentrating on the whole of the facts and circumstances, is a credible pathway toward explaining the assassination.
7. In Chapter 2 of my book, I provide a list of issues that I collectively believe point toward Oswald's guilt in firing a weapon from the sixth floor window. The testimony of the employee(s) on the fifth floor, directly underneath Oswald's location, is one of those points. Yes, I agree that the lone detail that a witness having heard the fired shells does not definitely confirm the identity of who dropped those shells. I do not mean to imply otherwise. I open Chapter 2 by citing Gerry Spence's evidence isolation argument. I do not view the evidence in isolation; I weight the totality of the facts and circumstances under review. The sound of shells dropping to the floor above, *considered collectively* (as I stress in the book) with other important factors, reveals proper context overall.
8. Although the point is disputed, I don't believe a resolution to the question of whether or not Oswald shot Tippit is ultimately necessary to conclude that Oswald fired shots at the president.
9. The issue of whether or not the FPP's conclusions were properly grounded was not the point I was attempting to decide. My undertaking was not to engage in blind acceptance, but to examine whether the FPP's conclusions, however they were

developed, fit within a logical bigger picture given the totality of issues I discuss throughout the book.

10. See my response to Dr. Mantik's first review, Issue 1, as well as my broader discussion of this topic in the first part of my analysis in Chapter 4.
11. Firearms and tool mark identification cannot accurately be described as 'junk science' in the sweeping manner that Dr. Mantik seems to suggest it warrants. One can rightfully attach the 'junk science' label to descriptions of firearms and tool mark identifications that are not supported by meaningful data or proper analysis. In the *Green* case, which Dr. Mantik cites, the court ruled that an expert would not be permitted to testify that casings came from a specific weapon 'to the exclusion of every other firearm in the world,' but would be allowed to describe the ways in which the casings were similar to those of the firearm in question.¹⁵ In *United States of America v. Gregory Chester, et al.*¹⁶, the court heard a *Daubert* motion related to an expert's firearms and tool mark testimony. The expert testimony at issue involved the matching of bullet casings recovered from crime scenes to particular firearms. The defendant's motion focused on a September 20, 2016 release of the President's Council of Advisors on Science and Technology ('PCAST') report entitled 'Forensic Science in Criminal Courts: Ensuring Scientific Validity of Feature Comparison Methods.' The court noted, 'The [PCAST] report laments the lack of scientifically rigorous 'black-box' studies needed to demonstrate the reproducibility of results, which is critical to cementing the accuracy of the method.' The court then noted that PCAST found a study that met its requirements, and, along with other information, found an error rate of roughly 2%. Consequently, the court's *Daubert* ruling states, 'The Court finds that this is a sufficiently low error rate to weigh in favor of allowing expert testimony,' and 'The PCAST report does not undermine the general reliability of firearm Toolmark analysis or require exclusion of the proffered opinions in this case.' In a 2007 case, *United States v. Diaz*,¹⁷ the court found that the record did not support the conclusion that identifications could be made to the exclusion of all other firearms in the world. Thus, 'the examiners who testify in this case may only testify that a match has been made to a 'reasonable degree of certainty in the ballistics field.'" The controversy of firearms and tool mark identification is not one of illegitimacy of the practice, but of determining the extent of its related conclusions. In Chapter 2 of my book, within the list of issues that I believe collectively demonstrate Oswald's guilt in firing shots at President Kennedy, I state:

- A. 'Bullet fragments recovered from the president's limousine matched ballistics to the rifle Oswald had ordered ...',
- B. 'The pistol Oswald drew on arresting officers was later traced to shell casings found at the scene of the Tippit murder.'

Independent firearms examiners made such matches in the early 1960s for the Warren Commission (Nicol WCT, Volume 3) and in the late 1970s for the HSCA (7 HSCA 369). There are, however, references in other parts of my book to expert opinions concerning the matching of firearms to particular weapons at the exclusion of all other firearms. I plan to clarify this issue in future revisions.

12. My analysis was addressing the claim, made by many, that a bullet was planted specifically at Parkland. Yes, I fully acknowledge a scenario in which a bullet could have entered the scene after Parkland, although I find this proposition unlikely for reasons still to be discussed. See Item 33, below.
13. Speaking of majority rule! Realistically, how many poll respondents have sufficiently studied the case to form independent opinions? Does the polling data really report that folks 'strongly' suspect a conspiracy? A November 2013 Gallup poll asked, 'Do you think that one man was responsible for the assassination of President Kennedy, or do you think that others were involved in a conspiracy?' Nowhere in the poll question are respondents asked to grade their belief, 'strongly,' or otherwise. It is noteworthy that the November 2013 Gallup poll found that 61% believed that others besides Oswald¹⁸ were involved in the assassination, down substantially from a Gallup poll high water mark of 81% last in 1976 (on the heels of the first public viewing of the Zapruder film in 1975). Another poll, taken in November 2017 in Houston (the mock trial jury), found that 55% believed that Oswald was involved in the Kennedy assassination. If blind polls and mock trial juries are to be believed, then perhaps we should lay to rest the notion that Oswald was a patsy and move on to the question of its implications?
14. See the Introduction of my response to Dr. Mantik's initial review, as it pertains to the topic of the alleged frontal shots, and my reply to Issue 10 in that rebuttal. As for the alleged Oswald look-a-like at the theatre, see Item 20 below.
15. I acknowledge the word 'many' would have better served the context than 'most.' In Chapter 4, I cite Dr. Aguilar's excellent work on this matter and suggest it was especially credible because he documented the earliest accounts provided by witnesses. In his piece in *Murder in Dealey Plaza*, Dr. Aguilar notes several instances of Parkland doctors revising their recollections throughout the years. These changing recollections certainly contributed to the confusion on the issue of the president's head wounds. The quote Dr. Mantik references is at the end of the Preface chapter of my book, however, and long before I narrow the focus onto Dr. Aguilar's excellent work. In the book (Chapter 4) I acknowledge the consistency of the Parkland and Bethesda witnesses' agreement – based on the earliest accounts thoroughly documented by Dr. Aguilar, even though these versions conflicted with the autopsy conclusions and autopsy materials. Further, my acceptance of Dr. Aguilar's Parkland- Bethesda harmony (naturally including the Parkland doctor's belief that the wound to the president's head was more or less located at the right rear) is one of the bases I cite in refutation of the body alteration theory. (See my response to Item 14 of Dr. Mantik's first review of my book. In that discussion, I relate Horne's assertion that illicit pre-autopsy alteration of the president's head allegedly enlarged the head wound to between four and five times its original size. How could that be true in the world in which Parkland witnesses and Bethesda witnesses were in agreement, as suggested by the Aguilar study?)
16. No, these statements are not in opposition. Let me provide an example. John Orr, a researcher who presented his analysis at the November 2017 Houston event, believes, as I do, that there is no reasonable doubt that Oswald fired shots at the

president. Mr. Orr also, unlike me, concludes that there was a second gunman firing from behind the president's car. My analysis leads me to believe that the probability of a second gunman (or more) is low. I find Mr. Orr to be a reasonable person. If you ask Mr. Orr, I believe he will say the same about me. We listen to each other. We challenge each other's positions. That is the type of dialogue that reasonable people have when exploring areas of disagreement. Notwithstanding, I was making a broader point at the end of the Preface to my book when I said, 'There can be no definitive account such that common ground can be found for all reasonable people.' This statement was made in context to address those that believe their particular accounts are 'definitive.' In this case, given the nature of the record left to us, I don't believe 'definitive' accounts exist, but rather that reasonable people may have legitimate disagreements about very substantive issues.

17. In Chapter 1, I note Marina's steadfast denial of her husband's guilt in the Kennedy's assassination in a 1990s interview. Still, in a later conversation with Bugliosi, Marina acknowledged her husband's attempted murder of General Walker because, according to her, Oswald had informed her of his involvement. People are free to disagree, but such a firm admission of her husband's guilt in the Walker attempted murder seems quite credible, especially when viewed in combination with Marina's later suggestion of a presidential pardon for Oswald (as to the assassination) in a 1993 Tom Brokaw interview. Also see Item 2 above.¹⁹
18. Although this may be obvious, I alert the reader that I am speculating in the quoted passage. As for the alleged ESP that Dr. Mantik mentions several times in his second review, I again refer the reader to *Kirkus's* independent review of my book, which states, 'The author does not attempt to read the minds of the participants at a half-century's remove but offers a measured appraisal of motivating factors.' *Kirkus* gets it.
19. The point I was making here was based on the context of the delivery of an allegedly threatening note to the FBI in early November 1963. I don't find it unreasonable to infer that if Oswald had intentions to carry out an assassination in early November 1963 he would not want to recklessly draw attention to himself and/or to his conspiracy.
20. There is no controversy surrounding the fact that Oswald made his way to the theatre, where he was eventually apprehended. Dr. Mantik refers to *JFK and the Unspeakable* by James W. Douglass for the assertion of an Oswald double at the theatre. Douglass himself cites two witnesses, Butch Burroughs, a concessionaire at the theatre, and Bernard Haire, the owner of a business two doors down from the theatre. Specifically, Dr. Mantik invokes for his argument Douglass's footnote 444, which describes Douglass's July 16, 2007 interview with Burroughs. In that interview, Burroughs provided Douglass with some details about the arrest of an Oswald double – details that Burroughs did not tell the Warren Commission. Interestingly, Burroughs had the opportunity to do so, as he gave testimony to the Warren Commission (7H 14-17). (Douglass suggests that Burroughs was a man of few words and answered only the questions asked. Burroughs claimed that no one had ever asked him about a second arrest.) In *Crossfire* (p. 342), Jim Marrs

reported that Burroughs told him Oswald entered the theatre shortly after 1 p.m., although Burroughs told the Warren Commission that he didn't see Oswald enter the theatre, testifying that he told arriving officers 'I haven't seen him myself.' (7H 15-16). The Haire account was also provided to author Jim Marrs in 1987 and described in *Crossfire* (p. 344). I am not particularly inclined to attach a great deal of weight to the recollections of witnesses offered decades after the event of the assassination, especially in instances where the recollections change over time.

21. A successful framing requires a scheme in which the patsy does not have an alibi. I don't believe this point should be controversial.
22. I state in the book (Chapters 1 and 10) that facts and circumstances support the notion that Oswald was anti-communist.
23. The quote is from Chapter 2 of my book. I made my case for Oswald's guilt in the Walker attempted murder in Chapter 1. See also my responses to Item 2 and Item 17 above.
24. This relates to my discussion of the bullet that entered the president's back and, I believe, exited his throat. Those interested are certainly free to consider and weigh the significance of the recollections of the individuals Dr. Mantik mentions, including the relatively recent disclosure of Dr. Young's experience, which, as Dr. Mantik notes, I commented on in my initial response. If Dr. Young's recollections are correct, the bullet he observed could have been the missing bullet fired by Oswald.
25. Again, the point I am making is that it is necessary to weigh all the facts and circumstances collectively when drawing inferences and conclusions. Isolating issues from each other and analyzing them devoid of their appropriate context – as is often done in this case – is comparatively not a helpful approach.
26. As anyone who has studied it knows, there have been countless conflicts raised about virtually every facet of the assassination. Setting aside any concern about his failings, Bugliosi spent 2600 pages attempting to address many of these issues. I chose a different tack when making decisions about content, guided by what I believe is a legitimate framework (summarized in the book in the chart located in the Appendix). In the Preface, I tell the reader, 'I anticipate that the major criticism of this book will be that I have been overly simplistic. But I do believe that a focused perspective can be maintained about this case... The obvious downside in maintaining a certain level of simplicity is that arguments are not fully supported and that crucial details that should undermine the main thesis are ignored. I am aware of that trap. I became convinced of my conclusions where I believe complexity and simplicity are balanced and reconciled.' There are many researchers, for example, that have documented problems with the Oswald evidence, as well as questionable behavior of the investigating authorities, including the Dallas PD and FBI. Many of these researchers suggest these infirmities are evidence of an effort to frame an innocent Oswald. If one accepts *arguendo* that Oswald fired shots at the president then one would have to accept that the infirmities of the Oswald evidence and

police conduct were at best the result of inexcusable sloppiness and at worst an attempt to frame a guilty person, which occurs when police misconduct is motivated by 'gilding the lily.' As I have repeatedly said, Oswald was not a patsy. His guilty actions and demonstrated consciousness of guilt, combined with the notion of the critical research community's common assertion of both front and rear shooters (lone gunman frame-up makes no sense), nullify any reasonable notion of Oswald's innocence.

27. The part of the quote that Dr. Mantik does not include, and which is necessary for full context, states, 'If there was a fourth shot (or more), it was most certainly fired by someone other than Lee Harvey Oswald.' No one asserts that Oswald fired more than three shots. It seems apparent that if there were four or more shots, then there was obviously a conspiracy.
28. In his Warren Commission testimony, Hill said he heard two shots.²⁰ After the first shot, Hill saw the president 'grab at himself and lurch forward and to the left.' Hill said, 'This is the first sound I heard; yes, sir. I jumped from the car, realizing that something was wrong, ran to the presidential limousine. *Just about as I reached it*, there was another sound, which was different than the first sound. Hill further claimed, 'The second noise *I heard* had removed a portion of the president's head.' (2H 138-139) Thus, Hill testified that he heard two shots, and he heard the second shot just (seemingly) *before* he reached the car; this description refers clearly to the Z313 event because Hill said it was that shot that removed a portion of the president's head. (By Z332 – about one second after 313 – Hill had reached the car. At Z331, it is difficult, for me at least, to discern Hill). By this analysis, recognizing that the time interval under consideration is incredibly short, it is entirely possible that Hill saw the impact at Z313 just before he reached the car and heard no shots thereafter. The YouTube video of Hill that Dr. Mantik cites shows Hill describing the event in detail and is consistent with his Warren Commission testimony.
29. In the video cited by Dr. Mantik, Altgens says that, at the time of the fatal shot, the president was sitting in an upright position, tilted, favoring Mrs. Kennedy. Altgens then states that the shot obviously came from behind because it caused the president to bolt forward. Altgens indeed does not report that the president bolted backwards. Let me make an observation. In the extant Zapruder film, there are two motions: the dramatic backwards snap, followed by the president moving forward. Altgens position at Z313 is still forward left with respect to the position of the car. At Z313, Jackie is leaning forward to lend aid to her husband, obscuring the view of any witness to the left side or forward left side of the car, at least to some degree. It is therefore possible that Altgens sightline into the car could have been obscured by other passengers or other features of the car. Perhaps this is why Altgens did not see the rearward snap and why Altgens witness statements – as with those of all eyewitnesses – should be evaluated cautiously. I offer this observation only to suggest that there may be an explanation for why Altgens reported the way he did. The head snap is clearly visible from the perspective of the Zapruder film, which was very perpendicular to the car and shot looking down. Many of the witnesses

would not have the benefit provided by the view of Zapruder's camera. I am not trying to make excuses, but only offer some context for consideration. Nevertheless, Dr. Mantik raises a fair point. If correct, however, the appearance of a backward lurch on the Z-film that is not reported by witnesses could be explained by Z-film alteration. Of course, the conspirators' arrangement to have the Z-film altered in a way that produced what is considered by many to be the chief exemplar of a front shot (the backward snap), and thus a conspiracy, is curious in the least. Finally, that Oswald fired shots at the president undermines the case for Z-film alteration. That is, assuming that only a wide government conspiracy would be capable of manipulating the primary evidence, including the Z-film, such a conspiracy would not have recruited Oswald to participate in the assassination.²¹

30. See my initial response to Issue 10. Dr. Mantik has held consistent views as to the fragment trail, offering similar critique (position at odds with the fragment trail) to the late Sherry Fiester in her book, *Enemy of Truth*, as well as his more recent critique of Nicholas Nalli's work. I do think this issue raised by Dr. Mantik is a legitimate issue for debate. I am not able to embrace Dr. Mantik's explanation, however, which anchors on a high right forehead entry wound and a bullet (assuming his agreement with Horne) that was illicitly removed from the president's head prior to official autopsy.
31. See my initial response in the Introduction.
32. Much of my first rebuttal to Mantik's review was devoted to the authenticity controversy, especially the quandary posed by the differing opinions of Dr. Mantik and Dr. Robertson. I mentioned in that response that it is beyond my own skills to determine which of these two men's accounts is more credible based on factors of radiological interpretation alone. The HSCA FPP also had the benefit of the HSCA authentication panel findings, as well as the autopsy X-rays. I inform readers of the autopsy photograph and X-ray authenticity issues in my book, particularly in Chapter 4 and Chapter 9.
33. The issue that Dr. Thompson and Dr. Aguilar raise regarding the pristine bullet relates in part to the apparently conflicting recollection of O.P. Wright, whom Dr. Thompson interviewed in the 1960s. Wright told Dr. Thompson that the bullet he saw on the day of the assassination had a pointed tip, unlike CE399. However, a July 1964 FBI memo stated that when Agent Bardwell Odum of the Dallas FBI field office showed him CE399 in June 1964, Wright (and Tomlinson) confirmed that it did indeed look like the same bullet he saw on the day of the assassination. Dr. Thompson and Dr. Aguilar's suspicions were especially (and understandably) aroused when the government could not produce an FBI 302 report of Odum's investigation. A question was posed: was the July 1964 FBI memo false? Dr. Thompson and Dr. Aguilar found and interviewed Odum many decades after the assassination. At that time, Odum told Dr. Thompson and Dr. Aguilar that he didn't remember ever having had the pristine bullet in his possession. Two days later, Odum reached out to Dr. Thompson and disclosed that he had a vague recollection of having been in Wright's basement office at Parkland Hospital, and then added, 'I

might have had the Mantik's thesis because the previously mentioned researchers (Robertson and Thomas, at least; I'll have to confirm the same for Thompson when his book becomes available, although his notable staunch defense of Z-film legitimacy suggests his conclusions will be the same) synchronize the acoustic evidence to the Z-film, a most unlikely coincidence if the Z-film were altered, as Dr. Mantik believes. In other words, if Robertson, Thomas, and Thompson are correct, this would strongly imply that the extant Z-film is indeed authentic. On the other hand, if the extant Z-film was altered, this in turn would undermine the analysis of Robertson, Thomas, and (presumably) Thompson. Bullet.' Odum said he may have observed the bullet while it was contained in a plastic envelope. (Dr. Thompson, telling of these encounters at the 2003 Wecht conference, expressed his belief that Odum's recollection was the product of Odum's struggles to make his own memory fit with the July 1964 FBI account, which is a valid possibility.) Still, Dr. Mantik raises a fair point with his suggestion that conspirators could have previously fired Oswald's rifle and kept bullets at the ready to be switched with the actual assassination ammunition. Nonetheless, I believe it is also fair to say that such a scenario ultimately implies the FBI actually participated in the assassination rather than that they only acted in a cover-up (besides civilians and the FBI, the others involved in the chain of possession were Secret Service agents Johnsen and Rowley, who, instead of claiming they could not identify CE399 as the bullet they handled on the day of the assassination, would have certainly positively identified CE399 in June 1964 if they were culprits involved in the assassination).²² In any event, calculated efforts to prepare for an eventuality of bullet switching would imply Oswald was framed and be at odds with the conspirator's failure to control Oswald's movements at the time of the assassination in order to prevent him from having an easy alibi, which would have been the top priority of a framing.

34. See my initial response to Issue 1. Additionally, at the November 2017 Mock Trial in Houston, Dr. Wecht was asked to confirm that the president's throat wound was an exit wound. Dr. Wecht replied, 'I believe it has to be simply because I have no other point of exit for it.' In his review of *Hear No Evil* (Kennedys and King website), Dr. Mantik (interestingly, also citing Dr. Wecht's rejection of the notion that a bullet fired from the grassy knoll could have sharply deflected after striking the president's skull and then exited through the right occiput) referred to Dr. Wecht as the '*summa cum laude* of forensic pathologists,' a distinction I certainly won't dispute. Nevertheless, because of our agreement about an exit wound in the president's throat, Dr. Wecht apparently shares in my 'true poverty of imagination,' as suggested by Dr. Mantik.
35. See Item 32 above.
36. See Item 32 above.
37. The distinction I was making in discussing Zapruder's observation was that he was not pointing to the back of his head to demonstrate where he observed Kennedy's wound, but rather to the side of his head.
38. The next sentence of my book states (p. 152), 'Reports by Parkland doctors of cerebellum tissue falling from or protruding from the president's head wound—a

marker establishing an occipital wound—is a significant conundrum in any attempt to reconcile the Parkland-Bethesda [autopsy doctors] conflict.’ The point of this passage was to summarize the conflict; either at least some of the autopsy materials are illegitimate, or the Parkland witnesses (and Bethesda witnesses other than the autopsy doctors) were incorrect in their observations. See my initial response to Issue 14, where I quote from Dr. Aguilar’s excellent research on this topic, and Issue 8, which addresses the same quotation from above.

39. Actually, I discuss the three casket entries in Chapter 9 of my book. I state as part of the introduction (p. 304), ‘Although lone-assassin researchers, particularly Posner and Bugliosi, have not given any credence to their theories and conclusions, Lifton and Horne have a documentary basis that cannot be easily rebutted. Both Lifton and Horne assert that not one but three caskets entered the Bethesda morgue after the arrival of *Air Force One* at Andrews Air Force Base; the three caskets were an alleged charade to allow for clandestine pre-autopsy alterations to the president’s body.’ In Chapter 9, I tie my analysis of the legitimacy of the three-casket-entry issue to a fuller analysis of the body alteration theory, including the severe improbability of a credible body-theft timeline window. (Also, see footnote related to Item 41 below.)
40. I agree with Dr. Mantik that, even if the back of the head photograph does show an intact scalp, it does not necessarily establish that the underlying bone was also intact. See my initial response to Issue 11, which addresses this same quotation from my book. See also Items 41 and 42 next.
41. Outlining the context of the apparent conflict between the autopsy doctors’ documentation of a near EOP entry wound site in the autopsy report and the ‘red spot’ approximately centered in the photograph is the purpose of my discussion in Chapter 4 of my book (pp. 140-141). In the same chapter, just a few pages later (p. 154), I conclude that the autopsy doctors did not participate in any cover-up on the night of the autopsy (although later in the book - including Chapter 5, Chapter 7, and in a footnote in Chapter 9 on page 307 - I state my belief that Humes and Boswell in particular did and said questionable things in the months and years following the autopsy). My inference about the absence of a cover-up by the autopsy doctors on the night of the autopsy was largely based on the handling of the throat wound. If the autopsy doctors (along with their conspiratorial handlers) knew about a bullet wound on the president’s throat, surely heaven and earth would have been moved then and there to pronounce that a transiting bullet from the back to the throat, fired from behind, provided the explanation for those wounds. This information would have replaced the befuddlement documented in the Sibert and O’Neill 302 report. Ultimately, when considering the Parkland doctor’s gas-on-the-fire earlier reporting of an entrance wound in the president’s throat, any potential controversy about the direction of the bullet would have needed to be immediately shut down. There is no other reasonable explanation in light of this context.²³ That being the case, we return to the purpose of taking the picture in question on the night of the autopsy. If not for the purpose of a cover-up, then it stands to reason that it is just possible the picture was taken for purposes of documenting damage to

the scalp caused by an entering bullet. Of course, if one believes, as Dr. Mantik does, that the autopsy doctors involved themselves criminally on the night of the autopsy, for whatever reason, including 'patriotic' reasons, then one can certainly conclude that the picture was taken to present an intentionally misleading portrayal of the president's head wounds. So, it seems to me, on this issue, an important fork-in-the-road is whether or not the autopsy doctors participated in a cover-up on the night of the autopsy. Dr. Mantik and I simply disagree on this point.

42. I agree that it is perilous to rely on the accounts Humes and Boswell, beginning with their cooperation with the Warren Commission – and I say as much in the book (pp. 191-192, 307) as well as in my initial response to Issue 6. I inserted the concession from Boswell's ARRB testimony about pulling the scalp forward on the back of the head photograph to keep readers from jumping to the conclusion that the photograph serves as proof of there being no occipital blast wound, as that is an easy assumption to make at face value. In other words, I credited Boswell's testimony to avoid settling on a tempting but superficial conclusion for a topic that deserves greater consideration. See my additional analysis above in Item 41.
43. Disputes over autopsy photograph and X-ray authentication were the subject of several sections in my initial response. The divergent conclusions of certain prominent assassination researchers led me to take other facts and circumstances into account in order to determine how the individual pieces of these conflicts fit together, and ultimately form my conclusions.
44. See my initial response in the Introduction, Items 34 and 41 above, and Item 52 below. In Dr. Mantik's first version of this critique he suggested that my assertion that pathologists were unaware of the gunshot wound to Kennedy's throat was 'deliberate' ignorance. Dr. Mantik has apparently now settled for my apparently 'feigned' ignorance. So, I'm operating in bad faith? And this discovery of my alleged bad faith occurred in the few months since he sent me the first version of this critique? Dr. Mantik has in the past been the target of an attack questioning his intentions. (I thought the charge was over the top and let Dr. Mantik know that.) I suggest we stick to substance.
45. Dr. Mantik's citation from my book (p. 159) omits two words from the end of the sentence: 'under scrutiny.'
46. See Item 39 above. I said the autopsy began 'around' 8 P.M. In the quote, I am referencing Humes's Warren Commission testimony (2H 349), in which he stated that the body arrived 25 minutes before that time.
47. In my initial response, I said that I was satisfied, as a layman, that the 6.5 mm. object was not a fragment on the back of the president's head. Also as a layman, I still allow for the possibility that Pat Speer's analysis, which suggests that the 6.5 mm. fragment was the larger of the fragments near the front of the head and was removed at autopsy, is correct. (Perhaps that analysis is incorrect, but I did not personally reject it.) This issue was largely covered in my initial response in the Introduction.

48. I did not intend to hide anything in my discussion of the Harper fragment. The location of the fragment has been the subject of heated debate in the critical research community. I report the HSCA's determined location of the Harper fragment, but inform the reader that there is disagreement on the issue. See also my initial response on Issue 13, in which I promote a full vetting of positions between Dr. Robertson and Dr. Mantik concerning the Harper fragment, as well as the related matter of the 'mystery' photograph.
49. I understand that only three pieces of the president's skull arrived at the autopsy. I am referring to the HSCA's later analysis when I mention (pp. 170-171) four total pieces (now including the Harper fragment). Again, as I stated in Item 48, I tell the reader in my book that there is disagreement on this issue.
50. See my initial response on Issue 6 and Issue 10. Whether right or wrong, the HSCA FPP (including Dr. Wecht) apparently concluded that the autopsy doctors *could* have made the error that Dr. Mantik believes is inconceivable.
51. I'm not trusting Dr. Boswell on this point. As for Dr. Livingston's recollection, see my discussion in Item 52, next.
52. Concerning the autopsy conclusions, Horne lays out a four-lens approach (*Inside The Assassination Records Review Board*, Volume III, Chapter 11, particularly a summary chart on p. 872). Lens-1 is essentially what Sibert and O'Neill reported (one bullet entered the back of the president's head and exited the top of his head, and another entered the president's back and did not transit the body). Lens-4 is contained in the extant autopsy report. According to Horne, the Lens-2 and Lens-3 conclusions were substituted and then abandoned (with Lens-1 also abandoned) as new and contradictory information became available to the autopsy doctors. Horne's assertion that the Secret Service circulated two different autopsy reports (one in 1965 and the other in 1967) is, I believe, based on assumptions that are not valid. It is my view that Horne misinterpreted the Rankin analysis that forms the basis of Lens-3 (a low head entry wound with a related 'fragment' exiting the president's throat). I reproduce the transcript containing the Rankin analysis in Chapter 7 of my book. Contrary to Horne's claim, it is more apparent that Rankin was struggling with reconciling the implications of a high rearward shot that entered through the back and then exited higher on the president's body, from the throat. I also highly doubt that the Secret Service would have kept multiple versions of autopsy reports at all, let alone distributed each of them a few years later, one in 1965 and the other in 1967. The fact that, on these separate dates, the inventories transmitting the autopsy reports referred to both as originals would seem to be an error on their part, given the issues just discussed. Regarding the switch from Lens-1 to Lens-2, Horne cites the recollection of Richard Lipsey to describe a three-bullet scenario including:
- a. A tangential head wound (entrance and exit wounds creating one large defect):
 - b. Entry wound high up on the back of the neck, just inside the hairline and exiting the throat:

c. A non-transit neck/back wound.

Horne believes Lens-2 was a course change (abandonment of Lens-1) resulting from what is alleged to have been a post-midnight phone call between Dr. Perry and Humes in which Dr. Perry informed him of the wound on the president's throat. While Dr. Perry's recollections of when exactly he talked to Humes are admittedly vague, Dr. Perry recalled in his HSCA interview:

I told him about this tracheostomy wound and told him that I had cut through the small wound in the neck. And Dr. Humes at that time described that they had a little difficulty tying up that posterior entrance wound – as allegedly to be an entrance wound, I shouldn't get in this hot water—*that posterior wound with the—couldn't find out where it went.* And they surmised that during the cardiac massage and everything that perhaps the bullet had fallen out—which seemed like a very unlikely event to me, to say the least. But at any rate, when I told him that there was a wound in the anterior neck, lower third, he said: 'That explains it.' (7HSCA 305-6.)

From this testimony, it is apparent that Humes abandoned Horne's Lens-1 in favor of Lens-4 (the extant autopsy report), which is consistent with the description I provide in my book. In addition, it appears very odd that Humes (or anyone else) would have radically altered the description of the president's head wound (switching to a large tangential wound) based on the information received from Dr. Perry, and then considered that explanation a more attractive explanation than the bullet simply transiting from the back through the throat. Finally, Horne's scenario requires Humes to have been ignorant of the throat wound until after Sibert and O'Neill departed the morgue at around midnight (see footnote discussion related to Item 41 above). This necessity conflicts with Dr. Livingston's suggestion that he informed Humes about the throat wound prior to the start of the autopsy.

53. The cited quote regarding Hoover begins a discussion of the FBI's bullheaded and unnecessary publication of Sibert and O'Neill's autopsy observations, which occurred even though the FBI knew that the autopsy doctors had changed their findings. Additionally, in Chapter 6 of my book, I am critical of Hoover, the FBI, and its related conduct; I even reproduce a discussion from a Warren Commission meeting in which it occurred to them that the FBI (Hoover) wanted a quick resolution to the assassination case in order to avoid the Warren Commission snooping, despite the reality that significant aspects had not yet been sufficiently investigated (Mexico, Russia). In Chapter 6, I conclude (p. 219), 'In the end, obtaining 'scout's honor' pledges from the attorney general, the FBI director, and the CIA director provided the Warren Commission some investigative cover but not much else of substance, as it turned out.' Finally, I also reproduce the entire Katzenbach statement in Chapter 6.

54. See Item 52 above.

55. This point is related to the broader extension of Horne's theory that Humes and Boswell agreed to participate in an illicit pre-autopsy alteration of the president's body to remove or modify evidence of gunshot wounds to the front of his body.

Horne believes that two brain examinations took place, one on November 25, 1963 (Kennedy's actual brain), and another sometime between November 29 and December 2, 1963 (not Kennedy's brain).²⁴ Horne's theory is that the first examination (November 25), complete with pictures, was a sham because Kennedy's actual brain contained unwanted evidence of shots from the front. According to this theory, Finck was not invited to the November 25 sham event because he was not involved in the cover-up (he had already been duped by illicit pre-autopsy body alteration) and certainly could not be allowed to participate in an examination of the president's actual brain. However, Finck was invited to the later examination of the false, anonymous brain because that false brain would not reveal evidence of frontal shots. Pictures taken at the first exam have (of course) disappeared, and pictures from the second exam are part of the extant collection at NARA. Horne points out that FBI agent O'Neill was shown pictures of the brain and claimed the pictures were not of the brain he saw on the night of the autopsy, but rather of a brain that was much more intact. Beyond my conclusion that there was no illicit body alteration on the night of the autopsy, there is good reason to doubt Horne's theory. If O'Neill was correct, Finck also would have known that the false brain present at the second exam was not the brain he observed on the night of the autopsy. Horne assumes Finck in some way needed to be involved in an 'official' brain exam because his nonparticipation might raise suspicions. Of course, if Finck could not be duped by a brain that looked nothing like what he saw on the night of the autopsy, that would be a much larger problem. Also, if Finck was duped and not actively recruited to be involved in any of the illicit activity, why did Humes invite Finck to the autopsy on Friday night to begin with (well after Humes was supposedly recruited for the cover-up)? Surely, Finck was not needed to help figure out the nature of the president's wounds because those answers were supposedly predetermined. Having Finck around would have served no purpose other than to risk exposing the alleged charade. Any suggestion that asking Finck to join the autopsy on Friday night would help legitimize the credentials of the coopted autopsy team is not realistic, in my view, given the risks involved. As for Stringer, over the years he at times remembered the brain being sectioned (Humes, Boswell, and Finck said the brain was not sectioned), and at other times contradicted those recollections. Doug Horne, to his credit, has documented Stringer's inconsistencies in his book (e.g.; pp. 783, 803, 810-811).

56. Dr. Mantik's concerns about consensus are valid. As it relates to the Warren Commission, Chapter 6 was meant as an indictment on a process in which the government was essentially investigating itself, and during the 'heat of the moment,' no less. The HSCA, while rightfully criticized in certain respects, was indeed encumbered by continued government deception, but in 1978 did not have the same pressures to arrive at political truth as the Warren Commission did in 1964. I would agree that science should prevail for questions in which science is relevant, but what if the science is the subject of severe disagreement among those possessing impeccable qualifications? That is a major problem in this case, as I have discussed throughout my responses.

57. Dr. Mantik quotes my book as follows: ‘...how could any conspirator assume that the crime could be made to look like it was the responsibility of just one shooter? The intact sentence does not end with ‘shooter,’ but ends with ‘as would be the purpose of framing Oswald as the lone assassin? The quoted material is in the context of the critical research community’s common assumption that there were both rear and front located shooters. With that understanding, the conspirators could not hope to frame anyone as a lone gunman because trauma doctors and autopsy doctors would report wounds originating from multiple locations. If, as Dr. Mantik suggests as an explanation, that perhaps the conspirators were not concerned about the conspiracy being known, it would not be necessary to go to all the trouble to frame Oswald as the lone assassin.
58. I think some context is necessary here. In the same paragraph that Dr. Mantik cites (p. 326), I modify the statement thusly: ‘If the medical evidence was wrong, this realistically means either the president’s body was tampered with prior to the autopsy or that the autopsy X-rays and photographs were subsequently tampered with.’
59. Among the issues I discuss in the book, a major theme is Oswald’s participation in the assassination (his guilty actions, consciousness of guilt, movements not controlled, etc.). Because I find it highly unlikely a coordinated, organized, government plot would have used Oswald as a shooter (lone or not), I conclude it therefore unlikely that an organized government plot explains the assassination.
60. I think there is ample evidence of Oswald’s guilt. See my summarizing chart in the Appendix to my book on p. 339.

NOTES

1. Let me provide a high-profile example. Dr. Mantik believes there must have been a shot that entered the president's head 'well after' Z-312/Z313 (assuming, for the sake of discussion, that the Z-film can be trusted, a notion that I know Dr. Mantik and others dispute) because the fragment trail seen in the president's post-mortem X-rays, when juxtaposed with the orientation of the president's head at Z-312/313 cannot be explained by a shot from (or near) the grassy knoll (or TSBD) at that time. As a layman I respect Dr. Mantik's point because he presents a persuasive argument that requires an explanation from those that believe differently. Dr. Gary Aguilar, another researcher who commands my respect, does believe differently; he argues that a grassy knoll head shot at Z312-313 can explain the fragment trail. I asked Dr. Aguilar to respond to Dr. Mantik's contrary assertion: 'In his 2015 eBook, David Mantik believes the metallic trail cannot be explained by a GK shot. Your views?' Dr. Aguilar responded, 'I disagree, since there's no better explanation for it. But it's not a real 'trail' in the sense you may take it. On the AP X-ray, there's no true alignment. But what there is, is tiny fragments toward the top of the skull, which are most prominent anteriorly to the right. JFK's skull was blasted, with some fragments near the 'entrance' on the right, and area of no fragments where the brain was gone, right central, and as one looks toward the left on the AP view one sees some more fragments toward that side. Remember, tiny fragments don't go far from where they're deposited, according to Sturdivan's common sense explanation.' Now imagine there was a real trial of Oswald, and assume the resolution of this issue is important for a jury of layman to determine in formulating its decision about the scope of the crime and the jury hears from Dr. Mantik and Dr. Aguilar who offer irreconcilable testimony standing alone. Both Dr. Mantik and Dr. Aguilar are highly qualified to speak on medical issues. Both have had the opportunity to study the primary materials, as few have. Which of these highly qualified individuals is right on this issue, if indeed either is right at all? Both opinions obviously can't be right. That is the terrain and conundrum that the vast majority of JFK assassination researchers find themselves in regarding this particular issue. Add to this this by the large number of other important topics of dispute among prominent members of the research community having medical credentials (e.g., the skull location of the Harper fragment, the orientation of the F8 'mystery' photo, or even the number of shots striking the president's head). If lay researchers take a position one way or the other, it isn't because the vast majority (including myself) can speak directly and with legitimacy on these very technical medical issues (recognizing that the F8 'mystery photo' has been interpreted from the appearance and placement of objects on or near the autopsy table). A layman (and jury) can only look to the facts and circumstances that are accessible to them to determine which expert is more credible. In other words, the layman seeks to find the most reasonable position when that position is most consistent with the larger body of facts and circumstances they understand and trust. I'll be candid: on this particular issue, for Dr. Mantik to be correct (as I understand his argument), there had to have been a forehead entry wound that went unnoticed at Parkland (an 'obvious' wound, according to Dr. Mantik – pp.100-101 of his eBook) and (I believe Dr. Mantik also asserts) illicit recovery and disposal of the bullet that Dr. Mantik seems to suggest (mostly or completely) remained in the president's head (pp. 95-97), failing to exit. For reasons discussed in my book, I don't accept Dr. Mantik's predicates on this issue (see Appendix K of Dr. Mantik's eBook). That does not mean that I am necessarily in Dr. Aguilar's corner, either. My mind is open, as it will always be. I would like to narrow, if possible, seemingly irreconcilable views of prominent experts as I thrash around these issues. I believe the resolution of these issues is ultimately probative to the question of multiple shooters, although it is certainly not lost on me, that while Dr. Mantik, Dr. Aguilar, Dr. Robertson (as examples) disagree on important aspects of the medical evidence, all seem to support the occurrence of both rear and front shots, and thus a conspiracy of some dimension, like others, I await Tink Thompson's important upcoming book, which I expect will also explore these issues. My intention is to continue to engage Dr. Mantik, Dr. Robertson, Dr. Aguilar, Tink Thompson, and others, if they are willing. I sincerely am grateful for the willingness of these individuals (as well as Pat Speer) to thus far entertain my questions and offer their insights. I may have different views about the JFK assassination, but my admiration and respect for all these individuals (and many others) for their commitment and study of this topic is deep. If anyone comes away with the impression that I am not open to collegial debate – and being persuaded – then I submit that you simply do not know me.
2. Dr. Mantik indicated that I am concerned about Texas courts. This is not true. Rather, I refer to a model for exploring divergent opinions of experts that are used every day in state and federal courts throughout the United States.

3. Dr. Mantik writes in his second review of his bewilderment that I would cite Dr. Robertson as an expert on optical density, but I did not make that suggestion. I cited Dr. Robertson as a diagnostic radiologist who is thus trained to review and interpret X-rays.
4. Dr. Mantik points out that I do not mention Dr. Chesser, another researcher with the credentials to evaluate the extant JFK autopsy X-ray record, in particular. I chose in my book to use Dr. Mantik and his work as the exemplar of opposition to the HSCA authentication panel's assertion that the JFK autopsy photographs and X-rays are authentic. This choice was based on Dr. Mantik's well-known position within the critical research community as a pioneer in opposition to the HSCA authentication panel's findings. No insult was intended toward Dr. Chesser, nor was it my intention to make Dr. Mantik appear to be a lone wolf on this topic. In Chapter 4, I introduce the controversy by explaining that there are others holding similar views regarding the invalidity of the HSCA authentication panel's findings.
5. I reached out to Dr. Wecht in late 2016, in part to offer my thanks for his efforts over the years on this topic. I also told him I was especially impressed by his willingness to adjust his views based on presentation of additional facts and circumstances, which caused me long ago to write in my files: 'Wecht has integrity.'
6. In a November 8, 2015 letter to the editor of the Association of Firearm and Tool Mark Examiners Journal, Dr. Wecht and Dr. Aguilar, responding about the notion of the synchronized arrival of two bullets striking the president's head, instead posited a one head shot scenario: 'Although Dr. Wecht has suggested this [two-shot synchronization] possibility in the past because of what was then accepted, as our understanding has matured, so has our interpretation of the events in Dealey Plaza. There need not have been two, near-simultaneous shots circa Zapruder 313. It's more likely that there was just one – fired from the right front, striking tangentially near the top right portion of the President's skull, with a portion of the bullet being deflected upward and to the left-rear of the limousine. The possibility that a second head shot struck from behind circa Z-327 is a tantalizing possibility...' From my exchanges with Dr. Aguilar a few months ago, I understand that he and Dr. Wecht now believe a second shot did enter the back of the president's head circa Z-327. From this, it appears that Dr. Wecht no longer subscribes to the cowlick entry location that he accepted in 1978. Let me be clear. I am not critical of any expert for revising his or her views based on further analysis or becoming aware of new information. My respect for Dr. Wecht and Dr. Aguilar is very high. That they are willing to change their views as they consider new analysis speaks well of both of them and their credibility. I know Dr. Mantik has been similarly willing to do the same. Nevertheless, the notion that highly qualified individuals—having immersed themselves in this case for decades—have materially changing views about the president's head wounds (and in conflict with each other on material points) creates—for a layman—an understandable lack of confidence that proper answers may be determined from a moving target related to one aspect (albeit an important one) of the entire assassination question. I'll be honest: the material diversity of opinion among the critical research community related to the president's head wounds undermines the very multiple gunmen argument the critical research community is making. That is, if the critical research community is all over the map on this issue the very public the critical research community (and me) are trying to inform will conclude that the head wound evidence is sufficiently convoluted such that the lone gunman versus conspiracy question can't be settled on the basis of such muddle. That would be unfortunate because I certainly agree that this issue is important and the public (and media) would listen if the argument is reasonably approached. Here's what I think this involves:
 - a. Forget scenarios that require a body alteration theory. The body alteration theory has too many severe problems to be viable. If your theory requires body alteration to support such a theory, then your theory is flawed for reasons perhaps not yet evident to you. The public will never embrace a body alteration theory, as it shouldn't, and you risk alienating attention and undermining credibility;
 - b. Forget anchoring to the acoustic evidence. The acoustic evidence at best stands on spindly, fragile, legs and risks undermining the main underlying point. You can still advance your case as if the acoustic evidence never existed;
 - c. Be more circumspect about the back-and-to-the-left movement of the president after Z-313. Frankly, after studying various expert views on this topic, the movement of the entire torso of the president against gravity because of a transiting bullet strike to the head from the front (even hitting tangentially) seems to a layman at least as problematic as arguing for the jet effect or a neuromuscular reaction as exclusive explanations;

- d. Be rock solid that small fragments located in the front of the president's head cannot possibly be explained by anything other than a bullet arriving from the front. For example, are you so sure that a bullet—especially if hitting tangentially on the skull—could not break off tiny fragments throughout its passage in the skull? (Recognizing that a WCCMC bullet broke up into at least three major pieces sometime during its journey, and at least two of those pieces ended up two rows in front of the president.) Anticipate and recognize other reasonable arguments (such as Pat Speer's) and address those arguments. At the same time, be sure that fragment trail dogma is correct dogma. In my litigation career I have seen many times experts to be so sure of themselves only to be shown wrong for reasons unconsidered, especially when venturing outside one's direct area of expertise. Rigorously vet this issue and rigorously challenge assumptions while vetting, because this issue is your best issue;
 - e. Be constructive in public dialogue. A poisonous public dialogue will only repulse a public (and media) otherwise receptive to listening to compelling and credible analysis. Keep your eye on the ball. The critical research community has primary arguments which most all of its participants agree. 'Intercommunity' squabbles and attacks on the character of people who care about this topic, as examples, deter attention and respect away from a noble goal. A lack of decorum is most always self-defeating. I share the desire of the critical research community to raise public (and media) awareness about this event. Although I may have different views on this topic, I would champion efforts to reopen a serious investigation and promote the critical research community's efforts for a full public airing of these issues. A reasonably informed public can and should decide for themselves and also should have fair opportunity to finally be able to do so.
7. Much more than half of the WCCMC bullet, thought by many to have struck the president's head from behind, was never recovered (the unrecovered portion being the middle portion of the bullet, as nose and tail portions were recovered, assuming these pieces are part of the same bullet).
 8. In my book (pp. 321-322), I offer the example of the Altgens doorway photograph that many still believe shows Oswald standing outside the depository as the shots were fired. The question of how one expected to frame Oswald under those circumstances requires no further discussion. Also, in conversation with another researcher, I noted that, during a documentary about the murders allegedly committed by O.J. Simpson in the 1990s, Marcia Clark (lead prosecutor at Simpson's criminal trial) spared no vitriol towards Mark Fuhrman for his lies about using the 'n' word, which had ultimately resulted in his very public assertion of his right against self-incrimination at the trial when snared in F. Lee Bailey's trap. In the same documentary, Clark was asked if she thought that Fuhrman indeed planted a bloody glove at Simpson's house on the night of the murder (the companion glove being found at the murder scene a few blocks away). She quickly responded, 'Of course not. He didn't know where O.J. was. He's not stupid.' Those allegedly attempting to frame Oswald while not knowing (and therefore controlling for) his whereabouts as the assassination occurred would have been similarly 'stupid.'
 9. Dr. Mantik writes about my analysis of the Tague bullet (see above discussion). To be clear, in Chapter 7 of my book, I was ultimately inclined to accept Dr. Thompson's analysis from *Six Seconds* that a bullet fragment from the head shot (freed of its copper jacket) continued downward to strike the curb near Tague. Also, in his second review, Dr. Mantik does not summarize my position on Oswald's guilt in the manner I believe it should be summarized. In Chapter 2 of my book, I provide my framework regarding Oswald's guilt, including how the analysis on that issue fits into the overall context.
 10. I had an opportunity to speak with John Newman at the March 3, 2018 Aguilar mini-conference in San Francisco. I asked him why his hypothesis on this issue was structured as an 'either/or' scenario. He agreed that his views are better understood as 'and/or' concerning the presence of Oswald vs an impostor in Mexico City. In his 2008 Epilogue to *Oswald and the CIA*, Newman writes that it was Oswald himself that was in Mexico City. I asked John why he now hedges the Oswald Mexico City visit in his current volume of work. He told me he has 'cleared the table completely to start over.'
 11. HSCA Final Report, pp. 250-251. Duran also said that Oswald signed the visa application in her presence. The handwriting on the application was later determined to match Oswald's. I understand that the Cuban consul, Eusebio Azcue was adamant that the man he spoke with was not Oswald. Duran's identification of Oswald is, however, supported by Alfredo Mirabal (Azcue's successor as Cuban consul in Mexico City). (HSCA report pp. 122-125.)

12. Jim DiEugenio made the same point to me at the March 3, 2018 San Francisco mini-conference. On November 28, 1963 to the FBI (CE 1781), and again to the Secret Service on December 10, 1963 (CE 1789), Marina indeed denied knowledge of Oswald's Mexico City trip. Notably, in interviews soon after the assassination, Marina told the FBI (November 27, 1963, CE 1780) that she had never seen Oswald with a gun – the day before the Secret Service presented Marina with backyard photographs. At that time Marina confirmed that she took pictures of Oswald with the guns in the Neely backyard (CE 1792.) The report states, 'She was very much concerned that her first version to the police concerning the gun was false, *as she had tried to protect Lee*' (my emphasis). Further, in early December 1963, when shown the 'Walker note' (CE 1784), Marina confirmed Oswald's assassination attempt on General Walker. Thus, as Marina was confronted with documentary evidence she did not attempt to refute such evidence. In Chapter 1 of my book, when discussing Mexico City, I address the problems surrounding Marina's reliability and truthfulness in a footnote. This complication of course cuts both ways. If one chooses to believe that Marina lied when confirming to the FBI and Secret Service about the backyard photographs and the Walker note, one should not claim that her denials about knowledge of Oswald's Mexico City visit were truthful, either.
13. November 19, 1990 episode of Hard Copy, 'Marina Oswald Talks – Part 1,' as well as a 1993 Tom Brokaw interview with Marina. Both are easily searchable on YouTube. During the Brokaw interview, Marina suggested that President Clinton should issue her late husband a presidential pardon.
14. After being shown a backyard photograph by his interrogators, Oswald denied ever having lived at the Neely residence in Oak Cliff, which is the scene of the backyard photographs (WR 609-610). Of course, Oswald lied about not living on Neely. He was cornered and had little choice. From this, one should have no problem deducing that the backyard photographs are authentic and that Oswald somehow came to possess a Carcano rifle, even if reticent to believe Marina's insistence to this day that she took the backyard photographs.
15. Paul C. Giannelli, *Ballistics Evidence Under Fire*' (*Criminal Justice*, Volume 25, Number 4, Winter 2011).
16. U.S. District Court for the Northern District of Illinois Eastern Division, No. 13 CR 00774 Document #875.
17. 2007 WL 485967 (N.D. Cal. Feb. 12, 2007)
18. The poll question actually does not explicitly suggest that Oswald that was the 'one man,' although I think it's fair to assume *knowledgeable* poll respondents would have understood the 'one man' reference was to Oswald.
19. Dr. Mantik (and others) point out that Oswald's accuracy during the assassination is in conflict with missing Walker with a comparatively simple shot. As I point out in my book (Chapter 2), Oswald's accuracy during the assassination was actually one-for-three, assuming that Oswald was gunning for the president's head with all shots fired.
20. Specter: How many shots have you described that you heard? Hill: Two. Specter: Did you hear any more than two shots? Hill: No, sir. (2H 139)
21. One interesting aspect of the Z-film alteration debate relates to the alleged acoustic evidence. Many well respected members of the critical research community (e.g., Robertson, Thomas, and Thompson) believe their acoustic evidence is legitimate, and build their respective reconstructions of the assassination sequence by synchronizing the Z-film and the acoustic evidence. (Thompson, for instance, told me at the mock trial in Houston that his analysis will be connected to the acoustic evidence.) On this issue, Dr. Mantik and I are strange bedfellows indeed. Dr. Mantik and I both reject the legitimacy of the acoustic evidence. Personally, I am unconvinced that the stuck open microphone was in Dealey Plaza, let alone at the locations needed to make the acoustic claim 'work.' I believe Dr. Mantik shares a similar view, at least in general. (See his critique of Thomas's Hear No Evil on the Kennedys and King website.) The legitimacy (or not) of the acoustic evidence is especially important to Dr. Mantik's thesis because the previously mentioned researchers (Robertson and Thomas, at least; I'll have to confirm the same for Thompson when his book becomes available, although his notable staunch defense of Z-film legitimacy suggests his conclusions will be the same) synchronize the acoustic evidence to the Z-film, a most unlikely coincidence if the Z-film were altered, as Dr. Mantik believes. In other words, if Robertson, Thomas, and Thompson are correct, this would strongly imply that the extant Z-film is indeed authentic. On the other hand, if the extant Z-film was altered, this in turn would undermine the analysis of Robertson, Thomas, and (presumably) Thompson.

22. Thompson, in *Six Seconds in Dallas* (p. 176), writes the following concerning Wright's recollections: 'This is an appalling piece of information, for if Wright's recollection is accurate, then CE 399 must have been switched for the real bullet sometime later in the transmission chain. This could have been done only by some federal officer, since it was in government possession from that time on. If this is true, then the assassination conspiracy would have to have involved members of the federal government and been an 'inside' job.' Further, Gary Aguilar told me, concerning the events described in the piece he co-authored with Thompson, 'The implication being that it's just possible that the FBI, notorious for manufacturing evidence, pulled a swithochango at the FBI lab on the 'pointed tip' bullet that was found on 'Ronnie Fuller's' stretcher.' Since it seems reasonable to conclude that Rowley and Johnsen were not involved in the 'swithochango' of the bullet - surely they would have later confirmed CE 399 was legitimate in order to further cover-up their involvement - that leaves FBI employees as the only other 'federal officer' actor that could have been part of the assassination 'inside job' suggested by Thompson in *Six Seconds*. As virtually no one today posits (or offers substantive proof) that the FBI was involved in the assassination conspiracy, this means that FBI bad conduct was limited to after-the-fact cover-up. This in turn means that there was no bullet already prepared, as suggested by Dr. Mantik. Further, this suggests that the timing contradiction I describe in my book (and as in part quoted by Dr. Mantik) is entirely relevant to the question at hand.
23. If Humes and Boswell had been recruited for the cover-up then surely they would have proclaimed that the throat wound was the result of a transiting bullet fired from the rear, as most assuredly the conspirators would have known about the reporting from Parkland before the body of the president arrived at the Bethesda morgue. If, on the other hand, the argument is for innocent autopsy doctors that were ordered not to dissect the president's neck so as to prevent them from discovering an entrance wound in the throat, then the notion of illicit pre-autopsy body alteration is unsustainable (at least as to Horne, but maybe not Lifton), as is the notion that Humes and Boswell participated in the manipulation of the president's wounds and scalp to facilitate misleading photographs such as photograph 42 showing the back of the president's head.
24. *Inside The Assassination Records Review Board*, Volume III, Chapter 10.