

***Reclaiming History:* A Closed Mind Perpetrating a Fraud on the Public**

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Among all the books ever published on the death of JFK, Vincent Bugliosi's *Reclaiming History: The Assassination of President John F. Kennedy* (2007) effortlessly qualifies as the most audacious. Spanning more than 1600 pages in length (with yet another 1000 pages of notes on an accompanying CD), its author claims the moral high-ground, contending that he, unlike the majority of conspiracy authors, would never mislead his readers by lies, omissions, and deliberately distorting the official record (p. xv). If they are confronted with evidence that is incompatible with their fanciful theories, they, but not he, either twist, warp, and distort the evidence, or simply ignore it, both of which are designed to deceive their readers (p. xiv). That is what he tells us.

He also tells us that *The Warren Report* (1964), *The HSCA Final Report* (1979)—apart from mistakenly adding a second shooter from the grassy knoll—and even Gerald Posner's *Case Closed* (1993), which he faults for sloppy research, got it right: a lone assassin fired three shots from the 6th floor of the Texas School Book Depository, scoring two hits and one miss. One shot (the “magic bullet”) entered the base of the back of the neck—interestingly, Bugliosi describes it as “the upper right part of his back”—traversing it without hitting any bony structures, exiting just above the tie to enter John Connally's back, shatter a rib, exit and collide with his right-wrist before entering his left thigh. A second shot hit him in the head and killed him. Oh, yes! He also tells us his name was Lee Harvey Oswald.

Bugliosi lays all of this out in the very first paragraph of his book, except for the identity of the assassin, which he attempts substantiate in the rest of his book! This may not seem like much to report after having devoted 21 years to the investigation of this case, but that is what he tells us. If there were no lone assassin, however, if there were more than three shots or if the “magic bullet” theory were untrue, then (all sides agree) there would have to have been more than one shooter and, therefore, a JFK conspiracy. Indeed, even Michael Baden, M.D., who chaired the Medical Panel for the HSCA during its reinvestigation in 1977–78, has observed that, if the “magic bullet” theory were false, then there must have been at least six shots from three directions! Yet, it is not difficult to demonstrate that the “magic bullet” theory is false.

So how seriously should we take this book? Not very. Having organized a research group consisting of the best qualified persons to ever investigate the case, having chaired or co-chaired four national conferences, published three books (comprising nearly 1500 pages in length), and founded an electronic journal for advanced study of the death of JFK, it is obvious to me that Bugliosi has misled his readers by lies, omissions, and deliberate distortions, where, in particular, when confronted with evidence that is incompatible with his own—

official but fanciful—theory, he either twists, warps, and distorts the evidence or simply ignores it. His key claims are not merely provably false but, in crucial cases, not even physically possible. How can this be the case?

Science vs. the Law

Vincent Bugliosi is a brilliant prosecutor. His success in the courtroom has resulted from his remarkable capacity to persuade others that what he tells them is true. The capacity to persuade others that what you have to say is true, however, is not the same thing as telling the truth. Truth is a property of sentences in a language (including mathematical statements in the natural sciences), where a sentence in that language is true when it corresponds with the way things are (what there is or what is the case). When what you are being told corresponds to the way things are (what there is, what is the case), then you are being told the truth. Otherwise, you are not. But you may or may not be well-positioned to tell the difference. And therein lies the rub!

The difference between Socrates and the Sophists was that Socrates used his ability to reason for the purpose of discovering truth, while the Sophists used their abilities for the purpose of persuasion. Among those who represent the Sophistic tradition today are used-car salesmen, politicians, and lawyers. In the American adversarial tradition, during criminal proceedings, such as the conduct of a trial, the defense attorneys have the duty to provide their clients with a zealous defense, which means presenting just the evidence that tends to exculpate them from the crime alleged. The prosecutor bears the greater burden of considering evidence on both sides to insure that justice is done. Bugliosi's zeal to convict Oswald has overcome his commitment to justice.

How is this possible? After the publication of *Assassination Science* (1998), with eleven expert contributors, and of *Murder in Dealey Plaza* (2000), with nine, which we sent to Bugliosi, David W. Mantik, M.D., Ph.D., with whom I had been collaborating for nearly a decade, suggested that I write to him and ask, "What would it take to convince you of a conspiracy and cover-up in the death of JFK? Are none of our major discoveries—our 16 smoking guns, for example [published on pp. 1–14 of *Murder*—convincing? And, if not, why? And, if not, what would it take? (23 January 2001)." His answer was simple: "Only evidence, Drs. Fetzer and Mantik. Only evidence." Yet it is rather easy to prove he ignores our evidence, violating his own standards.

Bugliosi is not an historian or a scientist. While he accepts the books I have edited as the only exclusively scientific books (three) on the assassination (p. 974), there can be no room for doubt that he has ignored them. My guess is that, as Mantik suggests (Review in this issue of *Assassination Research*), Bugliosi commits a blunder in epistemology, confounding a jurisprudential model (as some have called it) with a scientific model of investigation. Courtroom procedures are useful to resolve conflicts in limited intervals of time using available evidence based upon degrees of subjective credibility, while scientific procedures are intended to establish truths over unlimited intervals of time on the basis of objective measures of evidential support.

The One Minute Proof

The differences are several. Practical decision-making requires resolutions in a finite interval using then-available evidence that is both relevant and admissible. These decisions are typically definitive and afford a means for settling conflicts. Scientific knowledge-acquisition, by contrast, does not end after a finite interval but, with the accumulation of new evidence, can lead to the rejection of hypotheses previously accepted, the acceptance of hypotheses previously rejected, and the suspension of belief in cases that were previously assumed settled. The succession of classical mechanics over Aristotelian physics and its subsequent defeat by relativity theory are striking examples having parallels in chemistry, biology, and psychology.

In an earlier book, *The Betrayal of America* (2001) on the Supreme Courts decision in the 2000 election, Bugliosi introduces an argument about (what he takes to be) a blunder keeping most otherwise intelligent citizens from thinking intelligently about JFK, elaborating a one minute proof he had advanced to a group of 600 trial lawyers. He first asked if they had read criticism of *The Warren Report* (1964) or seen the film, *JFK*. Many hands rose. He was sure they would agree that, before making up their minds, they should hear both sides. With that in mind, he asked, "How many have read *The Warren Report*?" Very few raised their hands. Most members of this audience had rejected the Commission's findings *without reading its Report*.

But, as I pointed out in an *amazon.com* review (29 May 2001), Bugliosi's argument founders on a subtle fallacy. Suppose you were asked for your opinion about astrology. Would it be a mistake on your part if you had arrived at your conclusion without having read books by astrologers and hearing both sides? Suppose you heard that a political leader advocated a program of Aryan supremacy, Jewish eradication and territorial aggression? Would it be a mistake on your part if you had concluded that those views were corrupt and unworthy without actually bothering to read *Mein Kampf* (1925–26)? Arguments that are logically sufficient to disprove its themes offer an alternative to having to read a book that defends them. But they have to be grounded in good reasons and not merely psychological appeal.

The situation with *The Warren Report* (1964) is highly comparable. Thus, if its principal conclusions, which Bugliosi embraces, are sorted out as a set of four hypotheses, (h1) to (h4)—including (h1) that the "magic bullet" theory is true, (h2) that the assassin was situated above and behind his target, (h3) that he used a 6.5 mm Mannlicher-Carcano to hit his target, and (h4) that Lee Harvey Oswald was the shooter—which can be proven false on independent grounds, then there is surely no obligation to read those flawed studies that "support" them. While he claims to have 53 items of evidence incriminating Oswald, he also dismisses indications that most if not all of them appear to be planted, faked or fabricated. In his enthusiasm to convince his readers of Oswald's guilt, Bugliosi adopted an uncharacteristically uncritical attitude toward "evidence" he found useful. If the "magic bullet" theory cannot be true, if the weapon cannot have fired the bullets, and if the alleged assassin was not even at the window, the case begins to look very different, indeed.

The “Magic Bullet” Theory

The “magic bullet” requires an entry location at the base of the back of the neck, which, as I have noted above, Bugliosi describes as “the upper right part of his back” (p. xi). No matter. We have so much evidence about this wound that, if we don’t know where JFK was hit in the back from behind, then we probably don’t know anything about the case at all. Consider that the jacket he was wearing has a hole at about 5½ inches below the collar and the shirt slightly below that. The autopsy diagram prepared by Navy Lt. Commander J. Thornton Boswell, USNMC, shows a wound on the back at the same approximate location. Another autopsy diagram by FBI Special Agent James W. Sibert shows the wound to the back below the wound to the throat. The holes in the shirt and jacket align with the two autopsy diagrams.

Sibert and Francis X. O'Neill subsequently submitted an FBI report of their autopsy observations, which included, in part, “Medical examination of the President's body revealed that one of the bullets had entered just below his shoulder to the right of the spinal column at an angle of 45 to 60 degrees downward, that there was no point of exit, and that the bullet was not in the body.” Moreover, the President's personal physician, Admiral George G. Burkley, USNMC, in the death certificate he executed on JFK, described a massive wound to the head, while adding “a second wound occurred in the posterior back at about the level of the third thoracic vertebra”. Which is a location that corresponds to the same place as the other evidence indicates.

Re-enactment photographs include stand-ins for the President with circular patches for the wounds he is supposed to have sustained, a small one at the vicinity of the occipital protuberance and a large one about 5½ inches below the collar to the right of the spinal column. Documents that were released by the Assassination Records Review Board have shown that Rep. Gerald Ford (R-Michigan), then a junior member of the Warren Commission, had the location of the wound re-described as entering at “the back of the neck” rather than in the uppermost back, the exaggeration that Bugliosi adopts. The mortician, Thomas Evan Robinson, confirmed that there was a wound in the back five to six inches below the shoulder and to the right of the spinal column. And Mantik has conducted an experiment with a CAT scan from a patient with chest and neck dimensions similar to those of JFK that demonstrates the official trajectory is not even anatomically possible, because cervical vertebrae intervene. The official account cannot be true.

The demise of the “magic bullet” theory means that the wound to the throat and the wounds to Connally have to be accounted for on the basis of other shots and other shooters. Indeed, Mantik has demonstrated that, given the wound to the back and the wound to the throat combined with two wounds to the head (one from behind and one from in front), JFK was hit at least four times. Since Connally was hit at least once from the side and one shot missed and injured James Tague, Baden is right: the “magic bullet” theory is false and there have to have been at least six shots from three directions! Which means that *The Warren Report*, *The HSCA Final Report*, Posner's *Case Closed*, and Bugliosi's own *Reclaiming History* cannot be sustained!

The Location and the Carbine

Consider hypothesis (h2), the hypothesis that the assassin was above and behind on the sixth floor of the Texas School Book Depository. As Stewart Galanor, *Cover Up* (1998), has observed, if you juxtapose the diagrams of the wounds that JFK is supposed to have sustained—in particular, the shot to the back of his head (from its purported entry location to its purported exit)—with a frame from the Zapruder film (Z-312) taken immediately before he was hit, if the official account is correct and the film is authentic, it turns out that, given a proper orientation, the shot would have to have been on a slightly upward trajectory, not the downward trajectory the official account requires. Thus, it follows that either the official account is not correct or the film is fake, an uncomfortable conclusion for one who defends *The Warren Report* (1964).

Hypothesis (h3), that the shooter used a 6.5 mm Mannlicher–Carcano to hit his target, poses problems of its own. The death certificates, *The Warren Report* (1964), articles in the *Journal of the AMA*, and other sources affirm that the President was killed by the impact of high-velocity bullets. Many authors, including Harold Weisberg, *Whitewash* (1965), Peter Model and Robert Groden, *JFK: The Case for Conspiracy* (1976), and Robert Groden and Harrison E. Livingstone, *High Treason* (1989), have observed that the Mannlicher–Carcano the killer is alleged to have used is not a high-velocity weapon. Since the Mannlicher–Carcano is the only weapon that Lee Harvey Oswald is alleged to have used, he cannot have fired the bullets that killed JFK. They were high velocity, the weapon was not; hence, he didn't do it.

Finally, (h4), the hypothesis that Lee Harvey Oswald was the shooter, has always been problematical. He was confronted by a motorcycle patrolman, Marion Baker, in a lunchroom on the second floor within 90 seconds of the assassination at 12:30 PM. Fellow workers had observed him in and around that location prior to the shooting, including William Shelley, who observed him at 11:50 AM when he (Shelley) came down to eat lunch; at 12:00 noon, Eddie Piper saw him on the first floor when he (Oswald) told him he was going up to eat; at 12:15 PM, Carolyn Arnold, the Executive Secretary to the Vice President, observed him sitting in the lunch room; and, at 12:25 PM, five minutes before the assassination, she saw him again, but on the first floor near the front door of the building. Some of these witnesses would hesitate to confirm their testimony after visits from the FBI, but they cohere together.

Indeed, Officer Baker confronted him before 12:32 PM and held Oswald in the sights of his revolver until he was assured by Roy Truly, Oswald's supervisor, that Oswald was an employee. For him to have been the shooter, he would have had to have rushed across a warehouse floor, stashed his trusty carbine, raced down four flights of stairs and into the lunch room within a minute and a half. Baker stated that Oswald did not seem out of breath but appeared to be calm, a description that Truly confirmed. If these findings about (h3) and (h4) are well-founded, then Oswald not only did not have the means but also lacked the opportunity to commit the assassination. His wife later testified that Lee admired the Kennedys and bore JFK no malice, which implies the man Bugliosi fingers for the crime lacked motive, means, and opportunity.

Twisting, Warping, and Distorting

Bugliosi contends that Oswald was too unstable and insufficiently reliable for the CIA or the Mafia to have depended upon him to carry off the biggest murder in American history. Given the official story, he had defected to the Soviet Union, slashed his wrist trying to commit suicide, behaved erratically in New Orleans, lived the life of a loner, and all that. Why would the CIA or the Mafia have trusted him? Indeed, if Lee had been part of a conspiracy, as soon as he departed from the building, a car would have been waiting to take him to his death. Instead, he becomes the first successful assassin in history to make his escape by public transportation! The author appears unable to appreciate that the same reasons he offers for why Oswald might not have been an appropriate choice to serve as *an assassin* are excellent reasons why he would have made a great selection in a conspiracy to serve as *the patsy*!

Perhaps the most disgusting discussion of the entire 1600 pages, however, is Bugliosi's treatment of the medical evidence. Here he not only takes for granted that two bullets struck from above and behind, one exiting from the throat, the other hitting him in the head and killing him—describing this account as “incontrovertible”—but characterizes the Parkland physicians as mostly young and inexperienced, when in fact they included Kemp Clark, M.D., Director of Neurosurgery, Malcolm Perry, M.D., and many others highly experienced in dealing with gunshot victims. In what must be the single most dishonest statement in this entire work, he says that conspiracy theorists allowed unfocused observations in a frenzied atmosphere to take precedence over the autopsy X-rays and photographs in their investigations of JFK! That's what he tells us. Reading this, I was overcome with nausea.

More than forty eyewitnesses—from Dealey Plaza and Parkland Hospital to the Bethesda morgue—have testified to a massive blow-out at the back of the head. They include Beverly Oliver, Phillip Willis, Marilyn Willis, Ed Hoffman (Dealey Plaza), Robert McClelland, M.D., Paul Peters, M.D., Kenneth Salyer, M.D., Charles Carrico, M.D., Richard Delaney, M.D., Charles Crenshaw, M.D., Ronald Jones, M.D., Audrey Bell, Nurse, Aubrey Rike, Ambulance Driver (Parkland Hospital), and Francis X. O'Neill, FBI, Paul O'Connor, Jerrol Custer, Floyd Riebe (Bethesda Morgue). Bugliosi interviews some of them and makes perfunctory efforts to dissuade them, but the crux of the matter has always been that the autopsy X-rays do not show a massive blow-out to the back of the head. From a logical point of view, either the witnesses are mistaken or else the X-rays are not authentic.

Bugliosi's reliance upon experts should have drawn him to the studies of the autopsy X-rays by David W. Mantik, M.D., Ph.D., and of the reports from the physicians at Parkland Hospital by Robert B. Livingston, M.D. Mantik has a Ph.D. in physics from Madison, an M.D. from Michigan, and is board certified in radiation oncology. Livingston was a world authority on the human brain and an expert on wound ballistics. Mantik's studies of the X-rays, which demonstrate that the right lateral cranial X-ray has been altered by imposing a patch upon a massive blow out to the back of the head, his discovery that a 6.5 mm metallic slice was added to the anterior/posterior X-ray, and Livingston's de-

termination that the brain shown in diagrams and photos at the National Archives cannot be that of John F. Kennedy—based on his study of the numerous, consistent reports from Parkland physicians of cerebellar as well as cerebral tissue extruding from that massive defect—are (or ought to be) the starting point for any serious investigation of this crime. But you would think Bugliosi had never laid eyes on *Assassination Science* (1998).

Unwarranted Simplifications

Because these results come from technical studies or entail expert judgment, the most easily accessible evidence refuting the official account remains the shirt, the jacket, the autopsy diagrams, the President's personal physician's death certificate, the re-enactment photos, the mortician's report, Ford's re-description of the wound, and Mantik's demonstration that the trajectory is not even anatomically possible. This information is not hidden from sight but has been published in many familiar books, such as Mark Lane, *Rush to Judgment* (1966), Gary Shaw and Larry Harris, *Cover Up* (1976; 2nd edition, 1992), Robert Groden, *The Killing of a President* (1993) and Stewart Galanor, *Cover Up* (1998), not to mention *Assassination Science* (1998) and *Murder in Dealey Plaza* (2000). It also appears in *The Lone Nutter Refutation* on assassinationscience.com and in *Assassination Research* (Vol. 1, No. 1). We know that there had to have been at least six shots from three directions!

Bugliosi not only misrepresents the medical evidence but also simplifies his case by making gratuitous assumptions about the FBI and the Secret Service, insisting that no one has ever implicated them in these events. That ought to come as some surprise to Vincent Palamara, for example, who authored two chapters about the events for *Murder in Dealey Plaza* (2000), one of which summarizes evidence of a "stop" on Elm Street after bullets had begun to be fired, the other addressing the roles of Floyd Boring, Assistant Special Agent in Charge of the White House Detail, Emory Roberts, Agent in Charge of the Secret Service Detail in Dallas, and William Greer, the driver of the Presidential Limousine during the motorcade. Indeed, these are related, insofar as the stop appears to have occurred when Greer pulled the limo to the left and stopped in the vicinity of the steps leading up to the pergola.

This was only the most striking of more than fifteen indications of Secret Service complicity in setting JFK up for the hit, which include leaving an agent behind at Love Field, arranging the motorcade in the wrong sequence, using an improper motorcade route, not welding the manhole covers and not covering the open windows, ordering the 112th Military Intelligence Group to stand down over its Commanding Officers adamant opposition, letting the crowd spill out into the street, not responding to the initial shots, calling an agent back when he started to respond, pulling the limousine to the left and to a halt, taking a bucket and sponge and washing brains and blood from the limousine after arrival at Parkland Hospital, forcibly removing the body and transporting it back to Washington, D.C., collecting the autopsy X-rays and photographs during the autopsy rather than allowing the physicians to use them, and sending the limousine back to Ford to be completely rebuilt.

The concealment of the stop, which lasted less than two seconds, but during which JFK was hit twice in the head—once from behind (from a second-story window of the Dal-Tex Building), once from in front (from an above-ground sewer opening at the north end of the Triple Underpass)—has been extensively discussed in *The Great Zapruder Film Hoax* (2003). Moreover, multiple proofs of film alteration are demonstrated with clips from the film in an introductory symposium by John P. Costella, Ph.D., which is available on *assassination-science.com* and *assassinationresearch.com*. These include the publication of frames with physically impossible features, blunders made introducing the Stemmons Freeway sign into the recreated film, the blob and blood spray that were added to Frame 313, the occurrence of Greer's two head turns at speeds far faster than humanly possible, the excision of Connally's left turn from the extant film, and removal of the image of blood and brains from the trunk, not to mention eyewitnesses who have observed a more complete film on more than one occasion, which surely ought to have drawn Bugliosi's attention. He appears to be completely ignorant of the evidence. Frame 374 even displays the massive blow-out to the back of JFK's head!

A Closed Mind

Indeed, when the Assassination Records Review Board telegraphed that it wanted the Secret Service to provide its Presidential Protection Survey Records for JFK's trips in 1963, rather than providing them, the Secret Service destroyed them. Most of the evidence that I have described here was easily available to the author of this book. Unlike a recent study of mine, "Reasoning about Assassinations," *International Journal of the Humanities* **3** (2005/2006), which lays out the evidence that refutes the "magic bullet" theory, published after undergoing peer review subsequent to its presentation during a conference at Cambridge University in 2005 (now archived at *assassinationscience.com* for ease of access), the arguments that Bugliosi advances in support of (h1) to (h4) could never pass a peer review. Astonishingly, he has not even come to grips with the most basic evidence!

When I first wrote to Bugliosi asking, "What would it take to convince you of a conspiracy and cover-up in the death of JFK?" and received the answer, "Only evidence, Drs. Fetzer and Mantik. Only evidence.", I simply took for granted that an experienced prosecutor, who was accustomed to bearing the higher burden of justice on his shoulders, would appreciate the quantity and quality of the evidence that refutes the "magic bullet" theory and exonerates Oswald as the assassin of JFK. He conveys the impression that it is he who has been most attentive and painstaking in dealing with the basic evidence in this case—the autopsy X-rays and photographs, the photos and diagrams of the brain, and the Zapruder film—when it is he who ignores our research assessing their authenticity! It just did not occur to me that a person of his standing would perpetrate a fraud on the public in a case of this magnitude.

Ignoring our proofs of fabrication of the most basic evidence, alas, is not his only scientific blunder. He also cites the work of Vincent Guinn on bullet fragments from the limo and allegedly the brain in support of the inference that, because the levels of antimony from them fall into two and only two groupings,

this indicates that they all originated from two bullets. Indeed, Guinn says one of those groupings matches the bullet found on Connally's stretcher, which the government claims to be the "magic bullet" and to have been officially established as having been fired from Oswald's Mannlicher-Carcano. Yet its observable properties are identical with those of bullets that were fired into buckets of water or wads of cotton by the Warren Commission and the HSCA staffs in conducting their investigations. It exhibits none of the distortion that bullets fired into cadavers' wrists, for example, display. They appear indistinguishable [*Murder in Dealey Plaza* (2000), p. 411].

So Bugliosi relies on Guinn's chemical analysis to prove that Oswald had killed JFK with these bullets, both of which were fired by the Mannlicher-Carcano. But that is very faulty reasoning. Even if the "magic bullet" and the fragments added up to two bullets and both bullets had been fired from the carbine, that shows neither (a) that the "magic bullet" was fired during the assassination, nor (b) that Oswald fired it—or any other! As very early students of the case, including Harold Weisberg, Mark Lane, and Sylvia Meagher, observed, the evidence strongly suggests the "magic bullet" was a plant. And someone other than Oswald could have used the weapon during the shooting. We have evidence that he was not on the 6th floor and that the Mannlicher-Carcano cannot have fired the (high-velocity) bullets that killed JFK. That obvious fallacies of these kinds should be committed by Bugliosi indicates that his reasoning ability was adversely affected by his goal, which was clearly not to assess the evidence but to marshal a case against the alleged assassin—the most convincing case he could muster!

"Experts" and Experts

In order to dismiss the HSCA's conclusion that there was a second gunman on the grassy knoll, Bugliosi disputes the acoustical studies on which it was based. Motorcycle patrolman H. B. McLain's mike was locked in the open position and produced a dictabelt recording that seems to be of sounds from shots fired during the assassination. In agreement with *The Warren Report* (1964) that three shots were fired from the book depository, *The HSCA Final Report* (1979) concluded that at least one additional shot had been fired from the grassy knoll but had missed! While physical evidence should be given precedence over witness accounts, Bugliosi reverses this weighting to find support for the rejection of the acoustic evidence and does not even bother to interview the experts who worked on this issue in his zeal to reject findings contrary to his position, as Donald Thomas, "Debugging Bugliosi", observes.

Bugliosi should have known better, since Thomas had published a study in *Science & Justice* **41** (2001), in which he had discussed and refuted most of the objections Bugliosi endorses. As I confirmed in conversation with him at a conference in Dallas, Thomas agreed that the methods used (the specific arrays of microphones deployed) were not sufficiently discriminating to tell if the sounds of shots attributed to the 6th floor of the Depository might not have come from the 2nd floor of the Dal-Tex Building instead. The acoustic evidence is therefore consistent with three shots from the Dal-Tex as well as three shots from the Book Depository. These studies were restricted to shots that could have been

fired from only the two locations, Depository and knoll, and did not examine the possibility of additional shots from other locations. The graphs and other evidence published in *The HSCA Final Report* (1979) exhibit other spikes suggesting that *even more than four shots* could have been fired. But his readers would never know that the acoustical evidence is so interesting and important on the basis of Bugliosi's slovenly discussion.

That experts are not always expert has been dramatically demonstrated by the case of Luis Alvarez, the Nobel Prize winning physicist from Berkeley, who published a so-called "jiggle" analysis of the extant Zapruder film that has been used to support the lone assassin theory. In a chapter in *The Great Zapruder Film Hoax* (2003), however, Mantik reports that, when he tried to replicate Alvarez's "findings", it was impossible, because a more accurate graph of the jiggles, which he provides, resembles a mass of relatively similar variations rather than a small number of striking variations. This suggests that Alvarez may have been employing the technique of selection and elimination ("special pleading", in informal logic) by selecting data that supports a predetermined conclusion and eliminating the rest. Bugliosi, no doubt, must have found that congenial, since it is the very methodology he has used throughout his book. But proof that Alvarez's work was unreliable should have caused him pause. The subjective certainty with which Bugliosi advances his thesis bears no correspondence to objective degrees of support.

Mantik not only studied the Zapruder film by comparing Alvarez and his own jiggle results but also compared both blur and jiggle patterns in the Muchmore film. If they were recording the same shot sequence and if those sound waves induced minor motions in those films, then presumably they ought to exhibit similar patterns of jiggles and blurs. The results of his study of Muchmore yielded a smooth jiggle graph, but a highly-varied blur graph. If the film were authentic, the results of these analyses ought to converge. Those who have argued that altering the Zapruder film would have required altering others, including the Muchmore film, ought to have been impressed by research indicating the Muchmore film is not authentic. An unexpected benefit of his studies was indications of another shot around Frame 160, which corresponds to the commencement of the Connally left-turn. No one should presume Bugliosi understands the scientific evidence!

Science Will Out

If Bugliosi's book is viewed as his courtroom brief, which is appropriate in every way, it displays the strengths and the weaknesses of the jurisprudential model of inquiry by comparison with the scientific. He has selectively relied on evidence available to him and presented it in psychologically compelling language. But he does not respect science he should have mastered. Before his brief was complete, two scientists from Lawrence Livermore Laboratory had undermined the bullet fragment research upon which his case depends. And a new study with four authors has demonstrated that these fragments could have come from multiple bullets, where the evidence for two shots from one shooter has been severely undermined. As Gary Aguilar, M.D., explains in his article, "Is Vincent

Bugliosi Right that Neutron Activation Proves Oswald's Guilt?", the answer is "No!" But then it never could have.

The findings reported in our three books include extensive, scientific and objective evidence of X-ray alteration, photographic manipulation, and the recreation of the Zapruder film. They demonstrate as conclusively as science can that the alleged assassin was framed using manufactured evidence. If Bugliosi had wanted to discover the truth about the assassination of JFK, it would not have been difficult for him to have done that. Indeed, none of these fabrications of evidence could have been done by the Mafia, pro- or anti-Castro Cubans, the KGB, or Oswald, who was incarcerated or already dead. While they are elaborated in great detail in these books and make an historic contribution to shattering the cover-up and exposing the complicity of the government in the assassination of JFK, none of them has made any impression upon the author of this book, whose mind appears to have been closed by a commitment to build the case for a predetermined conclusion.

This book abounds with other absurdities, such as the claim, often heard from neophytes, that no one has ever confessed, as if that would be proof of no conspiracy. Anyone who knows Sam and Chuck Giancana, *Double Cross* (1992), Noel Twyman, *Bloody Treason* (1997), where Noel identifies eight who have talked on a single page (p. 285), Madeleine Duncan Brown, *Texas in the Morning* (1997), Barr McClellan, *Blood, Money & Power* (2003), and Billy Sol Estes, *A Texas Legend* (2005), has to know better. These sources offer important evidence implicating Lyndon Johnson and J. Edgar Hoover in the assassination. Billy Sol, for example, discusses the involvement of Lyndon's assistant, Cliff Carter, and of Malcolm "Mac" Wallace, who may have murdered as many as a dozen at LBJ's direction. They point toward the involvement of the Joint Chiefs and elements of the CIA and the Mafia in executing the crime, a scenario that more recent revelations also confirm.

In *The Zenith Secret* (2006), Bradley Ayers, an Army Captain who worked for the CIA at JM/WAVE in Miami from May 1963 to December 1964, for example, offers reasons to believe that Richard Helms, William Harvey, and David Sanchez Morales were involved in the assassination of JFK. (He has also identified officials Gordon Campbell, George Joannides, and Morales in photos from the murder scene of RFK.) Today, we must include "The Last Confessions of E. Howard Hunt," *rollingstone.com* (2007), where the long-time CIA operative points to LBJ, Cord Meyer, Harvey, Morales and others as complicit. It could be argued that some of this evidence came too late for Bugliosi to have considered, which is certainly true. But guilt or innocence is not determined by a prosecutor's brief. In this case, it is impossible to avoid the inference that he has twisted, warped, and distorted the evidence that was available to him or just ignored it. After appraising what the author has done with what he had at hand, the existence of which he admits, the stunning fact about this massive book he claims to have spent 21 years in preparing is not how much he knows but how little. The interests of justice were not served.