

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

FRIDAY, SEPTEMBER 8, 1978

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON ASSASSINATIONS,
Washington, D.C.

The committee met at 9:09 a.m., in room 345, Cannon House Office Building, the Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Fithian, Edgar, Devine, and Sawyer.

Staff present: G. Robert Blakey, chief counsel; Clifford A. Fenton, Jr., chief investigator; Kenneth D. Klein, assistant deputy chief counsel; Gary T. Cornwell, deputy chief counsel; James Wolf, staff counsel; Leodis C. Matthews, staff counsel; Elizabeth Berning, chief clerk, and Donald A. Purdy, Jr., staff counsel.

Chairman STOKES. A quorum being present, the committee will come to order.

The Chair recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF DIRECTOR

Mr. BLAKEY. Thank you, Mr. Chairman.

The last witness to be called on the general question of the autopsy is Dr. Charles S. Petty. Dr. Petty received a M.D. degree cum laude from Harvard Medical School in 1950 and completed his residency in pathology in 1955 at New England Deaconess Hospital in Boston. Dr. Petty is certified in the areas of pathological anatomy, clinical pathology, and forensic pathology by the American Board of Pathology. He is a fellow of the American Academy of Forensic Science, the American Association of Pathologists, the American Society of Clinical Pathologists, and the College of American Pathologists.

It would be appropriate now, Mr. Chairman, to call Dr. Petty.

Chairman STOKES. The committee at this time calls Dr. Petty.

Doctor, would you stand and raise your right hand to be sworn. Do you solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God?

TESTIMONY OF DR. CHARLES S. PETTY, M.D.

Dr. PETTY. I do.

Chairman STOKES. Thank you, you may be seated.

Mr. Blakey.

Mr. BLAKEY. It would be appropriate now, Mr. Chairman, to begin the questioning of Dr. Petty.

Chairman STOKES. The Chair recognizes the gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Thank you, Mr. Chairman.

Good morning, Dr. Petty. It is good to have you with us today and I join the chairman's expression yesterday in thanking you, and Dr. Baden, and Dr. Wecht for all of the hard work you have put in on this and the time you have taken from your already busy lives to work on this.

Dr. Blakey has recited your impressive credentials and I won't go through the process of qualifying you. Suffice it to say you are one of the nine forensic pathologists serving on the select committee autopsy panel, is that correct?

Dr. PETTY. Yes, sir, I am.

Mr. PREYER. I believe you are a member of the subcommittee, the members of which had never reviewed the evidence in this matter before, is that correct?

Dr. PETTY. You are correct, sir.

Mr. PREYER. As I understand it, there are two subpanels. One subpanel consisting of Dr. Weston, Dr. Spitz, and Dr. Wecht had reviewed the evidence prior to this occasion. Your subpanel members had not reviewed it in the past?

Dr. PETTY. That is correct, I had no opportunity or interest in reviewing the things, the entire information, before I was asked to serve on the panel.

Mr. PREYER. Had you ever expressed any opinion about the injuries or the result of the autopsy, had you ever spoken about it or written about it before you examined the evidence?

Dr. PETTY. No, sir, I have neither spoken about it, lectured about it, written about it or in any way uttered any opinions concerning this assassination.

Mr. PREYER. You had not formed any opinion about the result of the autopsy?

Dr. PETTY. That is correct.

Mr. PREYER. Were you in the hearing room yesterday and did you hear all of the testimony of Dr. Baden and Dr. Wecht?

Dr. PETTY. I was here for some 9 hours yesterday and listened avidly to everything that was said.

Mr. PREYER. Both of these gentlemen are distinguished pathologists and they disagreed, as you know. Dr. Wecht does not believe in the single bullet theory. He is a distinguished pathologist whose views deserve our serious consideration.

Dr. Baden is equally distinguished.

As I understand it, Dr. Wecht disagrees with the panel's conclusions on the single bullet theory. He not only disagrees with it, as I understand it, but he believes the evidence shows it is demonstrably false.

I would like to ask you, do you believe on the available evidence that the single bullet theory is valid and that Governor Connally and President Kennedy were hit by the same bullet?

Dr. PETTY. Yes, sir, I believe that they were struck by the same bullet and I have so previously stated in the preliminary report of the panel.

Mr. PREYER. Would you summarize briefly your reasons why you believe this to be the case?

Dr. PETTY. Yes, sir, I will be very glad to, Mr. Preyer.

I think it is necessary at this point to sum up, in a sense, the flight of the bullet and its effect on those it struck. The bullet that struck the late President in the upper right back area and then went on to penetrate the soft structures of the neck and to exit in the front of the neck was, as has been indicated already, traveling in a somewhat upward direction anatomically speaking.

Anatomists many years ago decided—the better to understand each other—to place a body in a specific position and to relate all of the descriptions of the landmarks of the body to the body in that position. That position actually is a person standing erect facing forward with both palms turned forward. This is the anatomic position and in tracing the in-shoot wound on the back of the late President and connecting it with a more-or-less straight line with the out-shoot wound on the front of the neck, the bullet will have followed a slightly upward direction. But the President was not upright at the time he was shot, he was certainly not in the anatomic position, and this explains, I believe, the objection that Dr. Wecht had and his argument that he could not understand how the bullet pursued a downward track from where it was discharged, then an upward track in the President and then a downward track into Mr. Connally.

A second point that must be mentioned:

The bullet that penetrated the back of the President exited the front, struck no bone. If it did strike any bone, the bone that it struck was fragile and certainly not markedly disrupted. It did not go through his spinal column. It did not go through bone that was solid and hard and offered great resistance to passage. In effect; it went through several inches of very soft tissue.

There is no evidence on the X-rays that the bullet broke up in passing from the back to the front. There was no deformity, in my opinion, of the bullet as it went through the President.

Now, the second object that this single bullet struck was Mr. Connally sitting somewhere in front of the President, and this is another point that Dr. Wecht has brought up repeatedly, and that is that there was no way to join by means of a straight line the bullet existing from the President and striking the Governor. Indeed, there was one diagram yesterday that was showing the bullet making more-or-less right angle turns, which I am certain did not happen. As a matter of fact, I would suggest that from looking at the films taken of the actual assassination that the apparent relative positions of the President and the Governor are somewhat misleading, that is, that one cannot determine by looking at a flat two dimensional view of one side of the limousine and the contained individuals precisely what relationship they had one to another.

Next, the bullet in striking Mr. Connally did not penetrate the chest in the usual sense of the word. The bullet did indeed enter the back and side of the chest near the armpit, and it did follow the course of the rib on its lateral or outer aspect, and it did indeed exit beneath the right nipple, but there is no evidence that that bullet actually penetrated the rib. Indeed, one of the surgeons who

cared for the Governor, Dr. Shaw, stated to me that the bullet did not penetrate the lung but that the rib was shattered, and it is my opinion that this bullet in slapping against the rib shattered it in a place that the rib is quite vulnerable, and then proceeded to follow rather closely the slope of the rib and then finally to exit in the front of the chest.

The X-rays fail to show any evidence of particles of metal in the chest. Therefore, in my opinion, the bullet was not significantly deformed during its passage in the chest of the Governor.

Next. The bullet did indeed enter the wrist, and although the reports are somewhat difficult to understand, it apparently entered more on the back of the wrist and then exited more on the front of the wrist, and again as in the chest wound, this was a tangentially placed shot which shattered the bone—there is no question of that—it shattered and caused a comminuted fracture of the radius, and then went on to exit.

Here for the first time, fragments of bullet substance are found, and it is here, in my opinion, that the bullet first significantly deformed.

Then having exhausted itself, and at a very low velocity, it continued on to bounce in and out of the thigh of the Governor.

Now, let me recapitulate this. The bullet penetrated one individual without deformity, leaving none of its metal behind. In the second person it penetrated the chest, slapping in a tangential manner against the rib, fracturing the rib, and damaging incidentally the underlying lung, because the rib was thrown against the lung, and then went on again without leaving any of its substance so as to enter the wrist where it finally left off a portion of its substance, not much, but some.

There is nothing here that is unusual or spectacular or unexpected. This is the behavior of a full metal jacketed bullet, a bullet covered in all areas except the base by means of the firm, hard, tough, not easy to deform jacket.

Now, the reason that this ammunition is used militarily was explained yesterday. The reason that such ammunition is not used by law enforcement officers, one of the major reasons, is that such bullets do go through people and strike others, and every law enforcement agency in the world is concerned about this.

In conversations here with the Capitol Police, such individuals present here in this room are carrying soft ammunition with hollow points so that the bullets will not go through the assailant and strike an unwary onlooker.

This ammunition that was used in the assassination was designed to go through people and it does not surprise me nor does it surprise the remainder of the panel, with the exception possibly of Dr. Wecht, that the bullet went on through one person, slapping the chest of another, proceeding through the wrist and winding up in the thigh of the individual.

There is another point I would like very much to make along this line, and that is there has been some surprise indicated on the part of some individuals that there was no dropping of the Stetson that Governor Connally was carrying. If one looks at the films and one looks at the position of the governor's hand, and then realizes that the bullet was proceeding slightly from the back of the wrist

to the front, one would realize immediately that the force of the bullet would tend to drive the wrist further against the thigh and it would not, in my opinion, tend to flap the wrist out to the side or laterally, as some people have claimed.

Also, there is some concern on the part of some individuals that we don't know what the reaction of the total body is to shooting, and there is some reluctance, I believe, on the part of individuals to realize that there may be different reactions to being struck by a bullet exhibited by different people, and yet in this same film we see two people who were shot, we know they were shot, we can actually see the wounding of them, and these two individuals reacted quite differently, one from the other.

There is great biological variation in how individuals react to receiving wounds. This doesn't surprise me at all. We see in our daily practice of forensic work individuals who are wounded and don't realize they are wounded. We see other individuals who, being struck a nonlethal wound; drop to the floor saying good God, I am dead. Individuals struck by bullets react in different ways.

One other thing that I must mention: the term frangible bullet was introduced yesterday by Dr. Wecht, who I believe, as I understand him, feels that there is a possibility that there was a simultaneously fired or synchronized shot somewhere from the right front or right side striking the President in the area where the skull was already blown away.

Now, about frangible bullets causing such injury or causing injuries in individuals. I happen to be a coauthor of the only paper that has ever been written about the wounding capabilities of frangible bullets. Frangible bullets are bullets that are designed to be used in shooting galleries. These are bullets that are specifically designed to break up on the backdrop of the shooting gallery, so as not to ricochet and cause injury to either the shooters or to the people who work in the gallery.

Such bullets usually are formed of iron filings or small granular pieces of iron bound together by some organic substance, so that upon breaking up they break into numerous pieces. Such bullets and the breakup products of bullets are easy to detect in X-rays. There are no such fragments in the X-ray of the late President's head.

There was no frangible bullet fired.

I might also add that frangible bullets are produced in 22 caliber loads and they are not produced in larger weapons.

There is no evidence in the X-ray of the President's head of a frangible bullet shot. If there were, I would expect to see square appearing particles of which are not present and, furthermore, if such a bullet were fired into the side of the head, through the aperture caused by the exiting large bullet, I would expect those pieces of the frangible bullet to have continued over to the left of the head and there would be material, metallic material easily identifiable seen in the left side of the brain. There are no such fragments present.

It is for these reasons that I do not find it difficult to believe in a single bullet passing through the late President Kennedy and continuing on through the chest, wrist, and winding up finally in the thigh of the Governor.

Does that answer your question, sir?

Mr. PREYER. Very definitively, Dr. Petty. You have anticipated and answered every question I intended to ask you. Let me ask this question: Would it be accurate, or in your opinion, did the bullet go through the wrist bone of Governor Connally? Perhaps I am using a layman's term and not a scientific term. You mentioned that the wrist bone was shattered. Is it accurate to say that the bullet went through the wrist bone?

Dr. PETTY. I don't believe it did. One cannot be certain by reading the reports of Dr. Gregory, who was the attending physician at Parkland Hospital, as to whether or not the bullet actually went through the bone.

There is no specific X-ray evidence that it did indeed penetrate and go through or drill through, as one might say, the bone.

However, there are no, as far as I know, there are no views of the wrist area taken from a different viewpoint, other than having the wrist and hand spread out flat and parallel with the surface of the X-ray film. There were none taken from the opposite—or lateral—view, as far as I know.

So, I can't tell you and answer specifically, but I see no defect in the bone that would make me believe that the bullet, in fact, literally passed through the bone itself.

Mr. PREYER. Thank you. The other area I had intended to go into, and I think you have covered it, is the question of whether the President was struck from the side or the right front by a frangible bullet, which I think, in fairness to Dr. Wecht, he described as a remote possibility, but let me ask one concluding question on that. In your opinion, does the available evidence permit the conclusion that to a reasonable degree of medical certainty, there was not a shot from the side or from the front which struck the President?

Dr. PETTY. From the available information, there is no evidence whatsoever that the President was shot either from the side or from the front. The only wounds that he has, in my opinion, are the wounds from the back; one in the back of the shoulder, one in the back of the head.

Mr. PREYER. Thank you.

Mr. Chairman, there were other issues raised during the testimony yesterday, but I understand there will be other expert witnesses this morning who will be called and whose expertise is more immediately relevant to some of those questions. So, I have no further questions of Dr. Petty at this time.

Chairman STOKES. The time of the gentleman has expired. Do any other members of the committee seek recognition.

[No response.]

Dr. Petty, any witness appearing before our committee is entitled under our rules to an additional 5 minutes when he has concluded his testimony for the purpose of making any statement he so desires relevant to his testimony.

You may explain your testimony, amplify it or expand upon it in any way you so desire. I extend to you at this time 5 minutes for that purpose.

Dr. PETTY. You are very kind, sir. I hope that my explanation has been lucid, clear, short, and understandable.

I would say only one thing, I have never worked with a group of individuals, and I am speaking now of the staff of the committee, that have shown any more consideration and kindness to me than this group. You have all made me feel very much at home, very much a part of Government, and I appreciate it very much.

You are extremely courteous, kind and I have enjoyed my brief stay here. Thank you.

Chairman STOKES. We certainly want to, once again, thank you for having lent yourself to the service of the U.S. Congress and to the American people. You certainly, in a very articulate way this morning, have been extremely helpful to this committee, this panel. We thank you very much for your service.

Dr. PERRY. Thank you, Mr. Stokes.

Chairman STOKES. The Chair recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF DIRECTOR

Mr. BLAKEY. Thank you, Mr. Chairman.

Mr. Chairman, so far this week, the committee has heard testimony relating to President Kennedy's trip to Texas, the nature and extent of his wounds as well as those inflicted on Governor Connally, the number of bullets that struck President Kennedy and the direction from which they were fired.

For the rest of today, testimony will be taken from experts in the general field of ballistics, specifically including: One, an expert in wounds ballistics, or the science of bullet effects on the human body; two, a panel of experts in firearms analysis; and, three, an expert in neutron activation analysis, which is a method of analyzing bullet or other samples for their trace element characteristics, which makes possible conclusions about the probability of common origins.

It may be helpful before hearing from these experts, however, to review or to set out several of the issues that the committee will be examining today.

First, what is the validity of the single bullet theory? That is, did the slightly damaged bullet that was recovered and marked by the Warren Commission as exhibit 399 traverse the President's neck and cause all of Governor Connally's wounds?

Second, what is the best explanation for the apparent rearward movement of the President's head at the time of the fatal shot, as it is portrayed in the Zapruder film.

Third, what are we able to determine about the rifle found on the sixth floor of the Texas School Book Depository and identified as the one used to assassinate President Kennedy, as well as the revolver found at the scene of the murder of Dallas police officer J.D. Tippit?

Finally, what can our firearms experts tell us about the bullets fired in the Kennedy assassination and the Tippit murder in terms of type, number of bullets fired on, and so forth?

Since the turn of the century, when it first became possible to photograph bullets in flight, scientists have been collecting data on the trajectory and stability in flight of bullets. A highly specialized area in this general field of ballistics has been developed in recent years. It is a science of what occurs to a bullet when it strikes,