

What Conspiracy?

Almost from the time he accused New Orleans businessman Clay L. Shaw of plotting to kill John F. Kennedy, Jim Garrison's conspiracy charge depended on the linchpin testimony of a single witness. That man was Perry Raymond Russo, 27, who submitted to questioning under the influence of hypnosis and drugs and reported having overheard Shaw discuss the murder of the President. But by last week, it began to look as though the district attorney's reliance on Russo amounted to a major miscalculation. On the stand, the state's star witness almost seemed bent on sabotaging Garrison's case. "I never said anything about any conspiracy," the salesman told the court in New Orleans. "I didn't sit in on any conspiracies."

It was more like a bull session—or rather "shooting the breeze," said Russo of the alleged conversation about killing JFK overheard at a party given by the late pilot David Ferrie and said to have been attended by Shaw and Lee Harvey Oswald. Under cross-examination, Russo also reported he had told many persons that he "would have to say no" if asked if he was certain Shaw was actually at the party. Russo's contradictory testimony, coming on top of that of the other key prosecution witness, Charles I. Spiel (who told the court he was being hypnotized and victimized by cops, Communists and a New York psychiatrist), might have seemed to buttress the defense's hopes for having Garrison's case summarily thrown out.

But veteran court watchers discounted chances for any such directed verdict—and many wondered whether Russo's apparently damaging testimony had fully registered with the jury. Many of the jurors seemed bored while the witness was on the stand. Later, several dozed off during the cross-examination of assistant D.A. Andrew Sciambra, who had originally interviewed Russo, yet had failed to mention any plot in his 3,500-word memo of the conversation.

Viewing: What did open the eyes of the jury, while filling many in the courtroom with tears, was the brief sequence of movie film taken by Dallas dress manufacturer Abraham Zapruder on Nov. 22, 1963. Zapruder's appearance even drew Big Jim Garrison himself—his first appearance at the trial since reading his opening statement the preceding week.

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"I heard a shot and noticed the President leaning toward Jackie," said the amateur cameraman. "Then I heard another shot which hit him in the head. It might have blown his whole head off." The jury was so fascinated that it sat through the film several times last week—including frame by frame viewings on the small screen.

The film does seem to show Kennedy jerking back as if hit from the front, though experts have testified this could have resulted from sudden acceleration of the Presidential car. But it was the total impact of the film that really worried Clay Shaw's lawyers, who have repeatedly been overruled when they argued that the events in Dallas are not relevant to the proceedings. "You think the jury will think it's such a horrible crime that somebody should pay for it?" defense attorney William Wegmann was asked. "Yes," he answered. "That's exactly what I'm afraid of."