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July 7, 1964

AIR MAIL

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President's Commission on the Assassination
of President Kennedy
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Washington, D. C. 20002

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Dear Mr. Rankin:

In yesterday's mail I received proposed drafts of Chapters I, II, III and IV dated June 25 or June 26 as well as a tentative outline of the report. At the outset I would like you to know that I have strong objections to several aspects of the basic outline:

1. I think that it is a great mistake to deal with the shots from the TSBD Building in a separate chapter. The evidence on the source of the shots is among the strongest evidence there is to show that Oswald was the assassin and I think it logically belongs under the heading that "Lee Harvey Oswald was the Assassin". To set it aside in a separate chapter by itself is a case of gilding the lily. Moreover, the overproof in this type of a separate chapter serves as a contrast to point up the weaknesses of other aspects of other evidence showing Oswald was the assassin. A separate chapter on the source of the shots is bad enough but when ballistic evidence is used to prove source of shots instead of identity of assassin, I think the mistake is compounded. My frank opinion is that this report is far too much influenced by the short-range concern with Buchanan and Lane, et al. Writers of this ilk all center their attack on a claimed shot from the overpass. There can be absolutely no doubt about the source of the shots, and it does not take 68 typewritten pages to prove it. All Buchanan and Lane have succeeded in doing is to steer the Commission on the false course of meeting the short-range argument while undercutting the entire function of what should be the historical findings of fact that will serve for the next 100 years or more.

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I had no opportunity in Washington to enter into any decision-making discussion on this matter. Joe Ball advises me that he was not consulted either, and this frankly shocks me; from my work with Joe Ball I can honestly say that I have never met a lawyer who has better insight on the practical effectiveness of presentation of argument combined with an ability to understand and judge the heart of the testimony of witnesses. I could cite many examples of this ranging from the beautiful way in which Joe Ball handled the employees watching from the fifth floor window to the correctness of Joe Ball's initial judgment about the witness Rowland.

Whether Joe Ball or I were consulted, however, is not the issue. Rather, the sole question is what is the most effective way of presenting our findings.

Joe Ball and I have thoroughly discussed the pros and cons of all of these matters. Our reasoning is too detailed to set forth in this letter. I would like to discuss this in detail with you in Washington on Friday.

2. Your heading of a proposed chapter entitled, "The Existence of a Conspiracy," is exactly opposite of what I believe a presentation of this type requires. The jury for whom we are publishing this report are the people of America and, perhaps even broader than that, the people of the world. I believe it would be far more preferable to entitle the chapter, "The Non-Existence of a Conspiracy."

3. I do not know all of the reasons behind the placement of the conspiracy chapter. At first glance, I believe that it should follow all of the facts of the case including the murder of Oswald and probably should follow the chapter on motive. Because I have not analyzed all of the arguments pro and con, I do not want to give an absolute opinion on the placement of this chapter except for the foregoing suggestion.

Sincerely yours,



David W. Belin

DWB:cs

c.c. Howard Willens