

The new investigative body should first attack the evidence against Oswald presented in the Warren Report and the Hearings and Exhibits, and present an objective and scientific evaluation of that evidence so that the ambiguity about his role in the assassination will, if possible, be dispelled. The new body must also be given access to ~~the secret and~~ suppressed documents of the Warren Commission. The 75-year time vault must be opened and its contents must be put before the new body <sup>and</sup>, at the appropriate moment, before the public, within our lifetime. The leads and ~~the~~ clues which were not followed up by the Warren Commission, or which were incompletely investigated, now must be pursued with vigor, by independent investigators and not by the governmental agencies ~~compromised by their dealings with Oswald~~ <sup>(by)</sup> or their role in the protection of the murdered President.

A scrupulous, <sup>and</sup> untiring, disinterested investigation ~~even~~ <sup>now</sup> at this late stage and despite the death of several key witnesses during the <sup>last</sup> ~~two~~ <sup>three</sup> years ~~must~~ <sup>must</sup> once and for all resolve the question of Oswald's guilt or innocence, and establish whether or not he was even implicated in the crimes of which he stands accused <sup>(and, in all instances, convicted and punished)</sup>. It must almost inevitably also point to the identity of those who are guilty of the assassination and the collateral murders.

98 The critics are not alone in the opinion that there was a conspiracy to assassinate President Kennedy and that the conspirators are still at large. In February 1967 the District Attorney of New Orleans, <sup>Jim</sup> ~~James~~ Garrison, revealed that he was conducting an investigation into the Kennedy assassination and that "there is no question there will be arrests, charges and convictions." <sup>13/11</sup> Garrison said that he had evidence that the assassination was the culmination of a plot that had been organized in New Orleans in 1963. When asked if it was wise to reopen the inquiry into the cause of the tragedy, Garrison <sup>replied</sup> ~~said~~:

13/ "Arrests in Kennedy Case Delayed for Months, New Orleans Prosecutor Says," The New York Times, February 21, 1967, cols. 3-8.

7 pts

9/9

Let justice be done though the heavens fall. Sometimes the cost of truth is more than expected, and sometimes it is less than expected. But we can never avoid an inquiry into the truth because it might create discomfort or it might disturb sensibilities in some areas. If there is ever any question at all, in a case like this, of the whole truth perhaps not being revealed, then it has to be dug out, though the heavens fall.

Extract

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7 pts

Four days after this broadcast, <sup>the</sup> District Attorney Garrison held a news conference at which he was asked if he had any reason to believe that anyone but Oswald took part in the assassination. ~~Mr.~~ Garrison replied:

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I have no reason to believe at this point that Lee Harvey Oswald killed anybody in Dallas that day. 15/3

7 pts

Now that Jim Garrison has come forward, there is a better prospect that injustice will be rectified, and that justice will be done, in our lifetime.

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14/ Interview of James Garrison, CBS Television Network newscast, Channel 2, New York, February 18, 1967.

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15/ "Figure in Oswald Inquiry Is Dead in New Orleans," The New York Times, February 23, 1967, page 22, col. 5.

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shooting, which to the men who encountered him at that time eliminated him from suspicion, constitutes an alibi, there is no indication in the vast collection of documentation that the Commission at any time seriously considered the possibility that Oswald was not guilty, or that he had not acted alone.

Because of the nature of the investigation, it is probable that the assassins who shot down President John F. Kennedy have gone free, undetected. The Warren Report has served merely to delay their identification and the process of justice.

No more time need be devoted to denouncing those who are responsible for this frustration of justice. They have destroyed their own case, and conceivably their reputations. What must now be done is to set about finding the assassins. Such a new investigation, if it is undertaken, must be performed by a competent and impartial body, and in the light of the bitter lesson learned from the Warren Report, the new investigation must be in the framework of an adversary proceeding.

The new investigative body should first attack the evidence against Oswald presented in the Warren Report and the Hearings and Exhibits, and present an objective and scientific evaluation of that evidence so that the ambiguity about his role in the assassination will, if possible, be dispelled. The new body must also be given access to the suppressed documents of the Warren Commission. The 75-year time vault must be opened and its contents must be put before the new body—and, at the appropriate moment, before the public, *within our lifetime*. The leads and clues which were not followed up by the Warren Commission, or which were incompletely investigated, now must be pursued with vigor, by *independent investigators* and not by the governmental agencies compromised by their role in the protection of the murdered President.

A scrupulous and disinterested investigation—even now at this late stage and despite the death of several key witnesses during the past three years—must once and for all resolve the question of Oswald's guilt or innocence and establish whether or not he was even implicated in the crimes of which he stands accused and, for all purposes, convicted and punished. It must almost inevitably point also to the identity of those who are guilty of the assassination and the collateral murders.

In advocating a new investigation, I do not have in mind the inquiry in progress in New Orleans—even though it will not have escaped notice that District Attorney Jim Garrison of the Parish of Orleans, in accusing anti-Castro Cuban exiles and CIA agents of complicity in the assassination, has postulated a theory which has much in common with the hypothetical construct elaborated in Chapter 21 (pages 384-386).

Since February 1967, when it was first revealed that Mr. Garrison was conducting his own investigation of the assassination and that he considered the Warren Report to be mistaken, his activities and pronouncements have been much in the headlines. I must admit that at the beginning, Mr. Garrison's rhetoric was disarming—"Let justice be done, though the heavens fall,"<sup>1</sup> for

<sup>1</sup> CBS Television Network newscast, Channel 2, New York, February 18, 1967.

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example, and "I have no reason to believe at this point that Lee Harvey Oswald killed anybody in Dallas that day."<sup>2</sup> For the first time, a public official armed with subpoena power and ready to use it had openly repudiated the conclusions of the Warren Commission and had pledged to expose the guilty parties and bring them to justice. At a preliminary court hearing in the arrest by District Attorney Garrison of an individual whom he charged with conspiring to assassinate President Kennedy, three presiding judges rejected a motion to admit the Warren Report into evidence, on the ground that it was a compound of hearsay and error.<sup>3</sup>

But as the Garrison investigation continued to unfold, it gave cause for increasingly serious misgivings about the validity of his evidence, the credibility of his witnesses, and the scrupulousness of his methods. The fact that many critics of the Warren Report have remained passionate advocates of the Garrison investigation, even condoning tactics which they might not condone on the part of others, is a matter for regret and disappointment. Nothing less than strict factual accuracy and absolute moral integrity must be deemed permissible, if justice is, indeed, to be served.

June 1967

<sup>2</sup> "Figure in Oswald Inquiry Is Dead in New Orleans," *The New York Times*, February 23, 1967, page 22, col. 5.

<sup>3</sup> *The New York Times*, March 16, 1967, page 39, col. 2.