

(Enclosed with letter of 4/8/69)

Thursday March 20, 1969

I called up Louis Ivon at the DA's office in the morning, and asked him if it would be OK for me to come and get some books which I had left there. I said one or two of them had been signed by the authors, and had some sentimental value. We agreed for me to go there and get them at 2 o'clock that afternoon. However, I then had to go to the Courts Building anyway, as this was the day for filing pleadings. I therefore went into the DA's office at about 11.15 am. I sat in the lobby for a while, and then Ivon came in. He invited me into his office. He said there was a girl in the office where my books were, and suggested I wait until she left. A few seconds later Jim Alcock came in and sat down.

"A defendant," he said humorously as he came in. Then: "What's happening out there?" I said that not much was happening. Then Alcock said, "Tom, we thought you were going to plead guilty and get a suspended sentence. Now you come in with these lawyers, and you look as though you want to make a fight of it," (words took that effect.) "Jim (Garrison) was saying to me only yesterday, 'I don't want that boy to go jail.' You realise if you're convicted you could get a jail sentence?" Alcock went on. "You could get six months, and boy, if there's one place I wouldn't want to spend six months, it's Parish Prison. We charged you with the least thing we could—unauthorised use—we could have charged you with theft you know."

Ivon had been sitting quietly, but he then asked: "Let me ask you this, Tom. How did you get Herbert Garon as your lawyer?" I thought for a minute and said. "Well, let me say this, he was recommended to me." I said I didn't feel free to go into any further details. Alcock then showed me a letter which he had just received (as I saw from the date) asking the DA's office to return a photograph which they had been sent much earlier, showing the Presidential limousine in Houston on the day before the assassination. Alcock said he couldn't find it and he asked me if I knew where it would be. I said the only place I could think of was the top drawer of the filing cabinet in the "Archives", where the photographs were kept. He asked me if I would look through the photo files, and Ivon then repeated that there was a girl in there, and if I wasn't in a hurry, I could wait until she left. I distinctly got the impression that they wanted to have a chance to talk to me. This was alright with me, as I wanted that opportunity too, as I thought that they (especially Alcock) might say something interesting.

Alcock brought up the subject of the perjury charge against Shaw. "What do you think of our perjury charge?" he asked. He seemed almost proud of it. I said I thought they had a better chance with that than with the conspiracy charge. Alcock then said that Mark Lane had recently interviewed all the jurors in the Shaw case and these interviews had indicated that the result "wasn't nearly so one sided as people seem to think." Alcock told me that the interviews indicated that the jurors did not believe Shaw when he said he did not know Oswald or Ferrie, and what is more, actually believed that the "conspiracy meeting" took place in Ferrie's apartment, and that Shaw was there, but they didn't find Shaw guilty because of Russo's admission that it was only a "bull session".

I said that they may have some difficulty getting some of their witnesses back for the perjury trial. "For instance," I said, "if I was Russo I think I would probably leave town." Alcock replied: "Oh we're not going to use Russo again—" (he sounded as though he meant it,) "No, we're not going to use Russo or Bundy, or Speisel. This time we're going to use his brother!" (Meant as a joke, I am sure.)

"Of course, you did hurt us," Alcock went on. I said I didn't think

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so especially. "For instance, as far as the Clinton witnesses were concerned, I don't think it hurt," I said. "No, that didn't hurt us," Alcock said. He then made the interesting observation: "Doy, if they couldn't come up with anything better than that on those Clinton witnesses, I'm beginning to believe them myself!" (I think Ivon must have winced at that, but I pretended I hadn't heard.) Alcock then added that the postman and the VIP room woman had also stood up: "They made good witnesses, you know that?" I said I hadn't been in the Court room at the time. "But Speisel, you hurt us there," Alcock said. I said that maybe I had, "but I can't see how you think you can hope to get away with putting a witness like that on the stand, in the hope that his background would not come out." Alcock replied with a remark which he had made to me before. "I will say this, his background should have come out, but it shouldn't have come from you." I said OK, but who was going to tell the defense if I hadn't? As I recall, Alcock made no particular reply to this.

We then discussed the general principle of the discovery law, and Alcock emphasized that Louisiana does not have it, "and most states don't," he said. I said that I could not agree that it was essential to prosecution to be dependent on a bunch of witnesses whom the defense did not know about. Alcock said he agreed that it ought not to be necessary.

I was curious to know one thing, and so I asked Alcock about it. Why had they put Speisel on the witness stand? I said: "You know—" he interrupted me, thinking that I was going to say that I knew about his background, and he said: "Oh yes, we knew about his background..." but then I butted in—I had not intended to embarrass him with that one—and said: "No, you knew that the defense knew about Speisel beforehand," (because I had told him as much a week before the trial.) I wondered why they would take such a gamble as that. "Well I don't know," he said. "From what I hear the defense only found out about the suit 24 hours before he testified... And then again, Speisel's story was corroborated in some respects. When he gets up there and says that business about North Carolina, that's fairly strong." He also said something about Speisel identifying a house that Shaw had connections with. He ~~admitted~~ said that Shaw's lawyers had made a mistake in taking Speisel out to look for the house.

He said the state had made a mistake in putting Frazier and Shaneyfelt on the stand, and I said the defense had made a mistake with Finck. "Positively," said Alcock. Returning to the discovery law, Alcock said that the preliminary hearing in itself constituted a discovery device, and he added that if the defense hadn't had advance warning of Perry Russo, "Clay Shaw would be in jail right now."

The conversation turned to Dean Andrews. Alcock at one point said he felt sorry for Dean Andrews, and at a later point said he did not. He said that he couldn't believe the defense put him on the stand, and that the jury didn't believe him. He said something I didn't quite catch about the judge referring to Dean Andrews in his chambers as "a disgrace," and that he would like to get him disbarred. I asked Alcock precisely what conflicting statements they were going to hang on Dean Andrews, and reminded him that at Andrews' trial (Aug. 1967) the state had used a line of argument which was damaging to the state's case against Clay Shaw, in that they appeared to be charging Andrews with failing to corroborate that Shaw was not Bertrand—"I can't say he is and I can't say he ain't"). Alcock said that the most obvious conflict was between his Warren Commission testimony and his testimony at the Clay Shaw trial.

My case was discussed to a certain extent, again primarily by Alcock. He said that Garon and Brenner were noted for their anti-Garrison stance

and, he said, were no doubt enjoying the prospect of having a chance to attack Garrison. At this point, Ivon again asked me: "Tom, let me ask you, who recommended you to Garon?" I said I could not tell him, but I added, "I will say this, it was not the CIA." He asked me if I had seen Panzeca since the trial, and I said I had seen him "in the court house."

Alcock went on to say that if it developed into a fight between Garon and Garrison, I could end up as the victim. Incidentally, at this point they had not seen the pleadings which had been filed that day. Alcock seemed to be urging me to change my position, although he was fairly tactful about it all. He said that he and Ivon would be witnesses against me at the trial. He recounted some of what had happened on the night I told Ivon, and recalled that when Ivon drove to his house, he was in his dressing gown at the time. I asked him if they intended to use both statements I had given, and he said yes, although I didn't feel certain that he meant this. He then said: "Of course, we could put Panzeca on the stand. He could take the fifth, but then again, that would make him look bad." Again, he seemed to want me to change my mind about pleading not guilty. He said, "Garon may have something like this in mind. I don't know. I gather he wanted to see Charlie Ward this morning." (?)

Alcock said they were not going to charge Panzeca. I said I thought they were waiting for the outcome of my trial before they charged him, but he said they were not going to charge him at all. He then said something about—I think—Panzeca's father or something like that, which I didn't catch. Alcock also said they were not going to charge Aynesworth or Phelan either.

Ivon asked if I had met Clay Shaw, and if I had gone to his victory party. I said I had met him, but I had not gone to the party. I said I had gone out to dinner one night with Jim Kirkwood, and afterwards we had gone round to see some friends of his, and a few minutes later Clay Shaw came in. They were curious to know what I thought of Clay Shaw—understandably; he has been so much on their minds for the last two years and none of them has had a chance to talk to him. Alcock said, "He's articulate, I'll say that." I said I had been most impressed by Clay Shaw. Alcock seemed struck that I had met Clay Shaw, and to me it seemed that he wanted to meet him too. A couple of times later on he said, "So you finally got to meet Shaw..." or words to that effect.

Alcock said that Salandria had told him the following: that I had admitted to Salandria that I had come to the conclusion after working in the DA's office for four months that there was no case, and that from then on I was a deliberate spy. Alcock said, "Of course, you don't have to answer, but is that true?" I said absolutely not, that Salandria had come up to me on the last day of the trial and launched into a tirade against me, and had accused me of being a spy all along. Alcock believed my version, and said he had got awfully tired of Salandria during the trial. If they went out for a meal together, he said, "even the waitresses waiting on us were CIA agents." I said I had a low opinion of Salandria because it was he who had gotten Bill Boxley fired. They defended Salandria on this point, and said that Boxley was doing Garrison a lot of harm, and had just about got Garrison talked into making another arrest (of someone in connection with Robert Perrin's death,) which would have been a disaster to Garrison. Alcock said, "And you know the way Jim is, the only way we could make him get rid of Boxley was to get him to believe that Boxley was a CIA agent." I agreed that Boxley had been a bad influence as far as the office was concerned, but that it wasn't any of Salandria's business. Ivon said, "Let me say this and that there, Tom, that was partly my doing too." (Vincent Salandria is a lawyer from Philadelphia who was one of the earliest Warren Report critics. His early work was quite sound, but he became increasingly paranoid, finally becoming convinced that the country was being run by the CIA. He saw Garrison as about the only hope

left for America. He was able to exert a surprising amount of influence on Garrison—surprising because normally Garrison hardly listens to anyone.)

Alcock and I then went to my old office—now Sciamira's—where the files are still kept. I started to go through the photograph files. Alcock then muttered something and went out, leaving me alone with the files. At that point I went outside the room, waited, and a few seconds later Ivon came in. I told him I couldn't go through the files while no-one was there. I said that if someone were to walk by and see me, they would think the whole world was going mad. I then went through the files again, and found a picture which may have been the one they wanted. Ivon just sat behind me (my back to him,) and didn't say a word. A few minutes later he left as Alcock walked in again. This was the only chance I got to talk to Alcock alone. He seemed to want to keep me there for some reason, and after I had gone through the photo files, he kept suggesting other places for me to look, where he could easily have looked himself. I said why not just send the one I had found back to the guy, and tell him you couldn't find the one he sent. He said "Oh no, we're not going to send anything back," dismissing the whole thing as being unimportant, anyway.

Maybe he just wanted to talk to me. He wanted to know what was going on "out there". He wanted to know what the press were thinking during the trial. I said I thought they were afraid Shaw was going to be convicted. He said, "Yes," as though he understood exactly what I meant. He then half way admitted that he himself was relieved at the verdict, and said something to the effect that he would have felt bad if Shaw had been convicted. He wanted to know what the word was about whether Garrison would be re-elected. I said I supposed it depended who ran against him. I felt sorry for Alcock. Better than anyone, he knows the whole story, of course, but I think he feels a strong conflict between acting out of loyalty to Garrison on the one hand, and prosecuting an innocent man on the other. I said: "Are you going to stick around here?" "I don't know," he said in a rather weary voice. "It would look bad if I left right now."

I asked him if they really were going to bring Shaw to trial again, and he said it had been arranged that the trial wouldn't be at least until after the election in November. After that, he said, of course there may be a new DA, in which case there is a good chance it would never be brought to trial. He commented on Garrison's TV appearance with Alec Gifford, and said how bad Garrison looked—in physical appearance. I said that what he had said hadn't amounted to much either.

Alcock started to discuss Dean Andrews again, and there seemed to be something about Andrews that rankled with Alcock, or maybe he kept bringing it up because he felt the DA's office were on firmer moral ground in having charged him, and felt more justified about Andrews. In any event, he repeated that he could not believe that Andrews had testified in the way he had, and he seemed surprised that the defense had used him. I said I did not agree, and said that I thought Andrews had wanted to testify because he felt guilty because it was he who had gotten Clay Shaw into this jam in the first place, and was now prepared to do all he could to help him, even at the expense of his own skin if necessary. Alcock replied: "Well, you and I know that that's true, because you remember when Jim was back there (nodding towards Garrison's office,) and he said, 'Who's this Clay Bertrand? I know, Clay Shaw...' The same first name you see." (In fact I was not "back there" when Garrison jumped to that conclusion—I was in Washington—but nevertheless Alcock's very revealing comment had been made to me twice before: once by Garrison himself and once also by Alcock.)

Alcock said ~~me~~ "So they filed pleadings today," and said something about

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going up to Brabiff's section to read them. He said he would be answering them too. I said I thought there was something about a recusation motion with some fairly strongly worded comments attached. He said something about this what about what he would have expected. About that time Louis Ivon came in and Alcock mentioned the recusation motion, and that it looked as though I might get caught in the middle of a slugging match. Ivon took something out of the files and said, "Yeah, well that's Tom's decision, if that's the way he wants it..."

He then left and Alcock remarked that lawyers don't come cheap and asked me in a round about way who was paying for my lawyer. I said I couldn't discuss that. I then looked through the books on the shelf and took out two of mine. Ivon returned just before I was leaving and leafed through the books to make sure there was nothing inside. I told him there was one other book inscribed by the author somewhere around the office, and Ivon said if he came across it he would let me know.

(The two books I got back were by Sylvia Meagher and Mark Lane. Earlier Alcock had said that Mark Lane was not writing a book about the Garrison investigation, but was writing one about some murder case, in Florida, I think.)

I then left with the books and returned home. I had wondered if they had had any ulterior motive for (apparently) keeping me in the office, but when I got home there was no sign that anyone had been in my apartment. Maybe I'm getting paranoid.

Friday, March 21, 1969

In the evening I met Clarence Doucet from the Times Picayune in a bar. (He had covered the trial for the Picayune.) He told me that in response to their editorial attacking Garrison, the States-Item had found that their mail was running 60 to 40 in Garrison's favor. He said that a Times-Picayune columnist's mail had been running 2 to 1 for Garrison.