

12 September 1967

The Editors
Playboy
919 N. Michigan Avenue
Chicago, Illinois 60611

Dear Sirs,

Jim Garrison says in his Playboy interview, [in the October issue] that we will never see certain CIA documents, including a secret memo "destroyed while being photocopied." For those who may infer that the secret memo no longer exists, it should be pointed out that the copy destroyed was not the only one extant. A second copy was transmitted to the Warren Commission by the State Department on May 8, 1964, as is clear from Exhibit No. 948, Volume XVIII, pages 180 and 188. It is true that this secret memo may never be made public, but not (as Mr. Garrison implied) because it no longer exists.

This clarification is necessary and important because there are ample grounds for assailing the federal agencies and the Warren Commission for indisputable delinquencies of various kinds, but charges and insinuations on the basis of incomplete or misleading facts (such as Mr. Garrison's complaint about the destruction of a document while being photocopied) will only serve to obfuscate the issue and perhaps even to encourage a blanket vindication of the governmental apparatus, on the assumption that if some accusations are ill-founded, none can be valid.

Garrison also told Playboy that he had become interested in David Ferrie when he had examined his files, on the day after the assassination, "checking out every political extremist, religious fanatic and kook" and that "one of the names that sprang into prominence was that of David Ferrie." But Professor Richard Popkin, in a recent article based on interviews with Garrison and his staff, writes that Ferrie "was arrested by Garrison in late November 1963, on a tip that he had been involved in the assassination" (The New York Review of Books, September 14, 1967, page 27). Since the Secret Service also got a telephone tip on Ferrie (*ibid.*, page 28), Popkin's version seems more plausible than Garrison's account of how he first got on to Ferrie. And it is self-evident that "tips" incriminating a person may signify nothing more than malice or revenge by the tipster.

I am certainly puzzled by Garrison's remarks that De Lesseps Morrison had introduced Clay Shaw to President Kennedy on an airplane flight in 1963. Did JFK travel by commercial plane while he was the nation's chief executive? or was Clay Shaw a passenger on the Presidential plane? Too bad that Playboy's interviewer did not pursue this.

Mr. Garrison says that "at 12:45 p.m. on November 22nd, the Dallas police had broadcast a wanted bulletin for Oswald." It is not clear whether he is challenging all the official documentation or is merely sketchily acquainted with it. All the testimony and exhibits on this point indicate that a description of an unidentified, unnamed man was broadcast at 12:45 p.m.,

and not an alert for "Oswald." I suspect that Garrison's remark was an inadvertent error but he should clarify his meaning, so that his comment will not serve to divert attention from, and create confusion about, the many legitimate questions which must be asked about the 12:45 broadcast (too lengthy and numerous to detail here).

It appears that Mr. Garrison has put the known facts about the rifle or rifles found after the assassination through a mixmaster. I would have to question his view that the Carcano rifle "quite possibly was taken from Oswald's home after the assassination and planted in the Depository," if only because of the time factor. If the rifle found at 1:20 p.m. was the Carcano, it was discovered more than an hour before the police appeared at the house in Irving where the Carcano supposedly had been kept until that day. If it was not the Carcano that was found at 1:20, it was a rifle with a telescopic sight. Mr. Garrison suggests that a second rifle, without a sight, may have been found in the Depository and photographed while it was being examined by policemen at the building. If he maintains both statements, there would be three different rifles found in the building---one with a sight, found at 1:20; one without a sight, seen in a photograph; and the Carcano, "taken from Oswald's home after the assassination and planted in the Depository."

Mr. Garrison might have thought more carefully, and studied the official documents more assiduously, before he spoke. There are a multitude of serious and legitimate questions to raise about the alleged assassination rifle, and it does positive mischief to authentic questions and criticism of the Warren Report to make such ill-founded and easily debunked allegations.

I, too, have seen the photographs that Richard Sprague has collected in the course of his untiring and valuable research. Mr. Garrison seems to have confused two different photographs---one of Lt. J. C. Day carrying a rifle (with a sight) over his head as he moved through a jam of reporters in the police building, and another of a group of police officers in front of the Depository, all gazing with seemingly intense interest at a rifle (without a sight) which remains unidentified to this day.

Without intending levity on matters as grave as these, I have to admit that Garrison's theory of men on the grassy knoll whose sole function was "to catch the cartridges as they were ejected from the assassins' rifles" strikes me as comical.

Mr. Garrison alleges that there are "signs of stress" on the back of the Stemmons Freeway traffic sign, in frames 208 to 211 of the Zapruder film--frames which he says have been suppressed from the Warren Report (actually, from Exhibit No. 885). If the frames are missing, how does he know that they "reveal signs of stress"? He means, of course, that stress marks are seen in frame 212 ff. Apparently the information that the stress marks are on the film and not on the traffic sign (which disposes of the now-abandoned theory that the marks were caused by the impact of a bullet) has not yet caught up with the district attorney. It is true that the Stemmons sign was repositioned and then removed entirely, on unknown dates in each case, after the assassination. I do not know the authority on which Mr. Garrison asserts that the sign was removed "the day after the assassination." Perhaps it is, again, a rash and inaccurate version of the published testimony (of Emmett Hudson, the grounds-keeper of Dealey Plaza).

Insistence on precision in the rendering of these facts no doubt will be deemed nit-picking by the district attorney or his admirers; but those of us who denounce the Warren Report for its scandalous bungling and the violence it does to simple fact are, it seems to me, under a particular obligation to be scrupulously accurate and precise in our own marshalling of evidence.

Perhaps Mr. Garrison has read a different Warren Report. My own editions of the Report do not indicate, as he asserts, that the Commission concluded that the second bullet missed JFK and proceeded to hit the Main Street curb and inflict superficial wounds on a bystander's face. In my copies of the Warren Report, the Commission modestly abjured a determination of which bullet missed of the three bullets which figure in its fantasy of the assassination; and the Report is quite definite in finding that the mark on the curb was made not by a whole bullet but by a fragment. With its own marvelous brand of logic, the Commission suggested that this fragment may have come from the bullet that struck JFK's head--untroubled by the paradox of a fragment traveling some 240 yards with enough velocity to impact on a hard surface, while other fragments from the same bullet dropped gently into the car, not even penetrating soft materials.


Incidentally, how does Mr. Garrison expect to produce in a court of law the two men who killed Tippit when the murder was committed far from his jurisdiction?

Like the Warren Commission, Mr. Garrison asserts that Oswald "couldn't drive" and therefore was not the "Oswald" who test-drove a car with the late Albert Guy Bogard on November 9, 1963. I will point out again, as I did in an article published last year, that Oswald went to take his driver's test on the very same date, November 9 (but found the motor vehicle station closed). Obviously, he could drive well enough on that day to apply for a license.

8 I cannot close without addressing myself to the "code" that Mr. Garrison claims to have broken. It is surprising that Playboy's interviewer, who was well briefed on the so-called code, did not make even a feeble challenge of the district attorney's claim. It is based on a misreading of a notation in Oswald's address book and on assumptions about a similar notation in another address book which proved to be premature and invalid.

As a student of the assassination and a critic of the Warren Report--which I regard not merely as a gigantic bungle but as a deliberate and infamous fraud--I ask (and with some bitterness) what can give more aid and comfort to the apologists for the Warren Commission, or do more harm to responsible criticism, than the reckless, inaccurate, and insupportable pronouncements of a district attorney who has managed to shift world attention away from the central issue--the Warren Report--to an arch-fantasy of probably irrelevant events in New Orleans?

Yours faithfully,


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