

August 21, 1971

Miss Kaye Northcott, Editor
The Texas Observer
504 West 24th Street
Austin, Texas 78705

Dear Miss Northcott:

I would like to commend the Texas Observer for its great public service of publishing "The Curious Testimony of Mr. Givens," a searing expose of the illegal and unethical practices involved in the Warren Commission's "investigation" of President Kennedy's assassination. This article by Sylvia Meagher plus the accompanying editorial by you is a worthwhile addition to the great amount of literature concerning the assassination and its dubious inquest. I was also glad to see that one of the Commission's assistant counsel, David Belin, was given the opportunity to respond to the charges against him as outlined in Mrs. Meagher's article. However, upon reading what Mr. Belin paradoxically called "Truth Was My Only Goal," I was quite disappointed to learn that a lawyer had used your ~~vehicle~~ paper as a vehicle to perpetrate falsehood and misrepresentation while cloaking his own guilt in unsubstantiated, pro forma denials.

As your editorial pointed out, Mr. Belin's "response" to Mrs. Meagher's article addressed none of her accusations and in but one instance addressed even the facts Mrs. Meagher meticulously put forth. The bulk of this "response" was irrelevant to the topic of discussion and repeated several times, without substantiation (for none exists), that Lee Harvey Oswald was "conclusively" proven to be the murderer of President Kennedy and Dallas Police Officer Tippit! Yet, even when he is irrelevant, Mr. Belin is untruthful, as I think you and the readers of your paper might wish to know.

Mr. Belin puts great emphasis on a very peripheral witness, Johnny Calvin Brewer, whose testimony he took in 1964 for the Commission. Mr. Belin writes that "Oswald ducked into (Brewer's) store early in the afternoon of Nov. 22, 1963, when police sirens were heard coming down the street." If one consults Mr. Brewer's testimony, he will see that Oswald never ducked into the store. He (or a man resembling him) merely stopped to look in the store window, certainly a new way of hiding from the police, as Mr. Belin would wrongly have us believe. Says Mr. Belin, "Brewer followed (Oswald) into the Texas Theater." This too is false. Brewer said he watched Oswald continue down the street and saw him enter the theater; he never "followed" Oswald anywhere. Mr. Belin adds that Brewer had the police summoned and when he pointed out Oswald in the theater, Oswald "pulled out a revolver which he had in his possession as the police approached him." False again. The testimony is clear that Oswald did not pull his revolver until he was involved in a scuffle with a policeman and might have felt his life was in danger.

Likewise, in proclaiming his own piety, Mr. Belin writes, "There is not a person in the world who could have made me sign any report concluding that Oswald murdered President Kennedy and Officer Tippit if I did not believe that the evidence as a whole" proved this "beyond a reasonable doubt." That is very interesting. But the fact not mentioned by Mr. Belin is that neither he nor any of the Commission's legal counsel were required to and in fact did not sign the final report. Only the seven high-ranking members of the Warren Commission put their signatures on that report.

This is the man who takes space in your paper to write "I have marvelled how easily the world has been deceived by assassination sensationalists like Sylvia Meagher."

I would like to make one additional point. Mr. Belin objects to Mrs. Meagher's omission of a portion of a lengthy preliminary report prepared, in part, by Mr. Belin while he was working for the Warren Commission. In this report, Mr. Belin wrote "At no time have we assumed that Lee Harvey Oswald was the assassin of President Kennedy. Rather, our entire study has been based on an independent examination of all the evidence in an effort to determine who was the assassin of President Kennedy." Mr. Belin includes this quote, written February 25, 1964, in his so-called "response."

It is significant to note that Mr. Belin himself is guilty of omission, in this case the omission of evidence proving that his above quoted claim of impartiality was knowingly false. Other reports and memoranda written by Mr. Belin as a Commission lawyer prove that in fact he did assume "that Lee Harvey Oswald was the assassin of President Kennedy," independent of the evidence which exculpates Oswald. As a sample of the proof, I quote from a memorandum written by Mr. Belin on January 30, 1964, before a single witness had been called before the Commission to offer evidence of either Oswald's guilt or innocence. The only evidence Mr. Belin had at this time was what he now incorrectly scorns as "hearsay statements of third parties." Yet, on the basis of such evidence he assumed Oswald guilty and recommended investigation into whether it was advanced prior to November 22, 1963 that Governor Connally was to ride in the Presidential limousine in the Dallas motorcade. Mr. Belin felt this might affect Oswald's "motive." In a very revealing passage, he wrote:

In determining the accuracy of Oswald, we have three major possibilities: Oswald was shooting at Connally and missed two of the three shots, the two misses striking Kennedy; Oswald was shooting at both Kennedy and Connally...; Oswald was shooting only at Kennedy...

Since in January 1964 Mr. Belin stated so emphatically that Oswald did the shooting, it is irrelevant that in February 1964 he wrote that he had not presumed Oswald's guilt.

Thus, when Mr. Belin raised points irrelevant to Mrs. Meagher's charges, he was untruthful and deceptive. When he addressed the charges, it was simply to make a proforma denial without a shred of substantiation. Need anything be said of the value of such denials coming from a man with this record? The simple fact is that Mrs. Meagher's well documented charges are entirely valid and Mr. Belin cannot dispute them, although he is willing to lie and distort in an effort to obfuscate his guilt.

I have written this letter in the hope that the information revealed could be made available to your readers who may have been deceived by Mr. Belin's slick "response." Thus, you certainly have my permission to publish this letter, although I am not familiar with your "letters to the editor" policies. If you should decide to publish this letter or excerpts from it, I would greatly appreciate it if you could send me a copy of the Observer in which it is printed, since your paper is not sold in Philadelphia.

Sincerely,

Howard Roffman
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