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## THE KENNEDY CASE

Unanswered questions  
persist 17 years after  
JFK's death

By BOB KATZ

Seventeen years ago, on Nov. 22, 1963, the news bulletin stunned the nation: President John F. Kennedy had been shot as his motorcade wound through the streets of downtown Dallas, Texas.

Across America, millions immediately tuned in to hear the news updates — and many still remember the way the tragedy unfolded.

It was announced that Kennedy had been rushed to Parkland Hospital.

It was announced that he had been seriously wounded.  
It was announced that a priest had been called in to administer last rites.  
Then it was announced that the President was dead.

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# Where does the investigation stand?

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As the shock settled in, America stayed tuned for information about the hunt for the killer, or killers.

A rifle was found in a top floor of a nearby warehouse. Empty cartridges were found by a window which overlooked the motorcade route. A cop named J.D. Tippit was killed.

And during the matinee feature of War is Hell at a movie theater in a residential neighborhood not far from the scene of the Tippit slaying, a 24-year-old ex-Marine named Lee Harvey Oswald was arrested.

Slowly the pieces of information were assembled for the millions somberly awaiting an explanation of the death of the President.

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Sunday reporter Bob Katz was a founder and president of the Assassination Information Bureau, a Washington-based organization which researched the major assassinations of the 1960s and lobbied for Congressional investigations into them. Established in 1973, the AIB was active until 1978.

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The nation was told that three shots had been fired at Kennedy from the sixth floor window of the Texas School Book Depository.

The shots had been fired by Oswald, described as a "leftist" and a "loner."

Then, as police tried to transfer Oswald to the county jail, Jack Ruby stepped forward on national T.V., to blast another layer of mystery onto the bloody story.

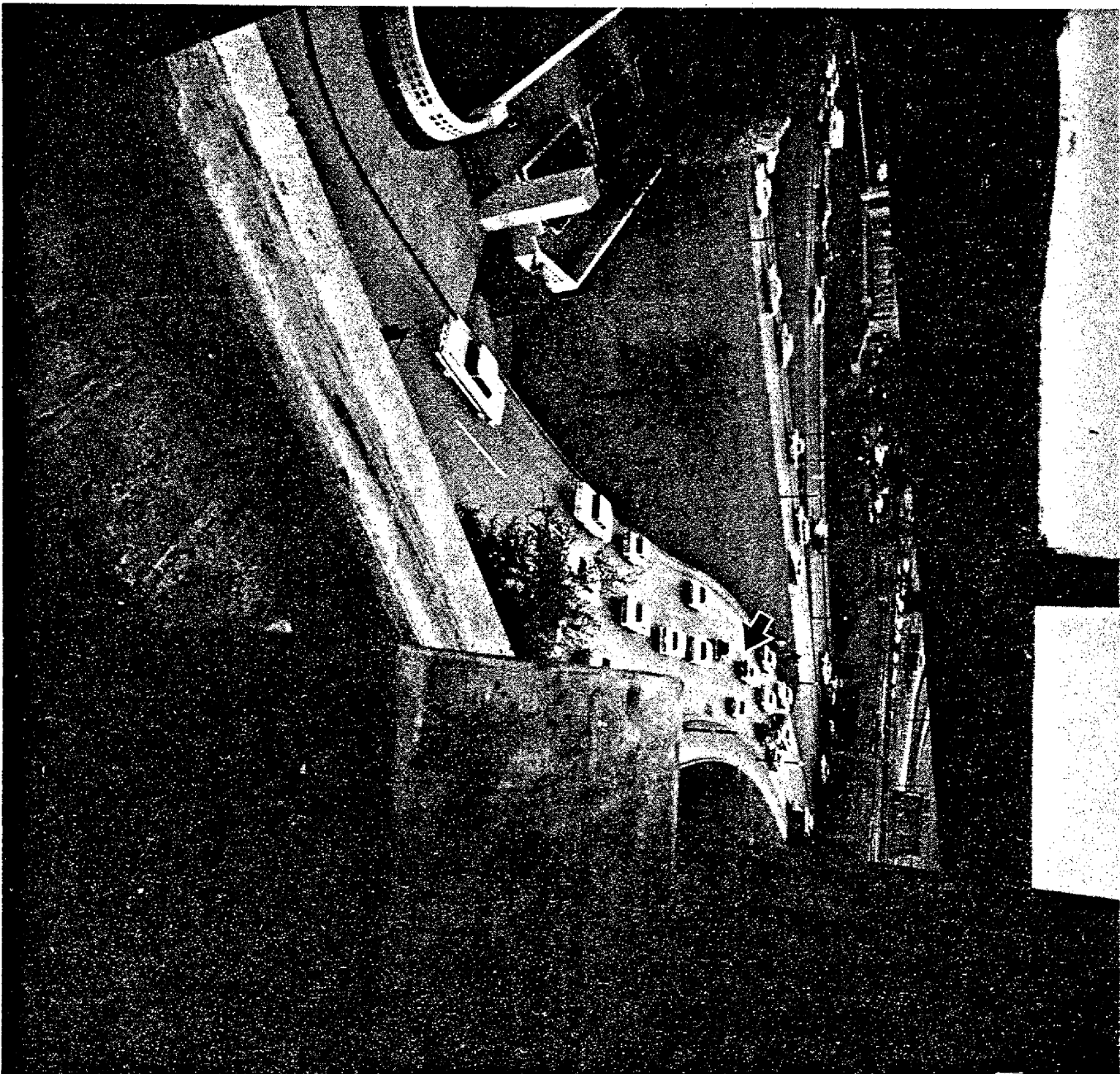
Oswald was silenced forever.

The Warren Commission, a panel of government leaders, deliberated for nine months over the evidence in the case, before concluding that Oswald and Ruby acted alone and without significant motivation. There was no conspiracy, the commission stated.

But the public never really believed it. By the mid-1960s, Gallup polls showed that as much as 80 percent of the population felt there was more to be discovered about the murder of JFK.

By the mid-1970s the notion of conspiracy was enjoying a revival as a spin-off of Watergate and public curiosity about the Kennedy assassination was mounting due to several new revelations.

Congress, as a result, voted to re-investigate the



VIEW FROM the sixth floor window of the Lee Harvey Oswald fired three shots on the Texas School Book Depository from which

**F**or two years the House Select Committee on Assassinations (HSCA) tested the physical evidence, interviewed witnesses, examined tens of thousands of documents.

In December 1978 the HSCA released a bombshell.

Basing its findings in part on a tape recording of the gunfire in Dallas — which was scientifically inspected by a Cambridge company whose vice president, Salvatore Luciano, lives in West Peabody — the committee concluded that there was "a high probability that two gunmen fired at President John F. Kennedy."

Yet the Congressional panel's revelation of conspiracy, like smoke from a rifle shot, vanished not long after the explosion.

In the two years since its startling conclusion, the committee's work has gotten little attention from the media, and its voluminous records have been largely ignored by investigative reporters.

The HSCA turned its results over to the Justice Department with the hope that some of the evidence would be re-checked and the more promising leads pursued.

Foremost among those leads were suggestions that Jack Ruby had police assistance in his fatal confrontation with Oswald and that New Orleans mobster Carlos Marcello had "the motive, means, and opportunity to have President John F. Kennedy assassinated."

The Justice Department, however, has done almost nothing.

Currently, Justice officials are re-studying the tape recording of the shots, which was made when the "transmit" radio switch on a police motorcycle in the motorcade was mistakenly turned on, thereby broadcasting sounds from the Dealy Plaza shooting scene to police headquarters, where they were routinely recorded.

According to Robert Keuch, special counsel to the U.S. Attorney General, Justice Department consultants should complete a report of the acoustical evidence by the beginning of 1981, and he says "It would be inadvisable to attempt to formulate any final conclusions or proposals in the John F. Kennedy matter prior to the release of the report."

"It's just ho-hum over at the Justice Department," observes Washington attorney Bernard Fensterwald, a longtime researcher into the assassination and former counsel for the Senate

Organized Crime Committee. "Even if they confirm the acoustical evidence, we'll still be no further than we were before. My sense is that the case is back in the hands of private researchers. I don't think the government is going to do anything."

More pointedly, a former investigator for the HSCA complains that "If the Justice Department handled the 18-minute gap the way they're handling this evidence, Richard Nixon would still be in office. We've been hoping that the Justice Department would sit down with us to discuss our organized crime leads but they haven't done it."

Among those involved in the HSCA investigation, there is little hope that a Reagan Justice Department would be any more eager to continue an investigation than the Carter administration has been.

"Billy Carter was flying around with aides to Marcello, which might have influenced them," the HSCA staffer speculates. "And if Reagan wanted to get into it, he might try to pin it on the Russians."

**T**he significant acoustical evidence cited by the HSCA was developed in part by a Cambridge research company, Bolt, Beranek, and Newman.

The importance of this police radio tape is that it established, in the HSCA view, that there were more shots fired (4) in the six seconds of shooting than Oswald alone could have fired with his bolt-action Mannlicher-Carcano rifle, and that one of the shots came from in front of the motorcade, from the small slope to the front of JFK's limousine known as the grassy knoll.

What the Cambridge company did was to graph the sound waves made by the four noises on the police tape which appeared to be gunshots.

Dealy Plaza in Dallas, where the assassination occurred, is surrounded by several buildings. As in any architectural setting, when a gunshot is tape recorded it leaves an imprint not only of the "muzzle blast" but also of all the ricocheting echoes from nearby buildings and other structures.

Thus, the imprint on a recording tape of a shot fired from the Texas School Book Depository Building, where Oswald is alleged to have been located, is as distinctive as a fingerprint because of the unique echo patterns. A shot fired from another position would leave an altogether different, and distinctive, echo pattern.

The acoustics experts hired by the HSCA performed test firings from the entire circumference

of Dealy Plaza, tape recorded these, then matched their imprints against those recorded by the police motorcycle. They discovered that the echo pattern on test shots fired from the Texas School Book Depository matched three of the imprints on the police motorcycle tape.

And they also discovered that a test shot from the grassy knoll, an area which dozens of eyewitnesses to the assassination felt to be a source of gunfire, matched the echo pattern of the other gun noise on the police tape.

According to the HSCA report, "the probability that such a match could occur by chance was slight. Specifically, they (the acoustical experts) mathematically computed that, with a certainty factor of 95 percent or better, there was a shot fired at the Presidential limousine from the grassy knoll."

Beyond the analysis of physical evidence, the congressional committee confronted two obvious focal points of investigation: the activities and associations of Lee Harvey Oswald and those of his silencer, Jack Ruby.

Interestingly, a Peabody attorney, John Wall, once locked horns with the single most publicized investigator into Oswald's background.

In 1967, Jim Garrison, the district attorney in New Orleans, launched an investigation into the assassination.

More specifically, Garrison was interested in the movements of Oswald, who had been raised in New Orleans, served in the Marine Corps, defected to the Soviet Union, returned to New Orleans, moved to Dallas, moved back to New Orleans, then moved to Dallas again in October 1963.

Garrison eventually indicted a New Orleans businessman named Clay Shaw on charges of conspiracy to murder President Kennedy. In 1969, Shaw was acquitted and Garrison's bold claims about a CIA-inspired conspiracy to kill the President slipped into disrepute.

In the early 1970s, the Justice Department's Organized Crime Strike Force in New Orleans launched an investigation into alleged gambling and bribe-taking activities of Garrison. The attorney in charge of this probe was John Wall.

Wall, who is now a private attorney, had begun working in the Justice Department in the early 1960s under Attorney General Robert Kennedy, who was then making a special target of New Orleans mobster, Carlos Marcello.

# Contradictions seen in Oswald's activities

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For a period of nine months, in 1971, Wall ordered wire tapping of Garrison in order to collect evidence of bribe-taking.

"During the course of those tapings, Garrison did discuss the assassination case in conversation with people," Wall recalls. "And I came to the conclusion that Garrison was really a lunatic. Whether there was a conspiracy or not, I'm convinced that Garrison never had any real information."

Nonetheless, Garrison, because he held public office and was armed with legal powers, became the champion of many who wanted the JFK case reopened. The federal prosecution of Garrison was thus viewed by many as harassment and cover-up.

In 1974, Garrison was acquitted of the charges against him. According to Wall, Garrison was cleared, in part, because "Watergate gave some credibility to Garrison's claim that because he investigated the CIA, the prosecution against him was a conspiracy by the federal government."

As a result of his run-in with Garrison, Wall did become sufficiently interested in the assassination to bone up some on the subject.

"I tend to doubt that there was a conspiracy," he says now. "But I really don't know for sure."

According to the HSCA, however, Garrison

made some important breakthroughs in his otherwise misguided and unsuccessful prosecution of Clay Shaw.

In the summer of 1963, prior to moving to Dallas with his Russian wife and small child, Oswald resided in New Orleans.

The accepted public portrait of Oswald as an ardent political leftist derives from the fact that he had detected to Russia, spoke the Russian language, was seemingly well versed in Marxist philosophy, and on two occasions in New Orleans created public disturbances by handing out leaflets for a pro-Castro organization called the Fair Play for Cuba Committee.

Many of these leaflets, which advocated a restrained and accommodating foreign policy toward Cuba, were stamped with the address "544 Camp St."

That address, Garrison discovered, was as warm with militant anti-Castroites, housing as it did the CIA-supported Cuban Revolutionary Council, an organization intent on over-throwing Castro, and a multi-faceted private detective agency, Guy Banister Associates.

Oswald frequented the Camp street building and Banister's office. It was a relationship with apparent contradictions — Oswald's Marxist postures and the crusty Banister, a former FBI agent, head of the Anti-Communist League of the Caribbean, and an extreme right-winger.

Garrison postulated that Oswald's activity on behalf of the Fair Play for Cuba Committee, the local chapter of which was set up by Oswald and whose only member was Oswald, was a ruse to disguise deeper connections to para-military, anti-Castroites like Banister.

The HSCA declined to portray Oswald in such a complicated fashion. The committee viewed him as a naive, yet sincere, leftist, caught up in games that grew more serious as summer evolved into fall of 1963.

More than the seeming contradictions of Oswald's association with Banister, the HSCA was concerned with Oswald's apparent acquaintance with a colleague of Banister's, David Ferrie. Ferrie, too, was an ardent right-winger who seems to have spent time with Oswald.

On Nov. 22, 1963, Ferrie was in a federal court in New Orleans, where he was serving as an investigator for the defense team of Carlos Marcello. Marcello was in court to fight an attempt by the Robert Kennedy Justice Department to have him deported for criminal activity.

The HSCA investigation also broke new ground in its probe of Jack Ruby, the Dallas nightclub owner whom the Warren Commission portrayed as little more than an emotionally distraught businessman. The HSCA considered Ruby to be an organized crime underling. The committee, in examining

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# Cuban and mob connections?

Continued from Page 4

Ruby's telephone records, discovered a call he made on Oct. 30, 1963, to the New Orleans trailer park office of Nofio J. Pecora, a long-time lieutenant of Marcello. Pecora, when interviewed by the committee, denied ever receiving the call.

Meanwhile, an investigation into Ruby by Atlanta Constitution Washington correspondent Seth Kantor revealed that Ruby had an intimate relationship with organized crime since his youth.

As a boy in Chicago, he ran numbers for the Al Capone gang. He moved to Dallas in 1947 at a time when the Chicago mob was asserting itself in the Southwest.

In 1959, Ruby twice visited Cuba, apparently as a go-between in efforts by Las Vegas gamblers to spring some of their cronies who had been jailed by the new government of Fidel Castro.

Ruby also served as an informant for the FBI during this time, meeting nine times with FBI agent Charles Flynn on matters relating to narcotics and gambling, and possibly Cuban activities.

On the critical question of Ruby's entrance into the Dallas police basement at the precise moment of Oswald's transfer (to the presumably more secure county jail), the HSCA report states, "Ruby's shooting of Oswald was not a spontaneous act, in that it involved at least some premeditation. Similarly, the committee believed that it was less likely that Ruby entered the police basement without assistance, even though the assistance may have been provided with no knowledge of Ruby's intentions. The assistance may have been in the form of information about plans for Oswald's transfer or aid in entering the building or both."

Ruby died in prison in 1967, having revealed little of substance about his motivation during his trial, at which he attempted to plead innocent by reason of psycho-motor epilepsy.



JACK RUBY steps forward to silence the suspect, Lee Harvey Oswald.

**W**ho, then, did it?

The HSCA claims to have exonerated various suspects: the Cuban government, the Soviet government, the CIA, FBI, anti-Castro organizations, and the national crime syndicate.

However, the report states, "the committee could not preclude that individual members of anti-Castro Cuban groups or the national syndicate of organized crime were involved in the assassination."

That the investigative leads should come finally to center on anti-Castro Cubans and elements of organized crime has to do with the national and international politics of early 1960s.

In April, 1961, but a few months after Kennedy took over as President, a brigade composed of soldiers of fortune, CIA operatives, and Cubans exiled from the Castro regime launched the Bay of Pigs invasion, an attempt to overthrow the Castro government.

Although the invasion took place with the knowledge of the Kennedy administration, it did not enjoy the full-fledged support of the U.S.

government. In fact, when the invaders appealed to Kennedy for military air and naval support, Kennedy refused.

The Bay of Pigs invasion failed miserably, and from that time on, there was growing tension between Kennedy and these elements of the CIA, Cuban exile community, and the mob who fervently wanted Castro overthrown.

Mobsters were particularly concerned about Cuba, because of the huge loss in revenue which resulted from Castro having seized the lucrative Havana hotels and gambling casinos.

Throughout the years of the Kennedy administration, these three groups — mobsters, anti-Castroites, and the CIA — collaborated on plans for military raids against Cuba and actual assassination attempts against Fidel Castro, which were documented in 1975 by the Senate Select Committee on Intelligence (known as the Church Committee).

The Church Committee disclosed a chain of communications whereby the CIA wanted Castro killed, went for advice on how to do it to crime figures Johnny Roselli and Sam Giancana, who went to anti-Castro contacts they still had within Castro's Cuba.

Whether this competent and cutthroat collaboration had any bearing on the assassination of Kennedy remains an open question.

According to the HSCA report, "While it is seemingly in contradiction of Oswald's personal character and known public posture, the committee seriously considered the possibility of an anti-Castro conspiracy in the assassination (perhaps with Oswald unaware of its true nature)."

Ultimately, the HSCA declined to point a finger though.

And what remains today, 17 years after JFK's death, are serious questions without any official commitment to answer them.

Who helped Ruby gain entrance to the police basement?

What are the circumstances under which Oswald was steered to his job in the shipping department at the Texas School Book Depository, starting on Oct. 15, 1963?

Who possessed advance information about the motorcade route that took President Kennedy by the book depository and sent America careening down an unexpected fork in the road?

Who was on the grassy knoll?  
We may never get the answers.