

20 June 1967

Mr. Fred Freed  
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Dear Mr. Freed,

"The Case of Jim Garrison" last night presented one item of new information, the potential importance of which can scarcely be exaggerated—that is, that NBC has located an individual in New Orleans who uses the pseudonym "Clay Bertrand." You will be aware that the Warren Commission and its investigative agencies, in particular the FBI, were unable to locate any individual who corresponded with the "Clay Bertrand" described by Dean Andrews in his testimony before the Warren Commission counsel.

The Warren Report discusses Dean Andrews' allegations in Chapter VI, "Investigation of Possible Conspiracy" (WR 325). The Commission implies that Andrews hallucinated a telephone conversation with "Clay Bertrand" while hospitalized and under sedation. The Commission rejects a constellation of similar allegations by other witnesses of Oswald's "association with various Mexican or Cuban individuals" on diverse grounds (WR 321-325).

NBC's important discovery that there is, in fact, a real "Clay Bertrand" demands a reevaluation of Dean Andrews' testimony about his contacts with Oswald and with "Clay Bertrand," and a reexamination of all the related allegations. "Clay Bertrand" must now explain his relationship with Oswald and his request to Andrews on November 23, 1963 to act as Oswald's legal representative. The Warren Commission and the FBI, whose facilities and resources presumably were at least equal to those of NBC, might also wish to explain their failure to locate an individual whom NBC was able to locate with apparent ease.

Because of the obvious importance of "Clay Bertrand's" role in the assassination, by reason of his relationship with Oswald and his attempt to secure legal counsel for him, it is disquieting that NBC has failed to disclose Bertrand's real identity or his account of his involvement with Oswald and/or Dean Andrews. To refer the matter to the Department of Justice (an interested party in this matter, having failed to locate Clay Bertrand in the first instance; and having stated and later retracted that Clay Shaw was investigated and cleared by the FBI) does not, it seems to me, fulfill the moral obligation implicit in NBC's examination of the Garrison case and explicit in the closing remark that NBC, too, seeks the truth.

Surely the cardinal question of Clay Bertrand's connections with Oswald cannot be closed with the statement that his identity has been reported to the Department of Justice? I hope that NBC does not expect the public merely to accept its undocumented claim that Clay Bertrand has been located, nor to remain in ignorance of this man's involvement with Oswald and/or the assassination. I do appreciate NBC's desire to protect a sexual deviate from embarrassment or harassment, but that cannot have precedence over the

determination of the truth about the murder of President Kennedy. I might point out that Mark Lane has been severely criticized (by NBC among others, if my recollection is correct) for refusing to divulge the name of an individual who alleged a meeting at the Carousel Club between Ruby, Tippit, and Bernard Weissman, on the ground that the witness in question would suffer marital difficulties if his presence at the Carousel Club became known. The merit of this criticism is obvious; but it must apply equally to NBC if it permits the Clay Bertrand matter to end here.

Commenting now on the program as a whole, if I may, I feel obliged to say that I greatly regret that NBC did not utilize its imposing facilities for an examination and investigation of the "Case of the Warren Commission"—a case which has many deficiencies in common with the Garrison case.

NBC's attack on Garrison's witnesses and evidence seems, indeed, somewhat superfluous. The inherent implausibility and self-contradiction of Perry Raymond Russo's testimony was in itself sufficient to discredit him. The inadmissibility of Vernon Bundy's "identification" of Clay Shaw after the passage of more than three years, and on the basis of a single encounter, was also self-evident. In alleging that these two witnesses flunked their polygraph tests and more or less admitted to NBC's investigators that their testimony against Clay Shaw was fabricated, NBC has in effect flogged a dead horse. No objective student of the assassination could have believed Russo or Bundy in the first place.

The same can be said for the alleged "decoding" of Ruby's unlisted telephone number by Mr. Garrison. I might add, however, that your mathematician-expert was in error on one point: he said that "P.O." when transformed into its equivalent of "13" on the telephone dial in turn can be converted to six different exchanges rather than the "Whitehall" exchange claimed by Mr. Garrison. Well, that is true—but "13" converts to only one Dallas exchange. Since Garrison addressed himself solely to Dallas, his conversion would be valid if the "P.O." was not in fact the Cyrillic "D.D."

With respect to Lefty Peterson's description of Ferrie's roommate, his suggestion that it was James Lewallen rather than Oswald seems to me quite reasonable and acceptable. But NBC did not question Lewallen and lay the matter to rest, as it should have done. Was no attempt made to obtain Lewallen's confirmation that it was he, not Oswald, who was present at the "party" in Ferrie's apartment? Or did he fail to corroborate this theory?

Another question which NBC left dangling in the air was that of the existence of Manuel Garcia Gonzales. It was made clear that Dean Andrews had merely invented the name, to test Garrison's good faith. What is not clear is whether or not NBC's investigation has determined that this individual does not exist. A not-unimportant point, since a German magazine has claimed that Garrison named Manuel Garcia Gonzales as an assassin of President Kennedy.

I note that Walter Sheridan was identified by The New York Times as an "investigative reporter" for your production on the Garrison case; and that the caption on the television screen identified Mr. Sheridan as a "news investigator." An article by Fred Cook in The Nation

of February 20, 1967 (pages 230-236) describes Walter Sheridan as "an executive with the National Broadcasting Company" and details his role, as an official of the Department of Justice, in the Hoffa case. If Mr. Cook is correct in his reportage, Mr. Sheridan may be vulnerable (as NBC suggests Garrison is vulnerable) to charges of coercion of witnesses, subornation of testimony, and other dubious practices. The kettle appears indisputably to be black, but the pot is scarcely pristine in its purity.

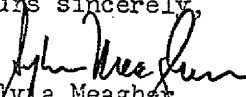
The metaphor applies not to Walter Sheridan alone but perhaps also to NBC's role with respect to the investigations of the events of Dallas November 1963. NBC no doubt would claim that its assault on the Garrison investigation was conceived as a public service and a contribution to historical accuracy as well as in the cause of justice for an accused individual. The evidence presented against Garrison seems at first blush highly damaging to him, although one would still wish to hear his arguments or refutations. His case does seem open to the most serious doubt, but I wonder if NBC would not have assailed any investigation that challenged or repudiated the Warren Report.

NBC committed itself on the issue of the Warren Report on the eve of its release--specifically, on September 29, 1964. On that date, there was no basis for any conclusive judgment. The Hearings and Exhibits (testimony and documents), which ultimately proved to be in fundamental conflict with the Warren Report on crucial points of evidence, had not yet been published; and even the internal contradictions and defects in the Report went unnoticed.

In giving uncritical and premature endorsement to the Warren Report, NBC influenced a mass audience. Its unconditional acceptance of the Report encouraged public apathy and credulousness. Subsequently, critics of the Warren Commission brought to light new information which greatly discredits the Report and which, in the opinion of many, reveals it to be a deliberate fraud and a conscious deception. Respected persons and publications have voiced disquiet or disillusion about the Report; some have been honest enough to acknowledge that their original enthusiasm was over-hasty, mistaken, even irresponsible; many have appealed for a new investigation.

NBC, however, has not yet modified its original position on the Warren Report. Indeed, its all-out assault on the Garrison probe may create the impression that NBC seeks to restore the Report to respectability. In some quarters, the force of the attack will serve to create a martyrdom for the victim. But to prove that the Garrison investigation is a sham is not to prove that the Warren Report is tenable. There is a formidable body of evidence that demonstrates, on the contrary, that the Warren Commission's investigation is disgraced by calculated misrepresentation, distortion, and omission. I must express my disappointment and regret that NBC did not see its first duty to be the critical reexamination of the fraudulent investigation that has chronological as well as moral priority.

Yours sincerely,

  
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cc: W.R. McAndrew, President NBC News  
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