

The Belin Connection

President Ford's choice of David W. Belin, an alumnus of the Warren Commission and chairman of Lawyers for Nixon-Agnew in 1968, as executive director of the Rockefeller Commission's "blue ribbon panel" may be a tip-off of the limits Ford and Rockefeller intended to place on the inquiry.

Few staffers on the Warren Commission seem as open to question as David Belin. In 1971, Sylvia Meagher, one of the most respected Warren Commission critics, charged that Belin suborned the perjury of an important witness in Dallas when the witness's testimony seemed helpful to a commission straining to find someone who could place Lee Harvey Oswald on the sixth floor of the Texas School Book Depository.

The witness was Charles Givens, a man who might have been an alibi witness for Oswald had Oswald lived to stand trial. For Givens told the FBI shortly after the assassination that he had last seen Oswald on the first floor of the Book Depository about 30 minutes before the shooting. Gradually, Givens changed his story (the FBI had quoted a Dallas police lieutenant to the effect that he thought Givens would change his story for money) and by the time Belin took Givens's testimony for the Warren Commission, Givens was saying he last saw Oswald on the sixth floor of the Book Depository, not the first.

With the original FBI interview in front of him, Belin was not about to look a gift horse in the mouth; when he heard Givens's revised account, Belin did not cross-examine Givens to determine why Givens's story had changed. Instead, he went ahead and, in the chapter of the Warren Report he co-drafted, used the newer version as the commission's only evidence that Oswald was on the sixth floor. (The section is assertively titled "Oswald's Presence on the Sixth Floor Approximately 35 Minutes before the Assassination.")

And what about the original FBI report, whose existence would have helped impeach the Givens testimony? Simple. The paperwork was handled so that the FBI report was excluded from the 26 volumes of evidence published two months after the Warren Report. Instead, this FBI report was routed directly to the National Archives, where it remained classified for several years.

Sylvia Meagher found it in 1968.

Mrs. Meagher made her charges about Belin in an issue of the *Texas Observer* and the *Observer's* editors printed Belin's answer in the same issue, characterizing it as "the slick, irrelevant reply of a lawyer who doesn't have much of a defense to present." Belin simply ignored the charges made by Mrs. Meagher, choosing instead to assure the readers that he was an honorable man and opposed to the Vietnam war. He threatened someday to write a book exposing "the distortions and omissions of the assassination sensationalists."

In 1973, Quadrangle Books (owned by the *New York Times*) helped Belin make good on the threat and published his supposedly definitive reply to the critics, *November 22, 1963: You Are the Jury*. The book is a rehash of the Warren Report, revealing little that is new other than Belin's poor critical judgment in evaluating evidence. He includes Givens's testimony as if no one had ever challenged its veracity. He omits mention of all Warren critics except Edward Jay Epstein and Mark Lane. He doesn't give Sylvia Meagher so much as a footnote. And he presents evidence of his own knowing bungling of another matter in Dallas, the shooting of Dallas policeman J.D. Tippit. To a witness of the Tippit shooting, Belin displayed what he thought then was a jacket left at the scene by Tippit's killer. "Yeah," said the witness, "I would say this looks just like it."

If it was the jacket, that would have been rather curious. Belin had made a mistake, mixing up Tippit's killer's jacket (which was gray) with a blue jacket lying on a stack of official exhibits, a jacket belonging to Oswald that had been found in the Book Depository. No matter. Belin could fix that. He changed the exhibit number in his book to make it appear that the witness had identified the right jacket, that is, the jacket left at the scene of the Tippit killing.

A small matter? Perhaps. But it shows that Belin is just the kind of man needed to come up with a preordained verdict on the CIA.

—Jerry Policoff

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