

How and Why We Were So Successful

IN 4/5/73

Jim Lesar has been here for a day and part of a day. We have been working on a variety of things and will until the middle of his day, which starts ~~xxxx~~ several hours later than mine. (He is still asleep.)

Having seen nothing in the papers indicating any request for immunity for McCord, I gave Jim the Trial 1 & 2/73 series of articles on Grand Juries, which is largely on immunity and how little it can mean, to read. He got started only night before last. But he got into it enough to know the basis for my concern is real. He agreed to call Bud and we discussed what I believe is the right course of conduct and the necessary steps.

Bud was not available, but he spoke to Bill Hlhausen. (Earlier, at 8 a.m., I had seen the two of them and McCord and Henry Rothblatt walking together. Jim said that Rothblatt represents McCord in civil matters. We discussed Rothblatt's record.)

Bill then spoke to me, because I had read more of the articles than Jim and had thought some of this through. Bill had done some research on immunity and knew the difference between use and transactional immunity, but he had not thought through any course of action. I suggested to him that he take the initiative, not wait for the axe to fall on their client. He said nothing could be done about immunity before the Senate because that required a vote of the entire body and required 20 days. I suggested that he go before Sirica and ask for transactional immunity and ask the Ervin committee to join him in this request. I explained that McCord was in the middle, that the prosecutor was as much on trial, that use immunity would leave McCord vulnerable to retaliation and that an assortment of criminal charges were probable still, plus civil actions, and that he was in the position in which he was because of SEN Sirica's actions and desires. I said that, in taking the initiative, he put everyone except McCord on the spot and that if he didn't McCord alone would be on the spot. Taking the initiative with proper explanations beginning with one showing that McCord alone took the judge's demand to heart put all the others on good-faith challenge. I suggested including the judge's inference that the prosecution had been less than diligent, and that McCord was proof of it, therefore McCord needed protection against the prosecution. That he would and could have no lawyer with him before the grand jury, where he would be most vulnerable. That he should not be in needless jeopardy because he sought to do the judge's bidding. That few judges know anything about grand juries. (I gave him the names of the authors of the articles, which say this, in the event he needed to call them.) If the Senate really wants McCord's cooperation they should see to it that he has complete immunity. (Separately and not over the phone I discussed with Jim some of the charges that can still be laid on McCord and by whom.) Bill hadn't thought of any of this nor had he thought this way, he said. He also said he liked the approach, particularly asking the Senate to join in the request and would get to it. I said he had to do it before McCord went before the grand jury, which impended, and he saw that, too.

Among the things Jim and I have been doing is listening to and dubbing a series of tapes of a 9/21/68 high-policy conference in the NOAC, N.O., financed by Mrs. Pomerance and apparently arranged by Bud Garrison, Sciambra, Boxley, Bud, Spague and Turner. It is sick beyond description. The sides of the cassettes are numbered to 13. Several are missing. We have gone through more than four hours of it. It is a hard dose. Crazy is hardly an adequate description. At the few points where they make contact with reality they say nothing of any consequence and indulge in childish and inappropriate joking. Infrequently Garrison's humor is of high quality. There is nothing else of this description. Where they came close to viable leads they were out of their depth and failed to carry them further. One surprising thing is that Turner had come up with a reasonable but seemingly farout lead in California up to 10 months after I had given it to Garrison who did nothing, once his original excitement wore off. Here he reflects none of this. (Lou Davis.) These are intelligent men unaware of their sickness, the infantilism of their approach, thinking and conduct, who never want reality and revel in nightmares that they use as a substitute for reality and among themselves regard as the reality. I had not known that Bud had taped this. By coincidence I had seen him shortly after this, while I was preparing for my 10/68 trip to speak at San Diego. He said then that he had just returned from N.O. and had never seen Garrison in such good shape or so much on control!

I was against, told him that the last time I'd seen Jim I was persuaded he was mad and that disaster impended. Bud then asked two things of me: that I go to N.O. on my way back and make a reassessment and that I set aside the first two weeks of December to work with him in New Orleans. He was leaving for a European vacation and would want to do this on returning. He gave me a \$100 travellers' check. This covered my transportation to New Orleans and none of the other expenses, which mounted up and turned out to require a side trip to Dallas right after election day, to the middle of November. (I also made the arrangement for the December trip, which he then backed out on, leaving me stuck with that also.) It is on this trip that I blundered into the planned commemoration, charging the dead Perrin and Nancy and Bradley with the assassination and a few allegedly related crimes!

It is not possible for me to describe these tapes. They are perhaps easiest titled
The Nuthouse Tapes.