Garrison Remains Politically Strong

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NEW ORLEANS—When the 40-day trial of Clay L. Shaw ended in acquittal, David Powe, a 28-year-old juror, returned to his job at a collection agency with the warm feeling that comes from community service.

Like many of his fellow citizens, Powe went into the trial with the vague conviction that the prosecutor, Jim Garrison, really had something. At the end, the 12 jurors took less than an hour to conclude that Shaw was not guilty of any conspiracy to murder John F. Kennedy.

"Now it kind of makes you feel like a damn fool," Powe said the other day. Since the trial, he has encountered cynicism and hostility.

"There's a certain percentage who will tell you the jury was bought," the ex-juror said bitterly. "Kennedy money talked, they say. If it did, it sure whispered when it got to me. The day after, I talked to two ladies. They've believed for so long that this man Garrison had something, they don't want to stop believing."

Across town in a smartly restored coachhouse of the old quarter the Vieux Carre —the ex-defendant views this phenomenon with more detachment.

"People keep saying Garrison must have something," Shaw muses. "A friend told me the other day: 'Whatever Garrison's got, I hope it's not catching.' "

In his graceful, measured voice, the retired businessman and civic leader talked about the resilience of the conspiracy theory, even in the face of a jury verdict.

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Garrison Remains Strong Despite Shaw Setback

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"You must bear this in mind. There is a certain will to believe among those who doubt the Warren Report. Over the last two years, Garrison has changed the plot of the assassination so often. . . The number of assassins varied from two to 15 . . . but people accepted that.

"Part of what btohers them is the incongruity. When death comes to a great leader, a prince, you expect it to come with black balloons and the full panoply. It's hard to accept that this handsome young man, this great leader of the world, was struck down by a sorry little loser crouched behind a stack of cardboard-boxes."

And so it is hard for many residents of New Orleans to conclude that their District Attorney led them on a blind chase.

A defense attorney who served Shaw listened to one of those radio talk shows and tallied the calls at 15 to 1 in support of Garrison. The Metropolitan Crime Commission, a private organization that hopes to get Garrison removed from office, is receiving mail 90 per cent of which says: "Leave him alone." A prominent physician is collecting signatures for a full-page newspaper ad in support of the D.A.

Some months will pass, of course, before the verdict on Garrison is in. Most agree that he has been hurt politically by the defeat in the courtroom—and he will be up for re-election this fall. The Crime Commission is exploring whether it can muster the witnesses for a civil suit to oust him from office, a step that would put Garrison on trial for his unorthodox tactics. Shaw and his attorneys promise further action too and have already filed a civil rights complaint against Garrison with the Justice Department.

Any of these moves could provide a comeuppance. But the prudent judgment at this point—even among most of his enemies—is that Garrison will fight for survival and the odds are about even.

After two years of titillating the world with sensational comments, Garrison himself has withdrawn into silence since the trial. Mark Lane, author of "Rush to Judgment" and a Garrison confidant, reported that the prosecutor "is hurt personally. His conclusion is the American people don't really want to know who killed their President. But he bounced right back. He's not out of action."

Around the grimy criminal court building of Orleans Parish, the fraternity of clerks and lawyers chatter about the prosecutor blowing his stack after the verdict. The impression of desperation seemed to be confirmed last week when Garrison started filing new charges against principals in the trial.

He has accused Shaw of perjury in testifying that he did not know Lee Harvey Oswald or David W. Ferrie when Ferrie and Oswald lived in the nether-world of New Orleans' gay bars. Garrison has also charged a former assistant with supplying information to the defense attorneys and has placed new prejury charges against Dean Andrews, the roly-poly lawyer whose hallucinatory stories started the New Orleans investigation.

At second glance, Garrison's enemies regard these new charges as evidence of the man's shrewdness as well as his determination to fight on. The widespread assumption in New Orleans is that it would be much easier for Garrison to convince a jury that Shaw did indeed travel in these circles, even if there wasn't a plot to kill Kennedy.

"Garrison told me many years ago that the best defense is aggression," said Aaron Kohn, the crime commission director who has been fighting the prosecutor for a long time. "He's now engaged in trying to put everyone on the defensive."

From a legal standpoint, the Crime Commission can initiate a civil suit with a petition from 25 citizens charging Garrison with misconduct or incompetence or oppression. A similar action taken against a criminal court judge accused of racketeer associations failed so Kohn wants to prepare the ground work better this time.

"We don't want to create a lot of headlines without really changing anything," Kohn said. "There's also this danger—Garrison gets considerable response when he pulls this business about the Establishment trying to stop him."

From a political standpoint, that anti-Establishment stance remains his most appealing quality. Garrison first won election in 1961 as an independent and, apart from the Shaw episode, he has battled Bourdon Street rackets, criminal court judges and other entrenched elements. Negro voters have given him substantial support because, his friends say, he has given them a fair shake. He has a loose alliance with Louisiana Gov. John McKeithen who once observed that politicians don't like to criticize Garrison because Garrison has a habit of criticizing back.

One courthouse official, an enemy who knows the D.A. well, describes another Garrison weapon — his charm: "Jim Garrison is larger than life, magnetic, enthralling. He has the capacity to persuade people of the absolute rightness of his position. We have a tradition of politicians who fill this need. And, remember, this is the city which lives for carnival. It's all been sort of exciting and proves that he's a giant, right or wrong."