Oliver Stone POST 12/24/91

The JFK Assassination—What About the Evidence?

One day after prominently displaying a "news" story in which David Belin—the ultimate frustrated losing prosecutor as almost the lone defender of the Warren Commission's version of the assassination of President Kennedy—called me a "prostitute" and my unreleased film, "JFK," a lie worthy of Adolf Hitler, The Washington Post saw fit last Tuesday to give him nearly half its op-ed page to continue his intemperate assault.

Belin and former president Gerald Ford are the last of a dying breed: Warren Commission apologists. Today, not even the government itself contends the Warren Commission investigation into the assassination of President Kennedy was an adequate one. The 1976-79 House Select Committee on Assassinations (HSCA) concluded that the CIA, the FBI and military intelligence withheld information from the Warren Commission, and these agencies and the commission never thoroughly investigated even the possibility of conspiracy.

Belin and Ford make their case by using a combination of ignorance of new evidence and a selective presentation of Warren Commission material. As the reader will see from this presentation of their bald assertions versus the evidence, it is not a very good case.

Belin and Ford: Nineteen medical experts have examined the autopsy photographs and x-rays of President Kennedy and concluded that all the shots struck Kennedy from the rear.

Evidence: While the "official" autopsy photos and x-rays do show that all shots came from the rear, the 26 trained medical personnel—doctors, nurses, technicians—who treated the president at Parkland Hospital testified to the Warren Commission that they saw an exit-type wound in the back of the head, a wound that is inconsistent with the photos and x-rays. Neither the Warren Commission nor the HSCA showed the photos and x-rays to the Dallas doctors. Until this happens, the medical evidence proves absolutely nothing.

Belin and Ford: Unequivocal ballistics evidence shows that the bullet that struck the president in the head and the bullet that passed through President Kennedy's neck and struck Gov. Connally were fired from Oswald's rifle.

Evidence: The evidence is far from unequivocal. The Warren Commission tests reported "minor variations" in the various bullet fragments, making the results at best inconclusive. More sophisticated analysis by the HSCA came to the same non-conclusion—that it was "highly likely" but not certain that the fragments matched each other in composition.

Belin still believes (as of his 1988 book, "Final Disclosure") that Kennedy was shot in the back of the neck. The autopsy photographs show that the wound was in his *upper back*, making it even more unlikely that the "magic bullet" exited through his throat and struck Gov. Connally. Moreover, Belin and Ford are obviously unaware of the declassified FBI document stating the bullet in the back penetrated only about two inches and did not exit—proving that the "single bullet" scenario could not have happened at all.

Taking Exception

Belin and Ford: A "massive neuromuscular reaction" caused the president's head to move backward when struck from the rear by a bullet.

Evidence: A "massive neuromuscular reaction," according to Messrs. Ford and Belin, occurs when there is "massive damage inflicted to nerve centers of the brain." The nerve centers of the brain are the pons, the medulla, the cerebellum—all located in the rear of the brain. According to the Warren Commission and the HSCA, the head shot damaged the right cerebral hemisphere of Kennedy's brain—not a nerve coordination center, not capable of causing a "massive neuromuscular reaction."

Belin and Ford: Postal Inspector Holmes delayed Oswald's transfer, thus proving Ruby was not part of any conspiracy.

Evidence: If Ruby was part of a conspiracy and Ruby was allowed into the police station by a contact there, then the Holmes excuse is nonsense: The conspirators would make sure Ruby was there for the transfer. Ford and Belin argue that no would-be hit man would kill his target in a police station. No, of course not, unless he had help.

Belin and Ford: Rabbi Hillel Silverman said he is convinced Ruby was telling him the truth when he says he wasn't conspiratorially involved.

Evidence: Ruby told the Warren Commission he couldn't tell the truth in Dallas and begged to be taken to Washington. He also gave press conferences in 1966 saying he would like to tell the truth. By then Ruby was no longer in contact with Silverman. The rabbi left the Dallas area in 1965. Why Belin thinks we should take Silverman's word over Ruby's is unclear.

Belin and Ford: Jack Ruby's lie detector test results—although not 100 percent accurate, confirmed that Ruby was not part of any conspiracy.

Evidence: While the polygraph results show Ruby was not lying when he said he acted alone, Belin and Ford conveniently leave out J. Edgar Hoover's comment in Appendix XVII of the Warren Report that, based on a psychiatrist's diagnosis of Ruby as a "psychotic depressive," the polygraph results should be considered "nonconclusive."

Belin and Ford: Witness Howard Brennan saw the gunman fire out of the sixth-floor window and gave his description to the police.

Evidence: Warren Commission counsel Joseph A. Ball questioned Brennan and found several reasons to doubt his credibility:

- Brennan's account had several glaring inaccuracies with respect to the gunman's clothing and his shooting position.
- Brennan could not identify Oswald as the gunman when he first viewed the police lineup. Two months later, Brennan repeated to the FBI that he wasn't able to identify Oswald at the lineup. But in March 1964 Brennan told the Warren Commission that he could have identified Oswald as the gunman but *he lied to protect himself and his family.*

Belin and Ford: The most probable time span of Oswald's three shots was around 10 seconds.

Evidence: *Nowhere* is there evidence of 10 seconds. The Warren Commission concluded the time frame was from 4.8 to 7.9 seconds, depending on which of the three shots missed the car completely. The HSCA set a *maximum* time span of 8.3 seconds—but based on four shots and two gunmen. Most serious research agrees on the 5.6 seconds indicated by the Zapruder film.

Belin and Ford: Cabdriver William Scoggins saw Tippit's killer from within 12 feet and identified him as Oswald.

Evidence: Although Scoggins did identify Oswald as the culprit, we know the lineups Scoggins viewed were heavily biased. Fellow cabbie William Whaley saw the lineups at the same time as Scoggins and told the Warren Commission:

". . . you could have picked Oswald without identifying him just by listening to them because he was bawling out the policemen, telling them it wasn't right to put him in with these teenagers. . . . he told them they were trying to railroad him and he wanted his lawyer. . . ."

Scoggins saw the lineup on Saturday, long after Oswald's name and occupation had been broadcast widely. Unlike the other men in the lineups, Oswald gave his correct name and place of work.

What Belin and Ford never mention is that Scoggins (as well as another credible witness) reported that Tippit's killer was walking *west* on 10th Street—the wrong direction for Oswald to be walking.

Belin and Ford: Ballistics evidence proved that Oswald's revolver was the Tippit murder weapon.

Evidence: There is no chain of evidence for the four cartridge cases found at the scene. Both policemen who handled them marked them with their initials, but neither could identify the cases as the ones they turned in when they testified to the Warren Commission—they couldn't find their initials. *Furthermore, the cartridge cases—two Western-Winchester and two Remington-Peters—don't match the bullets—three Western-Winchester, one Remington-Peters—recovered from Tippit's body.*

Belin and Ford: Those of us who served on the Warren Commission and its staff know it to be the truth—beyond a reasonable doubt—that Lee Harvey Oswald was the lone gunman who killed President Kennedy and Officer Tippit.

Evidence: Apparently Ford and Belin didn't keep in touch with their colleagues. Commissioners Hale Boggs, Richard Russell and John Sherman Cooper had grave doubts from the start about the "single bullet" theory. In later years they went public with their dissatisfaction with the commission's finding. "I had strong doubts," Boggs said. Cooper was "unconvinced" by the single-bullet theory. In a 1970 Washington Post article, Russell said he believed President Kennedy was killed as the result of a criminal conspiracy and joined forces with researcher Harold Weisberg in an effort to declassify commission transcripts.

Conveniently, Ford and Belin wrap up their presentation by referring to the "other massive body of evidence which conclusively proves beyond a reasonable doubt that Oswald was the lone gunman." They decline to present this massive body of evidence to the readers. Should we take these men at their word? Probably not.

Former president Ford's actions have been called into question more than once in the JFK case. For example, Ford seems to have reported on the Warren Commission to the FBI. A Dec. 12, 1963, internal FBI memo from Hoover aide Cartha DeLoach noted:

"Ford indicated he would keep me thoroughly advised as to the activities of the commission. He stated this would have to be done on a confidential basis, however, he thought it had to be done. He also asked if he could call me from time to time and straighten out questions in his mind concerning our investigation."

With regard to Belin, there is overwhelming evidence that he was less than truthful in taking Charles Givens's testimony for the Warren Commission. Givens, a co-worker of Oswald's at the Book Depository, originally told Dallas police he saw Oswald on the *first* floor shortly before noon on the day of the assassination. Later, he told the Warren Commission he had seen Oswald all alone on the *sixth* floor at that same time. In a memo written before he spoke to Givens, Belin made note of the first statement, yet he did not mention it when Givens told him the new "sixth-floor" version.

An FBI document found at the National Archives—available to the commission—put Givens's credibility in doubt. The document quoted Dallas policeman Jack Revill as saying Givens "would probably change his testimony for money." In his books and articles, Belin champions Givens as the man who placed Oswald on the sixth floor shortly before the shooting. Researchers have asked Belin about this on many occasions; he has yet to provide an answer.

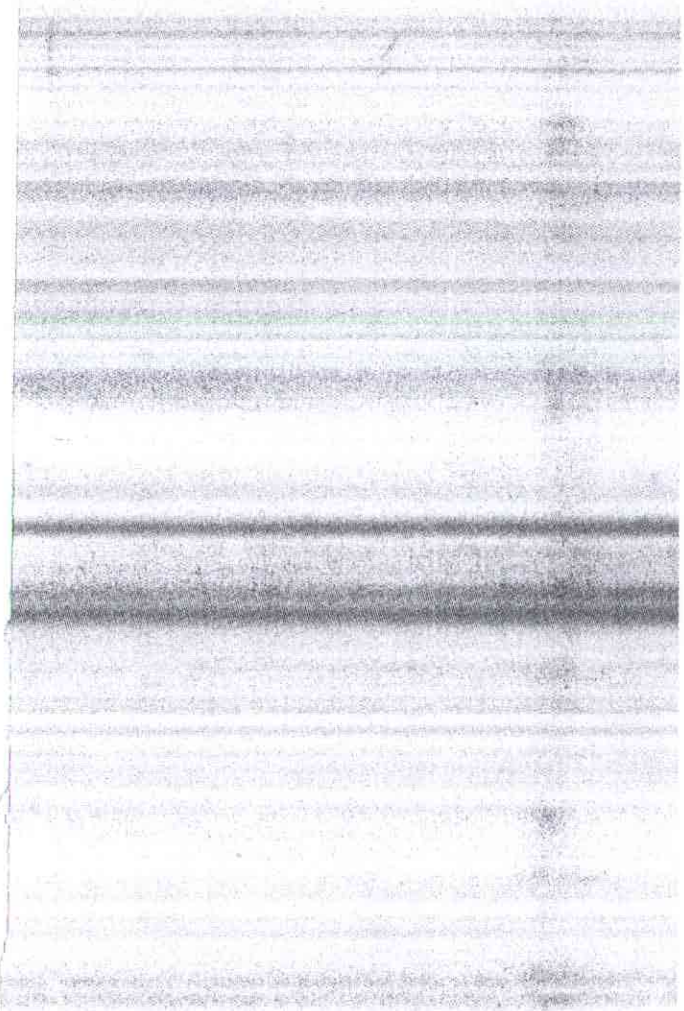
In earlier tandem performance, Belin appeared as Ford's counsel when the former president testified before the HSCA. During a break in a hearing, Ford, obviously thinking the microphones were turned off, leaned over to Belin and asked, "Have I compromised anything yet?"—a rather curious statement under the circumstances.

All of Ford and Belin's "evidence" comes from the commission volumes and report—they ignore all of the Commission Documents (not published within the volumes), all of the evidence turned up by the Jim Garrison investigation, the 1975 Senate Intelligence (Church) Committee hearings, the House Select Committee on Assassinations investigation and all of the evidence brought to light over the years by private researchers and scholars through Freedom of Information Act suits and rigorous document analysis. The reason is simple: None of this evidence strengthens their dog-eared conclusions. Most of it contradicts them.

The Ford/Belin piece is tired, obsolete, highly selective information, printed many times before over the past 28 years, not believed by 75 percent of the American people or even supported by the conservative findings of the HSCA that JFK was killed as the result of a "probable" conspiracy.

It is disappointing that prominent men like Belin and Ford are so narrow and vindictive in their rendering of history and their ugly condemnation of me and my film. It is more disappointing The Washington Post gives them a forum for their discredited views.

Oliver Stone directed the movie "JFK" and was co-writer of its screenplay.

Correction

There was a typographical error in the Sunday op-ed piece by Christopher Layne. A sentence should have read: "Without endangering its security, the United States can now cut its geopolitical burdens and choose to give primacy to domestic needs."