

# THE SNIPER'S NEST THAT NEVER WAS

by

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Recently I looked up The New York Times for November 23, 1963 in the archives of the local public library, and found a photograph (Fig. 1) taken inside the Texas School Book Depository (TSBD), with the following caption:

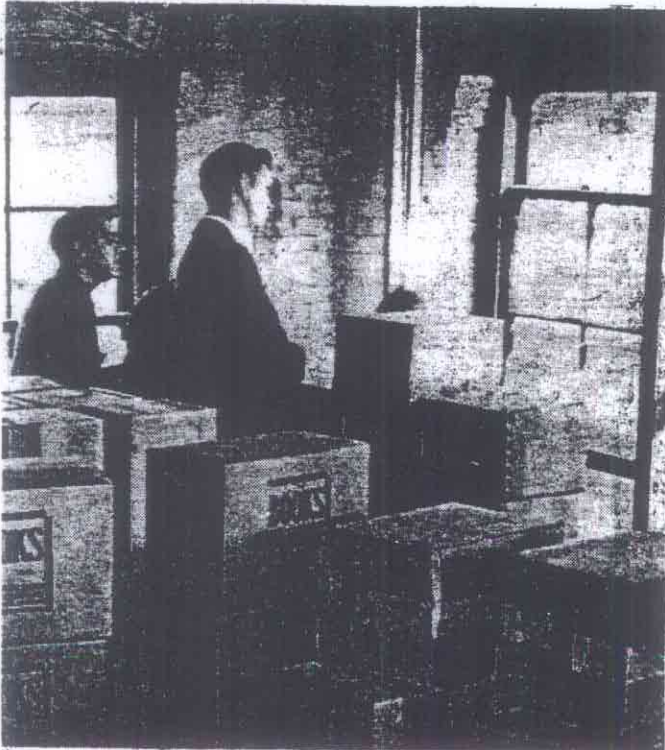
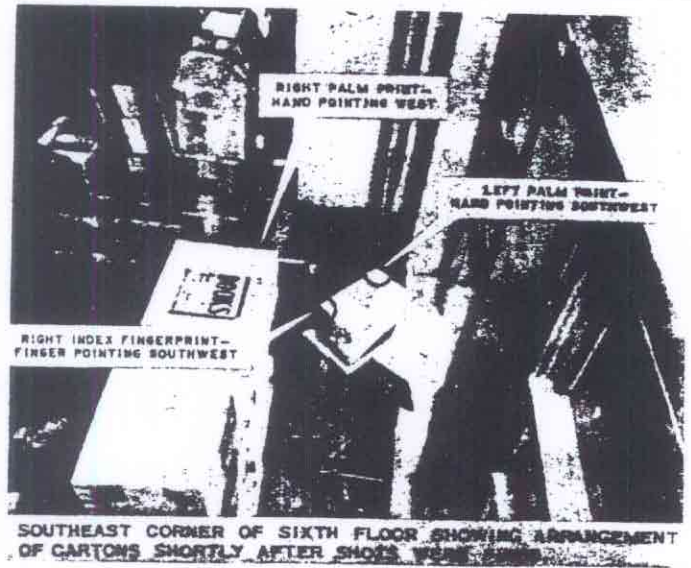


Figure 1

*"ROOM FROM WHICH SHOTS WERE FIRED: Police Officials and newsmen examining the store room at the Texas School Book Depository which was used in fatal shooting."*

The stacking arrangement of the boxes is completely different from the so-called "sniper's nest" in the Warren Report (Fig. 2). Since the Times picture appeared on November 23, it must have been taken the previous afternoon. Archival film footage, taken in the TSBD very soon after the shooting, in the PBS "Frontline" TV special "Who Was Lee Harvey Oswald?," shows the same layout of boxes as does the Times picture.

Then what is to be made of the famous sniper's nest (Fig. 2), apparently so damning for Oswald with his prints on the boxes? The inescapable conclusion: it was carefully set up to frame Oswald.



COMMISSION EXHIBIT No. 1801

Figure 2

The very concept of a sniper's nest—boxes specially arranged to hide the shooter and provide a steady support for the rifle—implicated Oswald since, as an employee at the TSBD, he had the opportunity to make the assembly. But the Times picture shows that there was no sniper's nest when the assassination occurred—there was nothing unusual about the boxes at that window. Stacked higher than the window opening, they could not have been used as a rest for the assassin's rifle, which is at odds with statements in the Warren Report:

*p. 8 "...a rifle resting on the top carton would be aimed directly at the motorcade as it moved away from the building."*

*p. 140 "The boxes in the window appeared to have been arranged as a convenient gun rest."*

Why was the fabrication of the sniper's nest deemed necessary? Why could the boxes not have been left untouched and still implicate Oswald? Why was it necessary to make a case that boxes were used as a gun rest? The answer may lie with the piece of evidence that most strongly implicated Oswald—the 6.5 mm Mannlicher-Carcano. The Times picture indicates that the sniper must have been in a difficult, cramped position in the far corner of the window. Of the eyewitness accounts in the Warren Report from people in Dealey Plaza who saw someone at the window, only Ronald Fischer described the position in the window (p. 146):

*"...the man was in the lower right-hand portion of the window..."*

The distance from the left edge of the window to the wall to the left of the window (viewed from inside the TSBD, see Fig.

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1) is approximately 22 inches [1]; perhaps it would be impossible, even for someone of Oswald's height and build, to crouch in that corner and accurately fire the 38-inch-long Carcano. Without a substantial structure, such as stacked cartons of books, to provide mechanical support, perhaps it would be beyond dispute that it was impossible to accurately fire the Carcano.

Why did the assassin not arrange things to his advantage, so that he had a comfortable position, using the boxes as support—by either raising the window, or lowering the boxes? One possibility is that his weapon was on a tripod that most conveniently rested on the floor. Another is that the shooter's time on the sixth floor was so tight as to preclude moving boxes before shooting. A third possibility is that he had, at all costs, to avoid being seen clearly from the street below, because he was wearing a uniform for example.

The Warren Report's long-winded verification that three spent shells had been expelled from Oswald's Carcano while resting on the stacked boxes in the sniper's nest, now takes on new meaning. Pages 555–556 of the Warren Report reads:

*"...three expended cartridge cases were found...lying between the south wall and a high stack of boxes which ran parallel to the wall. The cartridge cases were a short distance to the west of the southeast corner window in that wall...In other words, the cartridge cases were ejected to the right of and at roughly a right angle to the rifle...The location of the cartridge cases was therefore consistent with the southeast window having been used by the assassin, since if the assassin fired from that window the ejected cartridges would have hit the pile of boxes at his back and ricocheted between the boxes and the wall until they came to rest to the west of the window."*

Since there was no sniper's nest, the above can now be interpreted as a description of how it was ascertained where spent shells would come to rest when a Carcano was fired while resting on the boxes in Fig. 2. This little pantomime was necessary to determine the location at which "Oswald's" three shell cases had to be planted.

The box arrangement in the Times picture is consistent with what is seen in the Powell photograph (Fig. 3) of the TSBD exterior about a half-minute after the shooting. Phillip Melanson [2] has discussed some implications of the movement of the boxes at the window after exposure of the Dillard photograph (Fig. 4), and before the Powell photograph was taken. In the Powell picture, the boxes in the left of the window (viewed from outside the TSBD) are pulled a few inches back, and boxes on the right are pushed forward, as



Figure 3

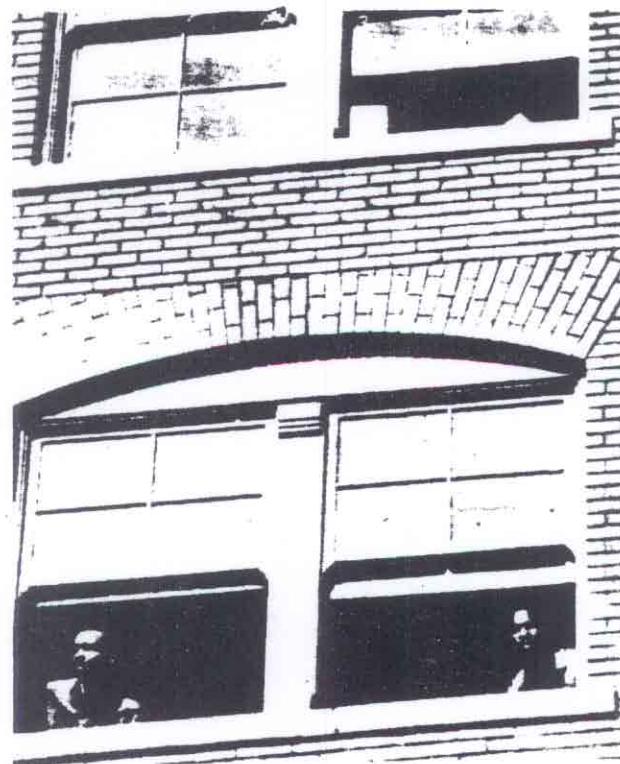


Figure 4

compared with the Dillard photograph. This movement of boxes during the half-minute immediately after the shoot

may denote a frantic search for expended cartridge cases.

Can readers help answer the question of why the *Times* picture, with its profound implications, is not a widely known subject for discussion among people interested in the JFK assassination? Is the picture absent in most of the *New York Times* editions that went out on the 23rd? If you have a copy in your possession, please check it and let me know what you find.

#### Notes

1. Calculated from Commission Exhibit No. 887, Warren Report p. 99, with reference to the measuring stick in the "sniper's nest" window shown in a photograph on p. 167 of Robert J. Groden's *The Killing of a President* (New York: Viking Studio Books, 1993).

2. Philip H. Melanson, "Stacking the Deck Against Oswald," *The Third Decade* vol. 3 #4 May 1987, pp. 7-8.



## SURVEILLANCE STATE LOUISIANA – COMING OF AGE IN NEW ORLEANS IN THE 1950s AND 60s

by

*Hugh Murray*

Long before Reagan's Presidency most Americans accepted the rhetoric of the Cold War: "the free world" vs. "the evil empire," free enterprise vs. communism, Western civilization vs. communist totalitarianism, American liberty vs. Soviet enslavement. Most Americans would have conceded that communism was not the only form of totalitarianism; that Nazi Germany and fascist Italy had produced brutal regimes that, like the Soviet Union, trampled both the rights and lives of their opponents. The trouble, however, with this dichotomous view of the world—freedom vs. tyranny—is that it can be obscure reality.

Compared to Stalin's empire or Hitler's Europe, Louisiana in the early 1960s was certainly no tyranny. Yet, it was far from a totally free society. If one spoke out on sensitive issues, there were consequences. And there was a rational fear of being rounded up. Surveillance was pervasive. By describing some of my adventures in "the surveillance society," I hope to

provide some insight into Lee Harvey Oswald's niche in that society.

It was at Warren Easton Senior High School in New Orleans in the mid-1950s that I began to question the traditional values. Not only did I abandon orthodox Christianity, but I sought to convert some of my classmates to Unitarianism, liberal religion, and Left politics. One young man whom I tried to persuade was a tall, handsome Texan. His girl friend, a devoted Baptist, grew alarmed when she heard my iconoclastic ideas. Distressed about my Leftist views, and hoping to prevent me from straying further—and worse, Tex Sanders possibly straying with me—Mary Jane arranged for me to discuss basic religious values with her father, who was an elder in a large, prominent New Orleans Baptist Church. He himself was well known, being a former acting Superintendent of the New Orleans Police Dept. and a former FBI agent.

I went to Mary Jane's home and met with her father, Guy Banister. We spoke for only about two minutes. Clearly, reconverting me from Unitarianism was not high on his list of priorities.

I remained a Unitarian. Moreover, I continued my Leftward drift and would remain on the Left until 1978. After high school, I sought and received a scholarship to Tulane University in New Orleans, where ROTC was not required as it was at the state university. I became active in the peace movement, on racial issues, and even deemed myself a socialist. In the late 1950s I unofficially began attending a class at Dillard University, a black college. Soon thereafter, I joined the NAACP, but in 1959 it became an illegal organization in Louisiana. Some locals even referred to it as the National Assn. for the Advancement of the Communist Party. Yet, I found the NAACP too moderate and legalistic.

In 1960 I helped organize the New Orleans chapter of the Congress of Racial Equality, and that summer I was one of the eight New Orleanians to attend a CORE training workshop in Miami. At most, there were 60 people in attendance from throughout the nation. When told of the conclave, J. Edgar Hoover requested that his subordinates provide additional information about "the Communist training conference." And in truth, it was in Miami that I did meet for the first time an admitted member of the Communist Party. But most in attendance were probably mild socialists or liberal Democrats. For example, the only other white from New Orleans was O\*, a Roman Catholic student of sociology at Loyola University of New Orleans. He was no socialist. Yet, he was among those arrested in one of the CORE sit-ins at Miami's Shell City super market and restaurant. For a small gathering,

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we were honored by some prominent guests at the CORE conclave. Sharing their wisdom and training us at the conference were the leader of the Montgomery bus boycott, Rev. Martin Luther King, Jr., and former baseball great, Jackie Robinson, who was then promoting Nixon's election bid. Of course, in 1960 in New Orleans, there was as yet no King holiday, and many of those who had heard of his efforts in Alabama referred to him as Lucifer King.

Back in New Orleans, in September 1960 I was arrested in the city's first lunch counter sit-in at Woolworths on Canal and Rampart Streets. Our names appeared on p. 1 of the local newspapers, and we were seen on local and national television newscasts. That night we were released on bail, but I knew it would be too dangerous for me to return home to my parents, where I lived. Even without me there, but because of my arrest, they began to receive insulting and threatening phone calls at all hours, day and night. My father felt compelled to borrow a pistol and bullets from a co-worker to protect his home. (Eventually, when the threats subsided, my father returned the weapon to his colleague. His friend asked, "Why did you borrow so many bullets? Only one would have done the job!" I was rather unpopular with many white people at that time.) The New Orleans police also showed some concern. They went to my parents home and photostated all the names and numbers in my address book.

Meanwhile, I was sleeping over at homes of friends, sometimes on extra beds, sometimes on the floor. O\*, the CORE activist at Loyola, decided to move from his parents' home, so we rented a cheap, though adequate, furnished, attic apartment near the St. Charles street car line, which waddled past both Loyola and Tulane Universities.

It is only after I began to room with O\* that I discovered how different our backgrounds were. True, we were among the very few Louisiana-born white students in CORE (though there were growing numbers of Southern whites joining N.O. CORE.) Indeed, from 1960 to 1962 the activist membership was probably 50% white, and most of them were Southern. Unfortunately, a recent book on the civil rights movement by Kim Rogers distorts the history of the movement, diminishing or omitting the role of the white students to be politically correct. [1]

I considered myself a pacifist, which coincided well with CORE's non-violent philosophy. O\* might be non-violent in a CORE demonstration, but he was no pacifist. We were too poor to afford a telephone, so we received no threatening calls. Nevertheless, we were aware that not everyone liked our activities. One day O\* brought back a pistol, a Ruger, and

wanted me to learn how to use it in case we came under attack. Initially, I declined, but he persuaded me. I learned the basics of firing the pistol, just in case.

Whereas I had been a meek, shy, intellectual type (there were less kindly words for it in high school), O\* had been something of a hell-raiser in his youth. He had had trouble in school and may have dropped out a year. He was probably on a track from uncontrollable youth to juvenile delinquent to crime, when he was saved, in part, by a caring, charismatic individual. When O\* was 15, around 1952, he joined the Civil Air Patrol. He became the first Cadet Commandant of the first C.A.P. unit formed at Moisant Airport. The adult leader of his group, the charismatic individual who so influenced him, was David Ferrie. Ferrie, who had wanted to become a priest, had a gift for helping troubled youths, intervening with them, guiding them so as to swerve and avoid a crash, fostering inquiry so that they could develop into productive citizens. In the school year 1960-61 O\* and I discussed our families and friends. One figure he mentioned who had helped guide him in a positive direction was David Ferrie.

Because of much of the publicity surrounding Ferrie, many readers are probably smirking, sure, that C.A.P. leader influenced that teen; they had a sexual relationship. NOT TRUE! Something else I learned while rooming with O\*—he was straight, but it was I who was gay. O\* was opposed to having sex with any male. A few years later O\* would marry and have two children. O\* was not gay, yet he was very positively influenced by David Ferrie. Furthermore, O\* stated on 14 December 1993 that he suspected Ferrie was a positive influence on a lot of young men, possibly hundreds, who were in the C.A.P. [2] O\* was not alone in his estimation of Ferrie. Another then active in the C.A.P. called Ferrie "a dynamic leader," while yet another declared Ferrie "a magnetic and intelligent man who had a strong following among the cadets. [3]

The simple media characterization of Ferrie as an evil satyr or as comic relief adjusting his ill-fitting hair piece is an injustice to the forceful, charismatic man who could influence so many teens in a positive direction.

During his first year at Loyola in 1957, O\* lost touch with Ferrie. A few years later, probably while we were roommates, O\* visited his old friend and mentor at Ferrie's apartment. O\* noted a change. There were many young men in fatigues, but that was not unusual as many in the C.A.P. had worn fatigues. What was different was the presence of many rifles. O\* said he had never before seen Ferrie with such weapons; indeed, Ferrie had once seemed to tease, to denigrate, the notion that

men had to surround themselves with weapons. Now, O\* felt that Ferrie was "playing soldier." [4] However, if O\* visited Ferrie in the spring of 1961, around the time of the Bay of Pigs invasion, Ferrie may have been doing more than "playing" soldier.

In November 1963 I was astonished by many events. One of them was a small item in the newspaper stating that David Ferrie had been arrested in connection with the John Kennedy assassination. I recognized the name, and sent the clipping to O\*. Another point must be stressed. O\* declared that Ferrie had been an important influence on his life (and if Ferrie's reputation had not become so controversial, perhaps many others would admit the same). But this does not mean that O\*, or the other young men, were simply clones of Ferrie. O\* was straight. O\* was Roman Catholic. O\* was a liberal Democrat, a supporter of John Kennedy, a CORE activist to the point of being arrested in a sit-in. Ferrie may have helped the troubled teenager, O\*, to avoid a wasted life. But O\* was very much his own man.

The year O\* and I roomed together was an exciting one in New Orleans. Even before the major school integration crisis of November 1960, in September CORE began its sit-in campaign, and soon many more students joined the organization. Many were from Tulane and Newcomb, and until the disputed CORE election of 1962, about half the organization was white and Southern. One such CORE activist was Connie Bradford of Birmingham, who attended Newcomb on scholarship. Hers was a work scholarship, and her job at the university—telephone operator. Connie informed us that all the operators had been ordered to listen in to the phone conversations of Tulane–Newcomb political activists. What should be emphasized is that Tulane was then considered one of the most liberal institutions in New Orleans. If Tulane was resorting to telephone eavesdropping, what were the less liberal institutions, like the police, doing? Most of us assumed that police and other agencies might be listening in on our calls. And in Louisiana in the early 1960s, I believe it was quite legal for them to do so. If Louisiana were not a full-blown police state, it certainly was a surveillance state.

During the Bay of Pigs invasion of Cuba in the spring of 1961 I listened to the news on the powerful and prestigious CBS affiliate, Jesuit-owned WWL radio. It reported the "spontaneous uprising of the Cuban people" against Castro, and how the freedom-loving rebels had killed Fidel's brother, Raoul Castro. All this was concocted to support and justify the invasion. When the military operation failed, the media admitted it had lied.

I was surprised to learn that one of the Newcomb CORE activists, Margaret Leonard, had volunteered to donate blood for the invaders. I knew that O\* was not pro-Castro, but I had falsely assumed that all the Tulane–Newcomb contingent was, like myself, sympathetic to the new Cuba. Of course, I was not the only CORE member to oppose the invasion. A rather famous confrontation occurred later, on 24 May 1963 when Attorney General Robert Kennedy was shocked to hear Jerome Smith, a black New Orleans CORE activist, blast the administration's policies on race and on Cuba. The 3-hour dispute made national headlines. [5] It was not only whites in CORE who opposed American foreign policy.

By the time of the Missile Crisis of October 1962, some of us were listening to short wave radios for more reliable news. When the crisis ended, most Americans applauded the outcome. I did not, and wrote a scathing article in *The Reed*, a radical Tulane U. publication in December 1962, denouncing Kennedy for making his demands to remove the missiles from Cuba, and I compared Khrushchev to Chamberlain for yielding to Kennedy's threats. It was a most unpopular article.

Not only was I on the Left in New Orleans, but I knew many others who were leftists. This was possible, for the Left in the South in the early 1960s was rather small.

In September 1963 I got a job teaching 5th grade at a new, private school in New Orleans. I tried to keep my politics secret, as the founder of the institution was extremely conservative. Though in its first year, 1,300 students enrolled, making the Junior University of New Orleans the state's largest non-sectarian, private, undergraduate institution. Although we began with a dearth of material supplies (like books), this was compensated for by good spirit and discipline. We were allowed to swat kids when they misbehaved, so more learning could occur in a well-regulated atmosphere.

Three of us taught 5th grade: myself, Mrs. Flagg, an elderly woman who had taught in the public schools for many years; and Richard Humphries, a young bloke from British Guiana who hoped to become an American citizen and avoid the turmoil sweeping his native land.

One sunny afternoon in October 1963, Richard and I had played tennis after school. Following the game, I went to my parents' home, where I was again residing. When I arrived, my mother was extremely upset that I had returned late. "Where were you?" "Playing tennis," I replied, annoyed that she would be so frantic because I was later than usual. Then she winced, "I thought they had rounded you up!" "What?" I rushed to the radio for the latest. The Louisiana Un-American Activities Committee had conducted raids, and a number of

local "subversives" had indeed been arrested. [6] I was not arrested that day, but I knew two of the three who were, and knew others who knew the third. In addition, I knew the man in charge of the raids, for Rep. James Pfister of LUAC was my neighbor, and his wife, my mother's Avon lady. I was not arrested that night in October 1963. But I was not the only one on the Left who did not sleep well that night. Again, if not a totalitarian state, Louisiana was something of a police state, and certainly a surveillance state.

Next month I was teaching one Friday when Mrs. Flagg called me out of my class. Her kids were at lunch, and the din in the small room provided for recreation was deafening. However, a ten-year-old had brought his small, transistor radio; he and Mrs. Flagg informed me that there was something important on the air. The three of us strained to hear the news above the happy noise of the rest of class at play.

I could not be away from class for long, but I was drained by what I heard. I returned to my class and closed the newly fastened door behind me. In grave tones I announced that President Kennedy had been taken to a hospital; someone had shot him in Dallas. The kids, my youngsters, spontaneously cheered and applauded. I was so angry my face reddened, and I shouted at them as I had never done so before. The kids, probably like everyone else, assumed a Right winger had shot Kennedy. And like their parents, the kids hated the Kennedy brothers. There was one girl who was the exception. Rather than cheer, she had hung her head and sobbed.

I then gave an hour-long history lecture. "If you think this is the end of integration, you are as foolish as those who cheered the murder of Abraham Lincoln." I spoke of how pro-Confederates had assassinated Lincoln, but the result was Radical Reconstruction, and if Kennedy has been killed, there may be a more determined integration policy. I had never been so angry at the pupils whom I normally loved as a teacher.

I returned home, depressed. Then a friend from Newcomb and CORE phoned to inform me that the assassin was from New Orleans, a Leftist, a Lee Harvey Oswald. A who?

If the Left had been rounded up in October for no reason, what would happen now, with the death of JFK at the hands of a New Orleans Left winger? I began to fear an American Kristallnacht. I decided to go out and get drunk, as I might not have another such opportunity for a long time.

When I went out and chanced upon friends, we all asked, "Who the hell is Lee Harvey Oswald?" No one seemed to know.

A few months prior, in the summer of 1963, I had entered the Tulane U. Library (now its law library) and, on a small table in the empty foyer, noticed a stack of flyers: "Hands Off Cuba," produced by the New Orleans Fair Play for Cuba Committee. Another Tulanian and myself had often spoken about Cuba, and he had been active in Fair Play in another city. I assumed he was distributing the leaflet and rushed to see him at his desk in the library, taking along one of the leaflets. Holding the flyer before him, I inquired, "What are you putting out?" "Let me see that," he replied. Harold Alderman related that he knew nothing about the leaflet or the organization distributing it. We both began to scrutinize the flyer: F.P.C.C. of New Orleans, P.O. Box \_\_\_\_\_. Both of us were then outspokenly pro-Castro, yet we knew nothing of the NO FPCC. We wondered if we should write to the PO Box, but speculated that it might be an FBI plant. Until we could find out more, neither of us would write. Moreover, neither of us had seen any individual distribute the leaflets. [7]

Of course, Oswald had distributed more than one set of leaflets, one with the PO Box address, another with the address of a building which also housed the offices of anti-Castro activist Guy Banister. Banister's secretary asserted that she had seen Oswald in Banister's office, a strange location for the leader of the NO FPCC.

Meanwhile, JUNO began to pay its teachers with bouncing checks. In December 1963 many of my fellow teachers and myself sued the institution for back pay. In January 1964 we were striking. To prevent any disruption in the school, JUNO hired Guy Banister to defend the institution. He patrolled the school, with many children still in attendance, with two pistols hanging from his belt. This was in an era before it became common for students to bring guns to school. In a short time, JUNO went bankrupt. Later that year Banister made news. After some teenagers on a bus shouted an insult at him as he rode past in a car, Banister chased the bus. When it stopped, he climbed inside and brandished his gun at the youths. Banister, certainly no pacifist, was arrested in this incident.

Generally, one can say truthfully that Oswald had no friends on the Left in New Orleans. His FPCC was composed of one member—himself. Once when he distributed FPCC leaflets, he was so isolated from the Left that he had to hire two men from the unemployment lines to help him. [8] But if he had no friends on the Left, that does not mean he was alone. What was he doing at Banister's office? Attorney Dean Andrews revealed that when Oswald came to his office in the summer of 1963 to attempt to restore his honorable discharge from the Marine Corps, he was accompanied by some gay Latinos. It

seems that visiting an attorney on such a personal matter, one would go only with friends. Who were they? The Warren Commission related that Oswald hung out at a bar. It neglected to mention that it was a gay bar. Was Oswald a loner?

In late November 1963 two FBI agents interviewed me as part of their investigation of the assassination. They had gotten my name from Alderman. I now told them all I knew about Oswald, which was almost nothing. Among those I had spoken to since Friday, I had gleaned only one name in connection with Oswald. Bob Heller, a Tulane student and CORE activist, apparently had chanced upon Oswald while he was distributing leaflets. They had had a short conversation. That is all I had heard; it was hear-say, and I had not verified it with Heller. Nevertheless, I cooperated with the agents and gave them Heller's name. Some time after, I know that the FBI did interview Heller, and a few weeks after that, I was shocked when a Tulane student called me a "fink" for revealing Heller's name. Heller had not been offended, and I decided then that this student was a kook. Moreover, had I not cooperated with the FBI on this matter, I could hardly criticize its investigation of the assassination later on.

In 1973, after I had published a book review in *The Nation*, I received a letter from Kennedy researcher Paul Hoch, asking if I were the same Hugh Murray interviewed by the FBI. He enclosed a copy of the FBI report, and a copy of the Warren Commission report on Harold Alderman, in which I was also mentioned. Interestingly, the only significant item that I had told the FBI, that Heller had had a short encounter with Oswald, was not included in the FBI report of my interview. However, since they did interview Heller, they may have acted upon the information I provided without including it in their written report.

Hoch had sent me additional FBI reports about other Tulane students. Some were false or malicious reports trying to link the assassination to various Tulane radicals, including one couple that had been most active in CORE. I knew the couple, and I had asked them the pertinent questions. They had never known Oswald, and they certainly had had nothing to do with any assassination. What struck me was that an agent of the FBI had visited them annually for about seven years and never asked them about those subjects. Instead, they were questioned about the possible whereabouts of another Tulane CORE activist who was evading the draft. The FBI seemed more concerned with a practitioner of non-violence than with pursuing questions about the Kennedy killing.

By the mid-1960s I was teaching at a black college in New

Orleans, but maintained contacts with the Tulane Left. Two leaders of the Tulane Young Liberals Club were, like myself, members of the Unitarian Church, so I kept up with events on that campus. Indeed, I set off a series of protests around Tulane, by driving a Dillard student to a meeting of the Tulane Young Liberals, and afterwards a group of us innocently went to a nearby pizza parlor. When the management refused to serve the black student, we precipitated a round of picketing and agitation.

At the time I was also friendly with Clark Rowley, a reporter on the Tulane newspaper, *The Hullabaloo*. I had a car and contacts, Clark needed material for stories, and he publicized our activities in his paper. It was a friendship combined with mutual interest.

Nevertheless, I was shocked one day when Clark informed me he had been receiving money from the extreme Right winger Kent Courtney, leader of the Americans for Constitutional Action. Like Guy Banister, Courtney paid young people to spy on the New Orleans Left. When Clark revealed his secret, I was disappointed, but reflected: I have nothing to hide. What the Young Liberals were doing was just, Rowley was accurately reporting the picketing in the newspaper, and so he and I remained friends. On one occasion, Clark suggested that we travel to a Louisiana town where CORE was engaged in protest. I had usually stayed close to New Orleans with my activities, but we would be going to observe rather than to partake. I recall neither the specific town nor the incident that made the news. It was a sunny day. Approaching the town my car was stopped by authorities, even though I was not speeding. I do not recall the details; they probably asked to see my license and may have asked a few other questions. Then, we were free to resume our journey. As I started to accelerate, Clark said to me, "Did you notice how they already knew such and such?" I had not noticed it until Clark pointed it out to me—but he was right. They knew something about me before the car was stopped. Even outside New Orleans, Louisiana was a surveillance state.

In *Case Closed* Gerald Posner portrays Lee Harvey Oswald as a lone-nut Marxist assassin of JFK. In Posner's view, who are the powerful influences on Oswald? In New York City an anonymous leafleter who hands a teenager a "Save the Rosenbergs" flyer; an anonymous Russian-speaking Eurasian in Japan; anonymous Japanese Communists. Certainly not David Ferrie! Moreover, Posner proves in his book that Oswald could not have known Ferrie. Q.E.D. Yet, on PBS-TV's "Frontline" about Oswald, there, in a photograph of a C.A.P. barbeque, were both Ferrie and Oswald. Furthermore,

researchers Alan Rogers and Larry Haapanen have raised some intriguing points. First, the "Frontline" program showed another photo of Oswald in his C.A.P. uniform. Rogers suggests that wearing such a uniform in itself demonstrates a psychological commitment.

What prompted Oswald to join the Marines on his 17th birthday? Posner knows: it was to get away from his mother. Yet, Marguerite had another explanation. She thought he had been influenced to join by someone in his C.A.P. unit. [9] And finally, Haapanen relates a most intriguing observation. When Marina was pregnant, Lee hoped for a boy. He also suggested that the child be named David Lee Oswald. [10] How many Davids did Lee know? Is it not possible that the person influencing Oswald was the powerful, charismatic, caring, David Ferrie? O\* never knew Oswald. [11] But he asserted, if Ferrie knew Oswald, he probably influenced Oswald. [12]

In the summer of 1963 Oswald became a well-publicized radical in New Orleans. How many agencies were listening to his calls? The Louisiana Un-American Activities Committee raided the homes of several, quieter radicals in October 1963. What did it know about Oswald? And if Clay Shaw, or anyone else, drove Oswald to Clinton during a CORE-sponsored voter rights drive, how many agencies would have taken the license plates? Another "Frontline" program on the Mississippi State Sovereignty Commission's secret files revealed that a black minister, a leader of the state NAACP, fed information to the segregationist legislators which may have been connected to the murder of the three civil rights workers in Philadelphia, Mississippi during the summer of 1964. Louisiana also had a Sovereignty Commission. What were its spies delving into? What did all of these and other agencies have on Oswald?

In a surveillance state, files may be false, distorted, malicious, or accurate, but they remain important, not only for what they contain, but also for what they do not. And if agencies had no files on Oswald, why didn't they?

How did Oswald fit in the surveillance state?

#### Notes

1. Kim Lacy Rogers, Righteous Lives: Narratives of the New Orleans Civil Rights Movement (New York & London: New York University Press, 1993). Less distorted is her dissertation, "Humanity and Desire: Civil Rights Leaders and the Desegregation of New Orleans, 1954-1966," University of Minnesota, 1982. My article on the period is more limited in scope, "The Struggle for Civil Rights in New Orleans in 1960: Reflections and Recollections," Journal of Ethnic Studies,

Spring, 1978, pp. 25-41.

2. I spoke by telephone on 14 December 1993 with O\* on the topic of David Ferrie and the Civil Air Patrol.

3. Mrs. Gladys Durr, former commander of the Moisant camp squadron of the C.A.P. found Ferrie "magnetic," while John Irion, another C.A.P. veteran, deemed him "dynamic." See House Assassinations Committee Report, v. 9, Staff and Consultants Report on Organized Crime. I thank researcher Alan Rogers for providing me this information.

4. Telephone interview with O\*, 14 December 1993.

5. Articles on the confrontational meeting occurred just after the event. See New York Times, 25 May 1963, p. 1; 26 May 1963, p. 1; and 27 May 1963, p. 1. Jerome Smith's lashing out at Robert Kennedy is discussed in various biographies of Lena Horne and Robert Kennedy. Smith made such an impression that "The start of this climatic stage of his [Robert Kennedy's] education can be pinpointed to a single day: May 24, 1963," concluded Lester David and Irene David in Bobby Kennedy: The Making of a Folk Hero (New York: Dodd, Mead & Company, 1986), pp. 190-91.

6. For more on the raid, see Arthur Kinoy, Rights on Trial: The Odyssey of a People's Lawyer (Cambridge, Mass. and London: Harvard University Press, 1983). The book is dedicated to four people, two of whom were arrested in Pfister's raid, and an entire chapter of the book is titled, "The Dombrowski Remedy and the Summer of '64," pp. 209-55. Eventually, the U.S. Supreme Court ruled in favor of the defendants in April 1965 in Dombrowski v. Pfister.

7. For Alderman's account of the events, see W.C., xxvi, CE 3029, p. 575.

8. If Oswald was hiring people to help him pass out leaflets, it is interesting to review what New Orleans attorney Dean Andrews told authorities in 1963. Andrews "further advised that in about August, 1963, he saw Oswald on Canal Street passing out literature favoring Castro, and that when he more or less admonished him, Oswald indicated that he was receiving \$25.00 a day for this work." W.C., XXVI, CE 3094, p. 705. If both Oswald and Andrews were telling the truth, who had hired Oswald?

9. Researcher Larry Haapanen was kind enough to share this research with me. See C.D., 480A, p. 3. An FBI agent had been reporting on speeches and remarks by Lee's mother, Marguerite Oswald, in June of 1964. He noted, "Mrs. Oswald then indicated that she was sure her son was in the employ of the U.S. government, and then said she was going to divulge information that had never before been discussed. This



information consisted of a statement by Mrs. Oswald to the effect that Lee Harvey Oswald when he was 15 1/2 years of age was a Civil Air Patrol cadet. She said that while he was in the Civil Air Patrol a civilian who she believes was associated with the Civil Air Patrol induced Lee Oswald to join the United States Marines." Was she thinking of Ferrie in 1964?

10. Again, I thank researcher Larry Haapanen and Alan Rogers for this information. Oswald's writings about naming his child can be found in W.C., XVI, CE 99, p. 435.

11. Telephone interview with O\*, 14 December 1993. I also asked if O\* had known two others mentioned and shown in the "Frontline" photograph, John Ceravello (I'm unsure of the spelling) or Tony Atzenhoffer. O\* recalled a number of guys named John, but Ceravello did not ring a bell. He did not recall any Atzenhoffer.

12. Former C.A.P. members Anthony Atzenhoffer, George Boesh, and Jerry Paradis all maintain that Oswald was active in the C.A.P. when Ferrie was still instructing the cadets. Alan Rogers found this information in House Assassinations Committee Report, v. 9, Staff and Consultants Report on Organized Crime, pp. 103-115. Oswald attended sessions where Ferrie taught, both at the small lakefront airport in New Orleans, and at the larger Moisant airport in Jefferson Parish. While public transportation in the city limits was cheap and frequent, the Airport bus was infrequent and relatively expensive. How did the inner-city teenager, Oswald, travel to Moisant? Did someone drive him to, and fro?

28.

## MORE ON "HONEST JOE"

by

Greg Doyle

Back on Volume 9, Number 1 of The Third Decade I attempted to outline some information relating to Rubin "Honest Joe" Goldstein and his appearance at the JFK assassination scene and at the scene of Oswald's shooting. I also noted Goldstein's apparent relationship to Jack Ruby and four Dallas law enforcement officers with ties to the JFK assassination or its investigation in one way or the other. [1] I'd like to update some research I've done as well as outline some confusion regarding "Honest Joe's" presence in Dealey Plaza on November 22, 1963.

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I can't completely clear up the confusion at this point, but I can detail what is known. Jean Hill, when interviewed on March 13, 1964, told the FBI she noticed an "automobile" which had the name "'Honest Joe's' Pawnshop" painted on the side and windows covered with cardboard circling the area prior to the assassination. Later in the report the vehicle is labeled a "car". [2] In recent years it appears Ms. Hill has called the vehicle a "van". [3] Josiah Thompson labeled it a "station wagon". [4] I labeled the vehicle a "truck" in my article. Support for this description comes from a Third Decade reader who grew up in Dallas and has actually been in "'Honest Joe's' Pawnshop" and also recalls an "Honest Joe" vehicle, though he does not know if it was the same one seen the day of the assassination. He remembered a white "panel truck" with large letters painted on proclaiming "'Honest Joe's' Pawnshop". He also recalls a model ".30 caliber air-cooled machine gun" bolted to the outside. There was also a "rendering of a masked-man wearing a cowboy hat and brandishing a handgun". This desperado was labeled "The Loan Arranger". Inside "Honest Joe's" the reader recalls the famous picture of Jack Ruby, adorned on both sides by strippers, hanging on the wall (the reader visited the store on several occasions in the mid to late 60's after the assassination). [5] The other assassination scene witness, A.J. Millican, also labeled the vehicle a truck and said it was stopped at the Book Depository before the assassination. [6] I contacted the Plumbers Union in Dallas in hopes of interviewing Mr. Millican, who the report identified as a plumber, but they informed me he passed away some time ago.

Rubin Goldstein himself seems to have contributed to the confusion both in life and in death. On the same day as the Hill interview, the FBI saw fit to interview Goldstein. The skimpy report filed on this interview consists of less than half a page as far as we know (more on that later), but in it Goldstein claimed to be driving an "old Edsel sedan" in the vicinity of the Book Depository on the morning of November 22, 1963. At the time of the assassination he claimed to have been parked on Pacific Avenue a block away and was informed of the shooting when a television technician shouted it out. [7] Looking at a map of Dealey Plaza it seems possible Goldstein could have driven down behind the Book Depository to the parking lot behind the grassy knoll, accounting for the Hill and Millican sightings, and then swung around up to Pacific Avenue. It is established in my last article that he was probably friendly with Jack Faulkner, a policeman on the corner of Houston and Elm that day. [8]

Then there is the matter of Goldstein's obituary which stated

15. Gerald Posner, Case Closed (New York: Random House; 1993), p. 354.
16. HSCA, Vol. IX, pp. 155–156.
17. HSCA, Vol. IX, pp. 155–156.
18. HSCA, Vol. IX, pp. 514–515.
19. HSCA, Vol. IX, pp. 514–515.
20. HSCA, Vol. IX, p. 391.
21. HSCA, Vol. IX, p. 804.
22. HSCA, Vol. IX, p. 804.
23. Kettler v. Stephens, 424 S.W. 2d 454 (1968).
24. HSCA Vol. IX, p. 515.
25. Kettler v. Stephens, 424 S.W. 2d 454 (1968).
26. Standard and Poor's Corporations; Register of Corporations (1993).
27. WC Vol. 15, p. 524.
28. It has come to my attention that there were two prominent Julius Schepps' in Dallas when one passed away last winter. The two were cousins and more research needs to be done on which or if both had contacts with Ruby. The one who passed away last winter was Harmon's, Mair's and Abe's brother. Dallas Morning News, 2/17/93, p. 40A.
29. 24H11–12, CE 1982.
30. Young v. State, 398 S.W. 2d 572.
31. Hoover v. Beto, 467 F.2d 516 (5th Cir. 1972).
32. Houston Chronicle, 8/12/92 p. 17.
33. Houston Chronicle, 8/12/92 p. 17.
34. Houston Chronicle, 8/12/92 p. 17.
35. Conversation with Sam Hoover's niece 10/92.

## CLOSING ARGUMENTS: UPDATE

by

Jerry Organ

**Mystery Train.** My article, "Closing Arguments," in the March issue, commented on Gerald Posner's claim that "photographs and testimony reveal that there were four large freight cars over the Elm Street tunnel that day." [1] Last fall, Jim

Moore confirmed to me that the Patsy Paschall film "shows the final car passing over the northern edge of the overpass as the limo enters the shadows of the trestle itself." [2] Bob Porter, the Director of Public Programs at The Sixth Floor exhibit in Dallas, similarly noted: "There were what appeared to be freight cars passing behind the triple underpass within seconds after the fatal headshot." [3]

To counter this, Professor Rose apparently searched the Paschall film for boxcars on the overpass per se, [4] although the article specified the last car was "clearing the north entrance of the overpass." I suspect what Rose initially mistook for "some boxcars" on the film was the Cutty Sark billboard on the bridge's west slope. [5] The train movement is obscured by a tree on the east slope, and may not be visible on some copies of the film, as the original is dark from underexposure.

The freight train later appears alongside some side-tracked passenger cars on the right side of an AP/Wide World photograph showing the limousine on Stemmons, with the Depository and rail yard in the background. [6] The train seems comprised of both boxcars and empty platform cars. [7]

**The Katy Cars.** One mystery concerning trains in the rail yard has been resolved. What was assumed to be a parked "passenger train"—visible through the North Pergola in the Nix and Bell films, and the Willis 5, Bronson and Bond slides—were actually the business cars of the Katy Railroad of Dallas. [8] A Robert Hughes film sequence of the parking lot search showed three Katy cars parked on one of two storage leads that lead northward from the bridge (ending directly west of the North Tower). [9] Aerial photographs taken a few years later showed two of the cars stationed on the same lead.

Knowing the Katy cars are a fixed landmark permits a dismissal of Jack White's claim that a section of the Nix film assassination sequence was "blacked-out." [10] Obviously, Nix originally captured a dark section of the Katy cars, then—after shifting position—a section with windows appeared above the retaining wall.

It can also be reasonably established that the steam pipe crossing the overpass served the Katy cars. Aerial photographs show the pipe turning north at the convergence of the stockade fence and concrete abutment, then turning west to cross beneath three tracks, then north again to the Katy lead ends. This would place into context Warren Commission Counsel Joseph Ball's observation: "the railroad uses steam between its cars and you can see steam coming up there any time of the day." [11] Parked due north of the stockade fence, the Katy cars were ideally situated to account for the "puff of smoke"

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allegedly seen drifting near the fence corner. [12]

**The Puff of Smoke.** One would expect Sam Holland, the signal supervisor for the Union Terminal Company, to have recognized escaping steam from a train as such. A likely reason Holland looked towards the fence corner was because the Oswald window loomed above it. The glance must have been brief because Holland observed most of what happened in the motorcade, events he later misrecalled. [13]

Could Holland have mistook steam—or even swaying tree shadows—for “smoke” and influenced what those near him reported? He was the supervisor to the four or five others who also noticed “smoke” (two described exhaust fumes; one saw steam). They might have felt an obligation to support Holland’s observations. His police experience—and the fact they also heard shots from that direction—gave him credence.

Jim Marrs and Gary Mack have each claimed (without printing) that a puff of smoke appears in a frame of NBC newsfilm taken by Dave Weigman. [14] It now appears they had good reason not to present such evidence for peer-review. The frame in question appears on page 204 of The Killing of a President; it is almost certain that the “smoke” is nothing but the discolored fall foliage of a tree on the grassy knoll, as seen in the Towner 2 enlargement on page 46.

#### Notes

1. Gerald Posner, Case Closed, (Random House, 1993), p. 258.
2. Letter from Jim Moore, September 30, 1993.
3. Letter from Bob Porter, February 4, 1994; this represented an interpretation from the archival staff.
4. Editor’s Note, The Fourth Decade, March 1994, pp. 9–10.
5. Posner, p. 258.
6. Photo 25 in Bonar Menninger, Mortal Error, (St. Martin’s Press, 1992); also: UPI & American Heritage Magazine, Four Days, (Simon and Schuster, 1964), p. 24; Robert Groden, The Killing of a President, (Viking, 1993), p. 44. Groden’s book contains a later Bell frame (p. 61c) that shows a train behind the stockade fence, but is too degenerated to determine the type of railcar.
7. This would explain why the train was not visible in Willis 5, as the platform cars were concealed by the concrete abutment, while the boxcars were below the line of sight beyond the fence. Or possibly the train had just passed beyond Willis’ view; its noise obscuring the shots to Officer White—the DPD patrolman stationed on the bridge’s west side—who continued to watch the train or look west.

8. Letter from Carl Olsen, National Railway Historical Society (Central Texas Chapter), April 8, 1994.

9. Groden, p. 68. A similar scene was captured on newsfilm. (“Who Was Lee Harvey Oswald?” Frontline, PBS, November 16, 1993; just after the Zapruder film sequence ends) A valet, wearing a white jacket, can be seen between two of the cars. To my knowledge, he has never been interviewed by researchers.

10. “Was the Nix Film Altered?” The Fourth Decade, March 1994, p. 35.

11. Mark Lane, A Citizen’s Dissent, (Holt, Rinehart & Winston, 1968), p. 206. On November 22, 1963, the steam pipe was hot because a policeman burnt his hand on it while searching that area. (Posner, p. 256) Carl Olsen visited the Plaza on Easter Sunday and observed only three freight tracks now crossing the over-pass, and that the area of the Katy leads has been paved over. He notes the only remnants of the steam pipe are rusted anchor bolts on the bridge pillars. Olsen reports a steam plant existed south of Union Station and suggests its primary purpose was to heat the terminal building and trains awaiting an engine. The endpaper photo in the 1968 edition of The Day Kennedy Was Shot reveals the leads and steam pipe removed.

12. The wind was blowing north to south, with gusts up to 20 miles per hour.

13. Gerald Posner writes: “In his affidavit, taken the day of the assassination, he [Holland] was confused about several issues, thinking that Mrs. Kennedy was trying to climb into the backseat to join her husband, and that a Secret Service agent in the President’s car had ‘raised up in the seat with a machine gun.’” (p. 256) Films of the assassination show Mrs. Kennedy crawling out of the backseat onto the limousine’s trunk, but only after the fatal shot. In the follow-up car, Agent George Hickey grabbed an AR-15 automatic rifle but no agent in the Presidential limo drew a weapon. Possibly, Holland confused Hickey with Agent Clint Hill who left the follow-up vehicle to climb aboard the Kennedy car.

14. Jim Marrs, Crossfire, (Carroll & Graf, 1990), p. 58; The Fourth Decade, November 1993, p. 15. Interestingly, those who claimed to have smelled gun smoke all had previous exposure to weapon firing; could this be memory-merge?

## JERRY ORGAN, OR THE SECOND POSNER THEORY

by

Gary Mack

Remember reading "Case Closed" and grinding your teeth as writer Gerald Posner simplified the JFK assassination by ignoring, or dismissing, pro-conspiracy evidence? Here we go again, for Jerry Organ's "Closing Arguments" (March 1994) follows the same format while attacking me and other pro-conspiracy advocates. Do his claims stand up to scrutiny any better than Posner's? Follow the evidence and decide for yourself:

**ASSUMPTIONS** In this section Organ describes Oswald as "a man fleeing the site of the assassination." But the first two who encountered Oswald, Officer Marion Baker and Roy Truly, testified that even with a gun pointed at his belly barely 80 seconds afterward, he appeared normal, calm and not out of breath or excited (3H225, 252). Rather than "flee" after that lunchroom encounter, Oswald bought a soft drink and had it in his hands seconds later when Mrs. Robert Reid saw him looking "very calm" and "moving at a slow pace" (3H274, 278-279). Near the TSBD front door, Oswald assisted a crew-cut man find the pay telephone. He even watched the man go to it before leaving (WR629). WFAA reporter Pierce Allman corroborated Oswald's story but noticed nothing unusual about him (CD354). Minutes later Oswald's former landlady, Mary Bledsoe, spotted him on her Oak Cliff-bound bus looking "like a maniac...and his face was so distorted" (6H409). What in the world happened between the encounter with Allman and the bus ride? Had Oswald realized he was being set up? The "fleeing" patsy headed for a taxi where driver William Whaley watched "the slow way he walked up...he wasn't in a hurry, he wasn't nervous or anything" (2H261). Oswald sat in the right front seat as an old lady poked her head in his door to ask for another cab. Gallant Oswald grabbed for the door handle and offered his getaway car, but she declined (2H256, 293). Oswald rode out to Oak Cliff past his rooming house, walked across Beckley from the cab (2H256), and entered and left "in a hurry," according to landlady Earlene Roberts (6H439). Was he rushing to get away, or rushing to go somewhere? No one knows. While some of Oswald's actions appear strange, there is simply no evidence he was "fleeing."

**FRAZIER-RANDLE** Even if Oswald brought his rifle to work, there's no evidence he fired it; therefore, the possibility he

brought something else in a paper bag has to be evaluated. Organ suggests that Buell Frazier and his sister, Linnie Randle, did not or could not have paid enough attention to the package to be credible witnesses. In Randle's case, Organ suggests she was too far away and saw the package only briefly through the rain. Yet Randle told the WC "It was sort of cloudy, but there wasn't any— I mean it wasn't dark or anything like that" (2H251). Frazier said "...just a few minutes after we started (in the car)...it started misting and rain" (2H227). Randle, therefore, did have a clear view with no rain, but from what distance? CE440 and CE441, scale drawings by the FBI showing the Randle neighborhood and house, reveal that Oswald, according to her testimony, walked more than 40 feet in her view and passed within 20 feet of her on his way to Frazier's car. While she made no time estimate, Randle noticed he wore a white t-shirt, brown shirt and gray jacket (2H250), a perfect description. She thought the package was a little more than two feet in length (2H249) while Frazier said "around two feet, give and take a few inches" (2H226). Three months earlier, in a measured FBI re-creation with both witnesses (CE2008, 2009), the package was found to be 27 inches, at least 22.4% shorter than the disassembled rifle with an unknown section of the 38" bag folded over (WR133). Organ goes on to say "Oswald thought the story so contrived, he denied it during interrogation (not knowing Mrs. Randle had also seen the package)." According to the reports, Oswald did deny the curtain rod story (WR604), but there is no record about what he thought or if he knew Randle had seen the package. Randle told the FBI Oswald looked at her through the kitchen window after putting the package in the car (CE2008), so he must have suspected she had seen him approach the house.

**THE LUNCHROOM DEBATE** Here Organ mentions that I had ignored Carolyn Arnold's first FBI interview, conducted November 26, 1963. I did, and for good reason, because in 1978 Arnold told journalist Anthony Summers (as recounted in "Conspiracy," 1980) and Dallas Morning News reporter Earl Golz (published November 26, 1978) that the report was in error and that she had been misquoted. Her true story, that she saw Oswald in the second floor lunchroom around the time JFK was due to reach Dealey Plaza, was blatantly misrepresented in "Case Closed" and I will deal with those issues in a later article. Researchers should know, however, that the former Carolyn Arnold was contacted in 1988 for "The Men Who Killed Kennedy" and declined an on-camera interview. She stood by her 1978 accounts and had nothing further to add, according to Nigel Turner's assistant Sue Winter. Arnold made similar comments when contacted by

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Frontline, according to senior producer Mike Sullivan in a phone call to me prior to broadcast.

DEALEY PLAZA WITNESSES Organ touches on several issues in this section, primarily the train supposedly blocking Ed Hoffman's view of the picket fence area. The northbound freight train issue, reported by DPD Officer J.C. White (CE1358) and seen by no one else, is unequivocally false according to all known films and photographs. Organ used erroneous information from the Sixth Floor that the Patsy Paschall film show the train. It does not, and her home movie is not included in any Sixth Floor videos or material. Paschall filmed parts of the motorcade from the second floor of the old county courthouse at the southeast corner of Main and Houston. One frame of the relevant sequence appears in the November 24, 1967 issue of Life magazine, and only the back side of the Old Charter liquor billboard appears just north of the underpass. My friend Bob Porter, in a letter to Organ, unfortunately relayed some garbled information that originated with me, a consultant to the Sixth Floor for many years. The crucial photographic evidence is two pictures by Mel McIntire (one of which is on display at the Sixth Floor), taken about 20 seconds after the head shot from west of the Triple Underpass at the Stemmons entrance ramp. In the uncropped versions, one passenger train car can be seen a couple hundred feet north of the underpass. It is also visible in the Al Volkland snapshot, published in "Mortal Error" and many other books. Taken on Stemmons, it shows Secret Service Agent Hickey with his AR-15 rifle raised in the followup car. Dealey Plaza appears in the background, including the backsides of the TSBD and Bowers' tower, and the solitary passenger car sits in the same location—it hasn't moved! There is no switch engine or any other train for hundreds of feet in either direction. Since the picture was taken within 60 seconds of the assassination, where is the train? Organ also criticizes the photographic evidence of the grassy knoll smoke, alleging it to be "as much a phantom as the smoke itself" because I "fail(ed) to print them." Millions of people have seen the frame in "The Men Who Killed Kennedy" expanded version, and a few hundred subscribers know I printed it—the clearest of three consecutive frames—in the September 1985 issue of my old newsletter "Coverups!" (no longer available). The NBC/Dave Weigman film shows the JFK car about to enter the underpass and what looks like smoke on the grassy knoll (and no train is visible). The image was found by researcher Warren Graham, and Jack White produced enhanced blowups from an excellent copy in the files of Dick Sprague. Robert Groden republished White's work without attribution to either White or Graham on page 204 of "The Killing of a President." Poor quality copies of the original

Weigman film at KXAS-TV, still the NBC affiliate here, also show the smoke frames. Because Weigman's camera was flopping back and forth as he ran toward the grassy knoll, each frame shows a slightly different angle; since the smoke appears in each frame in the same position, that negates the chance it's a light flare on the camera lens. Finally, Organ writes that Jim Marrs and I "have had a field day with the Bronson film, claiming (without publishing) movement in a window next to the sniper's." Jim Marrs had absolutely no involvement with the Bronson film at any time, but I have, since Earl Golz found Bronson and we drove to Oklahoma to view the film in 1978 (as detailed in The Fourth Decade, November 1993). All of the HSCA photo panel scientists who saw the film and the single computer-enhanced frame agreed that there was apparent movement and further study should be done. The HSCA final report reflected their conclusion three times (HSCA 49, 86, 481), and blowups of the window sequence showing the movement appeared on Dallas television in 1979 and again in 1991 and 1992, as well as Boston television in 1991. Those appearances, along with selected frames and repeated references in the Dallas Morning News, certainly qualify as "published." Without substantiation, Organ claims in footnote 12 "the supposition that boxes in the Oswald window were moved within minutes of the assassination is totally false." But the HSCA Photographic Evidence Panel, by "simple trigonometric calculation (6HSCA115)," found differently. After examining the original Tom Dillard negative and original 35mm color Powell slide, "The Panel concluded that the additional boxes visible in the Powell photograph were moved during the interval between the Dillard and Powell photographs (6HSCS115)." Dillard's picture was taken within a few seconds of the last shot, whereas Powell told the HSCA his was about 30 seconds after the assassination (6HSCA313, JFK Document 004644). It was not necessary to move a stack of boxes toward the window, as the Panel found, to get away from the area, so the reason for the movement is unknown. If the gunman moved the boxes, he would have been delayed sufficiently to prevent his arrival in the second floor lunchroom by the time Baker and Truly ran in. It is one of the HSCA's major failures that this startling evidence, which could have exonerated Oswald, went ignored or unappreciated.

THE UMBRELLA MAN Organ seeks to minimize the Umbrella Man story, first by causing confusion about how he was located. Local critic Penn Jones received a telephone tip from one of Louie Steven Witt's former co-workers, who recognized his picture after the HSCA asked the media to help. Jones found Witt, then he and Earl Golz visited with him. Witt declined to talk, so Jones gave him 24 hours to think about it

and said he'd be back. The next day Jones, Golz, Jim Marrs, Jack White, Dave Tucker, photographer David Woo and I visited with Witt and he again declined to talk. He did agree, however, to talk with the HSCA. All of this was chronicled in the August 1978 issue of *The Continuing Inquiry* and other details appeared in the local news. Organ points out that "Witt said he didn't see 'the President shot and his movements,'" but he left out the reason. Witt actually claimed he was trying to raise his umbrella as he walked down the grass toward the street and he "had this umbrella in front of me" (4HSCA433). He remembers seeing Jackie get out of her seat, but that's all (4HSCA440); however, Betzner 3, coinciding with Zapruder frame 186 (6HSCA51) shows the umbrella up over his head, as does Willis 5 at Z-202 (6HSCA44), as do Zapruder frames 206-238 (18H18-32), along with the Bronson slide corresponding to Z-230. Amazingly, Witt was still pumping the umbrella at the moment of the head shot, several seconds after JFK had passed him by. The umbrella appears to be blurred vertically in the Bronson film of the head shot. The bottom line is that Witt's umbrella was not blocking his view of JFK from Z-186 through Z-313. Organ also casts doubt on the number of ribs in Witt's umbrella, claiming it had 10, not 8 as counted by Robert Cutler years ago. Fair enough, but photo blowups of the aftermath seem to show the umbrella had a straight handle, while the one Witt brought to Washington had a crooked handle. I don't buy Cutler's poison dart theory, but Witt should have been investigated in 1963 (although his actions did not become an issue until four years later).

**BLACK DOG MAN** I'm not sure what point, if any, Organ attempts to make in this section, but one thing is certain: Gordon Arnold cannot be Black Dog Man. According to Arnold in our 1982-1983 discussions, he planned to brace himself against the big tree between the fence and the pergola, and actually watched the traffic flow to anticipate where JFK would be. At the last moment he walked away from the tree toward the street, which may explain why he's not visible in either Betzner 3 or Willis 5. He had no specific memory of where he moved to, but he was not directly behind the wall and did not see anyone immediately in front of him. On-site re-creations and measurements by Geoffrey Crawley with the Mary Moorman camera for "The Men Who Killed Kennedy" verified that Arnold (or whoever was up there) stood between the fence and the walkway at the time the Badge Man picture was snapped (there was no pop bottle on the wall at that time, either). Furthermore, the HSCA photo panel determined the Black Dog Man wore dark clothing (6HSCA122), whereas Arnold wore his light tan Army uniform.

**THE SHOULDER/NECK WOUND** This section is fairly straightforward until Organ claims JFK's shirt was not tucked in at the time of the assassination. It would be nice to know what his evidence is and how he can claim "Posner's description accurately locates the wound" when everyone else recognizes that the original autopsy measurements were imprecise.

**NECK TRANSIT TRAJECTORY** Organ says I have "erroneously claimed the trajectory became slightly downward only when JFK bent over." But once again, the evidence proves Organ is wrong. In footnote 22 Organ admits "I have been unable to resolve why the Pathology Panel designated a 'level' transit at autopsy while the Clark Panel (and Figure 4) define a downward trajectory." The answer would be obvious if he had read NASA staff engineer Tom Canning's testimony to the HSCA: Organ's Figure 2 (JFK Exhibit F-376) was based on Zapruder frame 190, the approximate moment when Kennedy and Connally were wounded according to the preliminary acoustics evidence (2HSCA172-173). But Posner and other no-conspiracy folks believe the single bullet theory happened at Z-224, when JFK was already bent forward. Organ should also have studied the HSCA medical panel's Figure 12, new drawings based on the original autopsy materials and report that show possible trajectories through the body (7HSCA100):

The JFK trajectory, and **CONNALLY WOUNDING**, Organ's next topic, must remain conjecture due to the completely inept investigation conducted in 1963-1964.

**THE BULLET FRAGMENTS** Again Organ comes to conclusions not supported by the known evidence. He questions my observation "There is reason to believe the fragments subjected to neutron activation analysis have no chain of possession and would be useless in court—the fragments still in the late Governor would be very useful." In a footnote Organ blames critics who "charge (Dr.) Guinn didn't test the same 'fragments' used in the 1964 FBI NAA test." Critics had nothing to do with it. When asked by HSCA member Floyd Fithian "Did you test exactly the same particles that the FBI tested in 1964," Guinn replied "...I did not...the pieces that were brought out from the Archives...which...were the only bullet-lead fragments from this case still present...did not include any of the specific little pieces that the FBI had analyzed" (1HSCA561-562). This is truly one of the most astounding revelations to come from the House Committee, for Dr. Guinn was testing CE842, the only fragments in evidence from Connally's wrist. In simple terms: no chain of possession. For all we know, they could have been some of the fragments drilled out of the nose and base of CE399 by the FBI in 1964 and substituted by someone for the original

fragments. Of course they would match—they are one and the same! At the end of this section Organ writes “An exhumation of the late Governor would resolve nothing for conspiracy buffs intent on distorting the record and contemptuous of professionals respected in their field.” It seems obvious who is the buff and who is distorting the record.

**BALLISTICS** Organ takes issue with my observation that Gerald Posner had arbitrarily slowed down the magic bullet so it could do the deed without the damage. The HSCA firearms panel published the “military factory statistics” for the muzzle velocity of Mannlicher–Carcano ammunition: 2,296 feet per second (7HSCA370–371). But Posner used an arbitrary 2000 ft/second for muzzle velocity and 1700–1800 ft/second when the bullet hit JFK (page 338). Organ quotes ballistics expert Larry Sturdivan testifying “...the muzzle velocity of this bullet varies between 2,000–2,200 feet per second. It will have lost some velocity in traversing some distance. Say at 100 yards it would have about 1800 feet per second velocity.” His data is on the low side, too, and the entrance speed is clearly stated for 100 yards. But the distance from the rifle to JFK at Z–313 is only 88 yards (WR108), which means the entrance velocity would be higher. The single bullet theory, according to Posner/Organ, happened at Z–224 when JFK was only 63 yards away (WR103). The end result is the bullet, now more magical than ever, flew far too fast to emerge from Connally’s thigh relatively undamaged; and if the single bullet theory occurred at Z–190, as the HSCA acoustics suggested, the bullet would have been traveling even faster. If Organ had followed the evidence, he could have concluded only that the single bullet theory cannot possibly work with CE399.

After studying the Kennedy assassination since 1975 with some of the skills of an investigative reporter, I have found that most of the people who remain staunchly anti-conspiracy almost always know very little about the facts of the case. They tend to have absolute faith in the people and institutions of government, and an incredible ability to focus only on the information that supports their preconceived conclusions. The Kennedy assassination is far more complex than people like Gerald Posner and Jerry Organ realize, and I’m disappointed when words like these get printed. Perhaps future issues of *The Fourth Decade* will be limited to points of view based on evidence, not wishful thinking.

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## LOOK WHO’S TALKING: THE GERALD POSNER INTERVIEW SCHEDULE

by

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In an effort to determine a possible bias in the reporting of information regarding the assassination of President John F. Kennedy contained in Gerald Posner’s *Case Closed* (Random House, 1993), it is useful to analyze whom Mr. Posner chose to interview and the stated order in which he did these interviews.

Posner states that “Interviews conducted by the author... are cited as they appear in the Source Notes” (p. 585). However, there are several interviews that are referenced (by date) only in the body of the text, and do not appear in the Source Notes. These interviews are denoted by (\*) beside the interview date.

An analysis of Posner’s interviews should take into consideration the possibility that he tried to make contact with others who either refused to be interviewed by him or avoided contact with him. For example, Posner does state that Edward J. Epstein (p 46) and Oscar Contreras (p 192) did not return his telephone calls. He did not, however, specify attempted dates of contact with these individuals, nor does he refer to any other denied access to potential interviewees. Also there may be the possibility that Posner did interview other people but elected not to report it. [1] However, because of the lack of data provided regarding these two possibilities, they are outside the scope of this analysis.

### THE POSNER INTERVIEW SCHEDULE:

UNDATED INTERVIEW WITH UN-NAMED “INTELLIGENCE SOURCE”

#### JANUARY 1992

- 17 DAVID WRONE (researcher/archivist)
- 19 RONALD FISCHER (Dealey witness: saw sniper in TSBD that could fit LHO’s description)
- 19 AMOS EUINS (Dealey witness: 3 shots from TSBD S.E. window, saw sniper & rifle)
- 19 HAROLD NORMAN (Dealey witness: heard 3 rifle bolt actions & shells hitting floor from TSBD 6th fl)
- 19 JAMES TAGUE (Dealey witness: hit with concrete from a missed shot, important to the single bullet theory [SBT])
- 19 CARL DAY (J.C.) (DPD witness: photographed TSBD “crime

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scene", id'd LHO's prints on TSBD 6th fl boxes & the rifle)

20 **2nd interview** JAMES TAGUE (hit with concrete from a missed shot, important to SBT)

21 DR. MICHAEL BADEN (HSCA Forensics Panel chrm: pro-SBT, stated there is no medical evidence of a shot from the front)

22 ROBERT BLAKEY (HSCA chief counsel: believes LHO did it but also that the mob was complicit in conspiracy)

23 BURT GRIFFIN (WC counsel: investigated Ruby, WC conclusion states no Ruby conspiracy or connections to LHO)

23 **2nd interview** DR. MICHAEL BADEN (pro-SBT)

23 BILL ROEMER (former FBI agent: believes there was no mob conspiracy involving Ruby)

28 **3rd interview** DR. MICHAEL BADEN (pro-SBT)

29 BILL ALEXANDER (Dallas Assist. DA: believes LHO did it & that Ruby was not mob connected)

30 ED LOPEZ (HSCA attorney: doesn't believe LHO was in Mexico City)

#### **FEBRUARY 1992**

1\* **2nd interview** DAVID WRONE p 298 (researcher/archivist)

1 **4th interview** DR. MICHAEL BADEN (pro-SBT)

4 DR. CYRIL WECHT (HSCA forensics panel: does not believe SBT)

6 DR. JOHN LATTIMER (researcher: pro-WC, believes SBT, LHO did it)

6 **2nd interview** ED LOPEZ (does not believe LHO was in Mexico City)

21 ART PENCE (non-witness: Posner's "competitions firearm expert" who feels there is no problem with 3 shots on target from TSBD 6th fl in time allotted)

23 GARY MACK (researcher: believes in conspiracy & LHO innocence; doesn't believe SBT)

#### **MARCH 1992**

\* (no specific day noted) JIM BOWLES p 328 (DPD acoustic witness; refutes HSCA acoustic evidence of shots recorded in Dealey)

2 DAVE PERRY (researcher: debunker of "myths", sometimes critical of research community)

2 RUTH PAINE (LHO witness: gave WC testimony damaging to LHO)

3 ROBERT KNOWLES (non-witness/Dallas Sheriff)

3 H.B. McLAIN (mis-spelled McClain; Dealey witness: DPD

motorcycle officer in motorcade; doesn't believe it was his mike that was open— thus refuting HSCA acoustical conclusion of knoll shot)

3 DR. "PEPPER" JENKINS (Parkland witness: changed his statements about wound since his WC testimony to conform more with WC conclusions, JAMA interviewee, critical of Dr. McClelland & Dr. Crenshaw)

4 JIM MOORE (author: pro-WC, LHO did it alone)

5 DR. ADOLPHE GIESECKE (Parkland witness)

6 **2nd interview** BILL ALEXANDER (LHO did it/Ruby not mob)

6 JOHN CRAWSON (Dealey witness: postal worker in Terminal Annex 3 shots, saw no evidence of shots from knoll)

6 BERNIE SCHRAM (Dealey witness: postal worker in Terminal Annex 3 shots, saw no evidence of shots from knoll)

6 FRANCINE BURROWS (Dealey witness: heard 3 shots—all from TSBD, saw no evidence of shots from knoll)

7 JIM LEAVELLE (LHO & Ruby witness: DPD)

8 DANNY ARCE (Dealey witness: TSBD employee, feels shots came from the right front of limo)

8 TOM WEAVER (Dealey witness: postal worker, in Terminal Annex, 3 shots, saw no evidence of shots from knoll)

8 DR. JIM CARRICO (Parkland witness: changed his statements regarding position of head wound from posterior/occipital to right side/parietal-occipital, JAMA interviewee, critical of Dr. Crenshaw)

8 **2nd interview** DAVE PERRY (debunker of "myths")

8\* ROBERT GEMBERLING p 284 (Dallas FBI agent: pro-WC, LHO did it)

9 **2nd interview** DANNY ARCE (shots came from the right front)

9 JOHN LANNE (New Orleans witness: friend and attorney of Banister; anti-Garrison)

9 DR. ROBERT McCLELLAND (Parkland witness: places large head wound in right posterior as an exit wound)

9 **2nd interview** JIM MOORE (author: pro-WC, LHO did it alone)

10 DR. PAUL PETERS (Parkland witness: has changed his statements regarding head wound position from low rear/occipital to side & higher)

10 **2nd interview** DR. "PEPPER" JENKINS (changed statements to conform with WC)

11 DR. ROBERT SHAW (Parkland witness: Connally surgeon, didn't believe SBT)



- 11 **2nd interview** JIM LEAVELLE (LHO & Ruby witness: DPD)
- 12 DR. CHARLES BAXTER (Parkland witness: JAMA interviewee, critical of Dr. Crenshaw)
- 12 **3rd interview** BILL ALEXANDER (LHO did it/Ruby not mob)
- 13 **3rd interview** JIM MOORE (author, pro-WC, LHO did it alone)
- 13 **4th interview** BILL ALEXANDER (LHO did it/Ruby was not mob)
- 14 **5th interview** BILL ALEXANDER (LHO did it/Ruby was not mob)
- 15 ALVIN BEAUBOEUF (New Orleans witness: CIA/anti-Castro Cuban connection, anti-Garrison)
- 16 CARLOS BRINGUIER (LHO New Orleans witness: CIA/anti-Castro Cuban connection, anti-Garrison)
- 16 FRANCIS MARTELLO (LHO witness: New Orleans Police Dept, described LHO as "little emotion... completely aloof")
- 16 **6th interview** BILL ALEXANDER (LHO did it/Ruby was not mob)
- 17 IRVIN DYMOND (Clay Shaw defense attorney, anti-Garrison)
- 17 CYNTHIA WEGMANN (non-witness: daughter of Clay Shaw defense attorney, anti-Garrison)
- 17 DELPHINE ROBERTS (LHO witness: New Orleans, daughter of Banister's secretary/lover who saw LHO in office)
- 19 LAYTON MARTENS (New Orleans associate of Ferrie & Beauboeuf, CIA/anti-Castro Cuban connection)
- 20 **2nd interview** IRVIN DYMOND (anti-Garrison)
- 20 ADRIAN ALBA (LHO witness: New Orleans garage, LHO did it)
- 20 WARREN deBRUEYS (LHO witness: New Orleans FBI agent, involved with Banister & Ferrie)
- 24 HUBIE BADEAUX (New Orleans Police Intelligence, close friend of Banister, pro-WC)
- 29 ROBERT KRAUS (non-witness: Posner's "firearms expert")

**APRIL 1992**

- 2 DR. MALCOLM PERRY (Parkland witness: placed head wound in right parietal occipital, JAMA interviewee, critical of Dr. Crenshaw)
- 3 GERALD NADLER (non-witness: Washington Times reporter, pro-WC)
- 5 **2nd interview** GERALD NADLER (non-witness: reporter,

pro-WC)

8 TONY ZOPPI (Ruby witness: DMN entertainment reporter, works for casinos, believes there was no Ruby conspiracy & that Ruby was not mob connected)

11 **2nd interview** RUTH PAINE (WC testimony damaging to LHO)

11 MICHAEL PAINE (LHO witness: LHO did it)

14\***3rd interview** RUTH PAINE p347 (WC testimony damaging to LHO)

14 DR. RONALD C. JONES (Parkland witness: large exit wound in back side of the head)

15 TRAVIS LINN (WFAA-Radio reporter: was at Trade Mart, had recording of events in Dealey but it was erased by mistake)

16 DR. BILL MIDGETT (Parkland witness: helped push JFK gurney from limo to trauma room)

18 **4th interview** RUTH PAINE (gave WC testimony damaging to LHO)

18 **2nd interview** MICHAEL PAINE (LHO witness: LHO did it)

29\*BRIAN LITMAN (non-witness: literary representative for Nechiporenko and Kostikov; Posner based Nechiporenko information on this interview; p 183)

**MAY 1992**

23 **2nd interview** DR. JOHN LATTIMER (pro-WC/SBT, LHO did it)

27 JOHN CONNALLY (Dealey witness: LHO did it, did not believe SBT but Posner says that after he explained things to Connally, he changed his mind)

31\*ANTHONY SUMMERS p 141 (author: believes there was a conspiracy)

**AUGUST 1992**

21 MARINA OSWALD PORTER (LHO witness: WC & HSCA testimony was very damaging to LHO; however, recently she has stated LHO was innocent)

23 **5th interview** RUTH PAINE (gave WC testimony damaging to LHO)

**SEPTEMBER 1992**

1 YURI NOSENKO (LHO witness: KGB officer with CIA connection, believes LHO was not a U.S. intelligence agent)

8 **6th interview** RUTH PAINE (gave WC testimony damaging to LHO)

28 **3rd interview** DAVE PERRY (researcher: debunker of

"myths")

29 PRISCILLA (JOHNSON) McMILLAN (LHO witness: author, LHO did it)

**OCTOBER 1992**

4 **2nd interview** MARINA OSWALD PORTER (LHO witness)  
12 UN-NAMED FBI SOURCE

**NOVEMBER 1992**

2 DR. JAMES HUMES (Bethesda witness: believes SBT)  
4\* **2nd interview** DR. JAMES HUMES p 301 (believes SBT)  
5 FRANCIS O'NEILL (Bethesda witness: FBI agent)\*\*\*  
6 DR. MICHAEL WEST (pro-WC, believes SBT)  
7 **2nd interview** DR. MICHAEL WEST (pro-WC, believes SBT)  
9 Robert Piziali, PhD. (Failure Analysis, V.P.: Posner presents only his ABA "LHO did it/SBT" demonstration)  
17 EARL RUBY (Ruby's brother: does not believe Jack was part of a conspiracy)

17 **2nd interview** TONY ZOPPI (believes Ruby was not mob)

19 **2nd interview** EARL RUBY (no Ruby conspiracy)

19 **3rd interview** TONY ZOPPI (believes Ruby was not mob)

23 **4th interview** TONY ZOPPI (believes Ruby was not mob)

30 **2nd interview** HUBIE BADEAUX (Police Intelligence, pro-WC)

**DECEMBER 1992**

1 JIM LESAR (archivist/head of AARC)  
8 **3rd interview** MARINA OSWALD PORTER (LHO witness)  
11 MILTON BRENER (author: anti-Garrison)  
13 **4th interview** DAVE PERRY (researcher: debunker of "myths")  
14 ERNST TITOVETS (LHO witness: USSR friend)

**JANUARY 1993**

15 HILLEL SILVERMAN (Ruby witness: Rabbi, believes there was no Ruby conspiracy)

22 **2nd interview** MILTON BRENER (author: anti-Garrison)

**MAY 1993**

24\***5th interview** DAVE PERRY p 398 (debunker of "myths")

**ANALYSIS OF INTERVIEWS CITED:**

A= interviewees who supported or confirmed (prior to the dates of Posner's interviews) any or all of the following: LHO as shooter, SBT, refutation of HSCA acoustical evidence of a knoll shot, Ruby was not mob, and/or anti-Garrison investigation

B= interviewees that do not support any item mentioned in A

C= interviewees that do not clearly fall within the stated guidelines for A or B [2]

	A	B	C
# of Interviewees (72)	47	8	17
% of total Interviewees	65.3%	11.1%	23.6%
# of individual interviews conducted (111)	75	11	25
% of total individual interviews conducted	67.6%	9.9%	22.5%
# of references to interviews (316)	227	20	69
% of total references to interviews	70.9%	6.3%	21.8%

**PERSONS INTERVIEWED MORE THAN ONCE:**

aa= # of individual interviews conducted with person named  
bb= # of references to interviews

Category A	aa	bb		aa	bb
Alexander	6	8	Humes	2	2
R. Paine	6	8	Lattimer	2	6
Baden	4	9	Nadler	2	3
Zoppi	4	8	M. Paine	2	9
Moore	3	4	E. Ruby	2	17
Badeaux	2	4	Tague	2	2
Brener	2	10	West	2	10
Dymond	2	2			
<b>Total 15 persons</b>				<b>43</b>	<b>102</b>

Category B	aa	bb	Category C	aa	bb
Arce	2	2	Dave Perry	5	5
Wrone	2	2	M. Oswald	3	6
Lopez	2	3	Dr. Jenkins	2	11
			Leavelle	2	2
<b>Totals: 3</b>	<b>6</b>	<b>7</b>	<b>Totals: 4</b>	<b>12</b>	<b>24</b>

**INTERVIEWEES/INTERVIEW REFERENCES CITED 3 OR MORE TIMES: [3]**

**Category A:** Nosenko 45, E. Ruby 17, Bringuier 12, Brener 10, Baden 9, Day 9, M. Paine 9, Alexander 8, R. Paine 8, Zoppi 8, Lattimer 6, West 6, Pence 5, Badeaux 4, Beauboeuf 4, deBrueys

4, McLain 4, Moore 4, Roemer 4, Nadler 3, Norman 3,

**Category B:** Lopez 3

**Category C:** Jenkins 11, Baxter 8, Jones 6, M. Oswald 6, Dr. Perry 6, D. Perry 5, Titovets 5, Lesar 4, O'Neill 4, Roberts 4, Giesecke 4, Carrico 3

It is obvious to even the most casual student of the assassination that the above total interviewees hardly represents a random sampling of available sources in that there are glaring omissions of contact with easily located, important witnesses and assassination scholars. Indeed, this same casual student could reach no other conclusion than that aired by Posner if limited solely to the interviews cited and, particularly, to the chronological order in which they were conducted. Many of the uninterviewed witnesses and scholars present information contrary to Posner's thesis (viz. LHO did it alone from the TSBD 6th floor in three shots). These factors must be considered in determining a possible bias in Posner's work regarding the assassination of President John F. Kennedy.

Perhaps, a more appropriate title for this article might be "Look Who's NOT Talking" through the many pages of Posner's Case Closed.

#### Notes

1. On 11/17/93, Posner testified before the Legislation and Security Subcommittee of the Committee on Government Operations hearings on the effectiveness of Public Law 102-526 (JFK Assassination Records Collection Act of 1992.) He stated, "I conducted nearly 200 interviews with primary witnesses..." As revealed in this article, Mr. Posner only reported on 111 interviews with 72 individuals in Case Closed. Of the 72 individuals interviewed, 16 may not fall into the category of "primary witnesses."

2. Itemized with each name that comprises Category C is the number of individual interviews conducted with that person: Lesar 1, Marina Oswald 3, Midgett 1, Titovets 1, Dave Perry 5, Knowles 1, Leavelle 2, Linn 1, O'Neill 1, Roberts 1, Jones 1, Giesecke 1, Jenkins 2, Carrico 1, Peters 1, Baxter 1, Dr. Perry 1. It should also be noted that, although the following doctors fall into Category C, they had been very critical of Dr. McClelland and/or Dr. Charles Crenshaw prior to the Posner interview: Baxter, Carrico, Jenkins, Perry.

3. The following interviewees were cited twice: Category A: Dymond, Humes, Silverman, Tague, un-named intelligence source Category B: Arce, Shaw, Wecht, Wrone; Category C: Leavelle, Linn, Midgett, Peters. All remaining interviewees were only cited in Source Notes once.

## YOU CAN'T CLOSE A CASE IF YOU CAN'T COUNT

by

Walt Brown

Heretofore, I have remained silent with respect to the facts alleged to be the ultimate, final gospel as presented in Case Closed. I have kept this silence for two reasons: first, I hate waiting on long lines; secondly, I have tried to make it my practice to avoid truly bizarre JFK assassination theories.

Now, almost a year since Case Closed reared its ugly head, it has been bashed thousands of times by countless critics who, in fact, do know more about the res gestae of Dallas, Texas, on November 22, 1963, and who will not close the case until we have found the absolute truth. If this sounds like a negative commentary on Case Closed, it will get worse when the critics get to Chapter Two and the subsequent pages of Mr. Posner's work.

Critics have, in fact, analyzed literally every sentence of the work under scrutiny, and where Posner has given an opinion cum fact, he is criticized by people who are giving their opinions cum facts. The truth is not always well served by this process.

I shall now begin my examination of the sentence I have taken for my text, and I promise to stick to the facts. You may check them as your eyesight persists, or if you read "The Warren Omission" chapter in my next book, Blue Death, Red Patsy, White Lies, or a monograph which expands on that chapter and will keep the name The Warren Omission.

On page 411 of Case Closed, the Warren Commission's failures are simplistically explained away: "Since all the Commissioners had full time careers, [one wonders what Allen Dulles' was...] they could only spend part of their time at the hearings. Senator Russell had the poorest attendance, hearing only six percent [sic] of the testimony. Only three of the seven commissioners heard more than half the testimony."

Therein, Mr. Posner clearly demonstrates the shallowness of his "research," the gullability he anticipated in his readers (not surprising in Warren Report believers), and his willingness to pass off pedantry as scholarship.

I have told many folks that I have read the 26 volumes of the Hearings and Exhibits three times, but I haven't requested notice in The Guinness Book. I do, however, assert that when I counted every question put to every witness, and analyzed

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the content of each of the 109,930 questions, it was a unique exercise. It also taught me where the Warren Commission, and its most recent apologist, went badly astray.

With respect to "Senator Russell...hearing only six percent [sic] of the testimony," Posner gives the Georgia legislator, who had serious reservations about the whole fraudulent Warren Commission, more—much more—than his due.

The 15 volumes of testimony comprise 7,909 pages. Six per cent. of that is 474.5 pages; Russell appears on only 140 pages, or 1.7%. Is this the full extent of the Posnerian deception? No. All indicators bear out that Russell's apathy was far more serious than stated. The Warren Commission took testimony from 488 different witnesses, although some, like Marina Oswald, were deposed several times, and others, like Jesse Curry, were deposed once in Dallas by a commission attorney, and only then flown to D.C. The commission appearance appears in Volume IV, dated April 22, 1964; the staff appearance, which one could call a rehearsal, as virtually all questions that Curry handled well were re-asked in D.C., occurred a week earlier, on April 15, but was buried in Volume XII.

Of the 488 witnesses, Russell's 6% would amount to 29 witnesses; in fact, he heard testimony of six, and was walking into the hearing room during the last two questions put to Dr. Shaw (IV, 116-7). To use another variable, if Senator Russell had heard 6% of the questions asked, he would have heard  $109,930 \times .06$ , or 6,596; in fact, he heard 986, or .89%. Not even one percent of the almost 110 thousand questions, and hardly 6%. As a final variable, 6% of the questions asked would again be 6,596; Russell asked 249, or .22%. These findings are reflected in Table One.

TABLE ONE

Posner	Reality
6% of pages = 474	140 (1.7%)
6% of witnesses = 29	6 (1.2%)
6% of ?? heard = 6,596	986 (.89%)
6% of ?? asked = 6,596	249 (.22%)
<b>Composite (only available in reality)</b>	<b>4.01/4 = 1.0025%</b>

Hardly approaching 6%, yet at 1% it is probative of the critics' arguments that Russell wanted no part of the proceedings, refusing at one point to sign the Report.

He heard one witness, Marguerite Oswald, in Volume I; no witness in Volumes II and III; Dr. Gregory and the Connallys in Volume IV, contributing three questions to the record of Dr. Gregory. On September 2, he asked Treasury Secretary Douglas Dillon one procedural question about the Secret Service (V, 575), and then, on September 6, he led the

questioning of Marina at the US Naval Air Station in Dallas, asking 245 questions which revolved around ticket stubs from a bullfight in Mexico a year earlier. Of note, Russell asked the final question asked by a commissioner (V, 620). Somehow that is fitting for the one commissioner who did not ask a question until April 21; who did not ask a question (in the "presence" of commissioners) until 51 witnesses had been asked 24,893 questions, and an additional 305 witnesses had been deposed by counsel and were asked over 70,000 questions; who was absent from the proceedings from I, 186, to IV, 122, or 1,470 continuous pages, or 55.89% continuous absence of the testimony taken by commissioners.

Well, Mr. Posner, you didn't get it right on Richard Russell! What about the rest?

With respect to the remainder of slick wording on page 411 of *Case Closed*, [which perhaps should have been titled "Farce Posed" after its author], "Only three of the seven commissioners heard more than half the testimony," the accuracy here is different from the data Mr. Posner put forward regarding Senator Russell.

Put another way, this part is even more grossly inaccurate. Mr. Posner has again somehow, well, let's say "overlooked" the fact that his original researchers, the seven Warren Commissioners, only were "present" in varying degrees, at the testimony of 93 of the 488 witnesses. The fact that no witness ever gave testimony before the entire Warren Commission bespeaks volumes.

We know Russell's achievements. What of the others? Chairman Earl Warren was "present" (the term used by the WC stenos, and for good reason) for all 93 witnesses heard by Commissioners, but he played an extremely limited role, often just lending dignity, if that was possible, to the proceedings, by swearing in the witness and then asking a throw-away question or two before turning the witness over to the staff counsel, who asked 81.22% of the questions put to witnesses in the presence of commissioners. A classic Earl Warren question was put to Marina: "Well, Mrs. Oswald, did you have a good trip here?" (I, 1) It is the first question asked by the Commission, and since Marina was not yet sworn, one wonders at the range of her possible answers: "Yes, Mr. Warren, there was not much turbulence. Now can we talk about my dead husband whose guilt you have already decided, so I can go back to my usual FBI harassment?"

The two government "insiders," Allen Dulles and Gerald Ford, attended 70 and 60 hearings, respectively, and asked the highest totals of WC questions, 2,154 and 1,772 respectively (not surprising given their roles on the Commission.) John

Sherman Cooper attended 50 hearings, John McCloy 35, and Hale Boggs 20. We have already had passing mention of Richard Russell's 6. The totality of their efforts [and recall our premise, "only three of the seven commissioners heard more than half the testimony..."] is reflected in Table Two:

Commissioner	Hearings	# of ??	% of WC ??	% of total ??	Role
E. Warren	93	608	8.7	.55%	Chair
A. Dulles	70	2,154	30.9	1.96%	Cover CIA ass
G. Ford	60	1,772	25.4*	1.61%	FBI mole
J.S. Cooper	50	926	13.2	.84%	W.B.**
J. McCloy	35	795	11.4	.72%	Big \$\$
H. Boggs	20	460	6.6	.41%	G.F.***
(R. Russell)	6	249	3.5	.22	Gadfly
	334/7=47.7	6964=994.8	(100)	6.33/7=	
		7		.904%	

\*The two suggested government insiders asked over 50% of the questions posed by Commissioners, although they were hardly probative; \*\*"Warm Body"; \*\*\*"Go figure."

The final "omission" [no plug intended] in Case Closed's depth of research is its failure to understand what "present" meant with respect to a Commissioner and a witness. Most simply put, it means that the Commissioner named was "present" at some time during the questioning of that witness.

The testimony of Dallas Ringmaster Jesse Curry is instructive (IV, 150ff). Listed as "present" were Warren, Cooper, Ford, McCloy, and Dulles. Only Warren and Dulles were present at the outset of the 683 question session. Dulles remained throughout; Warren left at question 122. John McCloy arrived at question 125, and since the others arrived later, Ford at 130, departing at 450, and Cooper, arriving at 314 and departing at 492, we are left with the fact that only one, not five, or four, but one was present at question 123 put to Jesse Curry. The results of his overall session are illustrated in Table Three:

WC	Arrived	Left	# of ?? heard	% of ?? heard
Warren	0	122	122	17.86%
Dulles	0	683	683	100.00%
McCloy	125	683	558	81.69%
Ford	130	450	320	46.85%
Cooper	314	492	178	26.06%
TOTALS	569/5=114	2430/5=486	1861/5=372	272.46/5=54.49%

It would thus appear that Mr. Posner has committed a series of egregious if unintentional errors in his conclusions regarding the time spent "on task" by the seven Presidential dwarves. Richard Russell did not hear 6% of anything, except possibly D.C. traffic. Only Earl Warren was "present" for a number as

high as 19.2% of the witnesses, but not even remotely that much testimony. The others lent their names to a governmental fiasco typified in the following exchange, which occurred during the testimony of Ruth Paine:

The CHAIRMAN: Senator Cooper, at this time I am obliged to leave for our all-day conference on Friday at the Supreme Court, and I may be back later in the day, but if I don't, you continue, of course.

Senator COOPER: I will this morning. If I can't be here this afternoon, whom do you want to preside?

The CHAIRMAN: Congressman Ford, would you be here this afternoon at all?

Representative FORD: Unfortunately Mr. McCloy and I have to go to a conference out of town.

The CHAIRMAN: You are both going out of town, aren't you?

Senator COOPER: I can go and come back if it is necessary.

The CHAIRMAN: I will try to be here myself. Will Mr. Dulles be here?

Mr. McCLOY: He is out of town.

The CHAIRMAN: If you should not finish, Mr. Jenner [he was asking the questions...], will you phone me at the Court and I will try to suspend my own conference over there and come over.

Senator COOPER: I will be here anyway all morning and will try to come back this afternoon.

The CHAIRMAN: Thank you very much. (III, 55-56)

You, good reader, can judge which of the researchers whose names appear in this commentary have done their homework and not relied on an outfit which carries Failure in its name. As for you, Mr. Posner, I surely hope you enjoyed my little "omission" here, because I surely enjoyed all of yours.

About the author: Walt Brown is a former Special Agent of the Justice Department who earned a Ph.D. in history at Notre Dame in 1974. He is the author of The People v. Lee Harvey Oswald (Carroll & Graf, 1992) as well as the upcoming Blue Death, Red Patsy, White Lies and an additional JFK monograph this summer. Brown is also the author of John Adams and the American Press; He regularly contributes to journals and is working on a series of literary projects.



17. USIA undergrounders must have been especially shocked when Murrow selected Reed Harris as his "right hand man." Harris was the deputy director of the agency who was forced to resign in 1953 under the pressure of McCarthy's campaign against him because of his youthful radical activity and his alleged "sabotage" when budget cutting forced curtailment of anti-communist broadcasts in the Hebrew language. On Harris' downfall in 1953, see Rorty and Decter, McCarthy and the Communists, pp. 28–31. On Harris' appointment in 1961, see New York Times, July 16, 1961, p. 1.

18. John W. Henderson, The United States Information Agency (New York: Praeger, 1969), p. 286.

19. Elder, The Information Machine, p. 224.

20. Jerry D. Rose, "Red Summer of '63" The Third Decade 9 #6 Sep 1993, pp. 37, 38.



## LETTERS TO THE EDITOR

### To the Editor:

I heard about Lee Harvey Oswald's 14 hours of interrogation being taped in the book High Treason. That was all I ever heard about the tapes—until the Oct.–Nov. issue of The Investigator, by Ted Gandolfo. He stated that it is in the hands of two researchers. It also was stated by G.J. Rowell from a reliable source that Robert Groden also had a copy of the tapes and it was rumored that Groden would hold a press conference during the ASK conference in Dallas this past November. So the first question I must ask is was this press conference held? If not, why? After all, aren't we complaining about the government withholding evidence, but yet our own people are doing the same thing.

If there was a press conference held, how come this information has not been circulated? I have yet to run across it in any publication. Or do we have to end up buying this information? It seems like information is very hard to get—thanks to the news media!

In closing, I would like to say if you have a copy of these tapes, let's hear them. But, if you're holding on to these tapes then don't complain about government agencies withholding their evidence when you're doing the exact same thing!

—Bryan Lindstrom, P.O. Box 41, Atlanta, NE 68923-0041

### To the Editor:

Reviewing a paper by George Costello, JD in the March/April issue of the Federal Bar News & Journal which was critical of Gerald Posner's Case Closed brought to mind unsettling experiences I've had exploring Posner's work. Posner mentioned, in support of his contention that Mr. James

Tague was hit by a fragment from the first of three shots, that Tague reported in a 1992 interview that he did not know which of the three shots, hit him. [1] As recently noted by Harold Weisberg in his new book, Case Open, [2] however, Tague told the Warren Commission that he was not hit by a fragment from the first shot. I called Tague on 4/30/94 and he told me what he told the Warren Commission. This not only flatly contradicts Mr. Posner's reconstruction of the shooting; it misrepresents Mr. Tague's views which have been consistent over three decades. Moreover, Tague also told me that he has never spoken with Mr. Posner, though the implication of three references in Case Closed is that Posner did speak with him on two successive days. [3]

Posner dismissed Rose Cheramie's remarkable clairvoyance that JFK was to be killed in Dallas by claiming that the witness to Cheramie's statements, Dr. Victor Weiss, reported that Cheramie only mentioned this after Oswald's death. As noted by Martin Shackelford (personal communication) this is flatly untrue, which Posner must know from the work of the 1978 House Select Committee on Assassinations (HSCA) which reported, "[According to Dr. Weiss] Dr. Bowers allegedly told Weiss that the patient, Rose Cheramie, had stated before the assassination that President Kennedy was going to be killed..." (HSCA 10:200–201). Moreover, Posner certainly knowingly neglected to mention another unassailable, HSCA-cited witness, Louisiana State Police lieutenant, Francis Fruge. He reported Cheramie made the prediction directly to him two days before JFK's murder. (HSCA 10:201–202)

Posner cited the testimony of Renuart Hartogs, the psychiatrist who examined Oswald as a teenage truant, arguing that Hartogs' findings suggested a violent potential. [4] The Warren Commission dismissed Hartogs' testimony when an examination of his original report revealed the opposite conclusion. In fact, the Commission concluded, "Contrary to reports that appeared after the assassination, the psychiatric examination did not indicate that Lee Oswald was a potential assassin, potentially dangerous, that his 'outlook on life had strongly paranoid overtones,' or that he should be institutionalized." [5]

On November 17, 1993, before the Committee on Government Operations House of Representatives, Mr. Posner reported that he had interviewed two of JFK's pathologists, James Humes, MD and J. Thornton Boswell, MD. [6] Posner testified that they confirmed to him that they had changed their minds about the original location they had given for JFK's skull wound. In their 1963 autopsy report [7], and again in 1992 interviews published in the Journal of the American Medical Association, both pathologists claimed the bullet entered JFK's skull "to the right and just above" the base of the rear of the skull, near the external occipital protuberance. [8] Mr. Posner informed the U.S. Congress that the pathologists told him that

they had erred—the wound was 10 centimeters higher, at the top rear of the skull. On March 30, 1994 I called both Drs. Humes and Boswell. Both physicians told me that they had not changed their minds about JFK's wounds at all. They stood by their statements in JAMA, which contradict Posner. Startlingly, Dr. Boswell told me that he has never spoken with Mr. Posner.

While one is naturally loath to question the good faith of any author, especially one nominated for the Pulitzer Prize, Mr. Posner seems to be begging even Warren Commission loyalists to question his.

—Gary L. Aguilar, MD 909 Hyde St., #530, San Francisco, CA 94109 Chairman, Department of Surgery, Saint Francis Memorial Hospital, San Francisco

#### Notes

1. Gerald Posner, *Case Closed*, (New York: Random House, 1993), p. 325.
2. Harold Weisberg, *Case Open*, (New York: Carroll and Graf, 1994), p. 149.
3. Posner, *Case Closed*, (New York: Random House, 1993), p. 553, refs 31, 32 & 33.
4. Posner, *Case Closed*, p. 12–13.
5. Report of the President's Commission on the Assassination of President John F. Kennedy (Warren Report). Washington, D.C.; US Government Printing Office; 1964, p. 379.
6. Hearing before the Legislation and National Security Subcommittee of the Committee on Government Operations House of Representatives, One Hundred Third Congress, First Session, November 17, 1993, pp. 112–113. (Washington, D.C., US Government Printing Office, 1994).
7. Report of the President's Commission on the Assassination of President John F. Kennedy (Warren Report). Washington, D.C.; US Government Printing Office; 1964.
8. DL Breo, JFK's death—the plain truth from the MDs who did the autopsy. JAMA 1992; 267: 2797.

#### To the Editor:

In his response to my letter voicing some support for Robert Morrow's credibility, Ulric Shannon noted correctly that the Joseph Kramer alias of Richard Nagell had been used publicly before the publication of *Betrayal*. Had Dick Russell known this, he probably would never have interviewed Morrow for his book *The Man Who Knew Too Much*. Shannon went on to admit that the link between Morrow and Mario Kohly is well documented, but discounted Kohly's significance as an anti-Castro operative, on the grounds that Kohly's organization was removed from the mainstream of Cuban exile groups. It is clear, however, that it was the most extreme of the exiles, not the mainstream, who were most likely to have been involved

in the JFK assassination. Dick Russell has noted the following information about Kohly: on Nov. 24, 1963, a telephone operator monitored an international phone call. One of the voices said that "The Castro plan is being carried out. Bobby is next..." The numbers were traced, and one of them belonged to Emilio Nunez Portuondo, the Cuban ambassador to the United Nations during the Batista regime. Portuondo headed a list of members of the United Organization for the Liberation of Cuba, which was Mario Kohly's group. Portuondo was also the Latin American Affairs editor of Charles Willoughby's *Foreign Intelligence Digest*. Kohly himself was in contact with Willoughby and H.L Hunt, both of whom are suspected of playing major roles in the assassination. Kohly's name was listed in the notecards of former CIA agent William Bishop, who was an instructor for the group at No Name Key. Finally, the New Orleans branch of Kohly's group was affiliated with Alpha 66, and Richard Nagell has stated that the two Cuban exiles who were setting up Oswald were members of Alpha 66.

Thus, Kohly had connections to some of the major suspects in the JFK case, so I stand by my statement that Robert Morrow was in contact with people who were probably involved in the assassination—although Morrow certainly has some explaining to do with regard to the other points that Shannon has raised.

—Alan Houston, 200 Beall #129, Nacogdoches, TX 75961

#### To the Editor:

In regard to the question of balanced reporting on the subject of JFK's assassination, raised by both Sheldon Inkol (Vol. 1 #2) and Scott Van Wynsberghe (Vol. 1 #4), most readers of TFD possibly are not aware of the interesting aspect of 30th anniversary coverage here in Canada. First, an editorial appeared in THE GLOBE AND MAIL (formerly THE TORONTO GLOBE AND MAIL) on November 17, 1993 entitled "J.F.K.: Case Closed," praising the conclusions reached by author Gerald Posner while suggesting that the "...Kennedy assassination industry—there is no other word for it—has produced a never-ending stream of crackpot theories, cooked-up evidence and new 'witnesses' to prove that Oswald could not have acted alone." (Note the assumption that he was involved.)

The editorial was followed three days later on the "Focus" page by a three-column report entitled "TOP 10 REASONS FOR BELIEVING THAT OSWALD ACTED ALONE" by Scott Van Wynsberghe, identified as "...a Winnipeg writer who joined the JFK conspiracy-theory field in 1983, but became doubtful and discarded it late last year." No reference is made to Van Wynsberghe's primary means of expounding on the subject (TFD/TTD), or his opinion of Posner's book.

After reading the column, which was certainly well written,

I sent off a letter to the editor in regard to Van Wynsberghe's first argument, related to the paper bag. Since my name had been mentioned in the article in connection with Jean Hill, I felt it was probable that my letter would be published. It not only wasn't, but not a single letter on the subject was included in the coming weeks, which appears to suggest that THE GLOBE AND MAIL had taken Van Wynsberghe's point of view as well as Posner's title to heart: the case was truly closed. We'll see.

—Peter R. Whitmey, A149-1909 Salton Rd., Abbotsford, BC V2S 5B6

#### To the Editor:

Being a determined pest, I was naturally moved to comment on articles in the May issue by J.W. Hughes ("Square Peg for a Round Hole"), Thomas Donahue ("Gaeton Fonzi and Anthony Summers on Maurice Bishop"), and Peter Whitmey ("The Case of the Missing Lamb").

#### 1) For Hughes:

To say the least, the resurrection of Jack White's rifle-photo comparison is startling. Just so that everyone is clear on this, the HSCA documentation negating the validity of that comparison involves the testimony of HSCA photographic panelists Calvin McCamy and Cecil Kirk (HSCA II, pp. 425-430) and an extensive section in the appendix devoted to photographic matters (HSCA VI, pp. 63-107). I would like to know if Hughes—or White, or Art Swanson, for that matter—has really studied this material. I see an awful lot of opinions as to how the rifles seem to appear, but there is a shortage of specific rebuttals to specific points brought up by the HSCA. And no, it is not appropriate for Hughes to refer me to his book: either he can sink or swim within the context of this journal. (White, at least, used his January piece to bring up the issue of "keystoning," which he figures would undermine the HSCA's photogrammetric measurements, but he failed to show in any way that keystoning was present.)

Therefore, if Hughes is to topple the findings that killed White's comparison the first time around, then he must address those findings. Is it, for instance, too much to ask for him to consult the table on p. 91 of HSCA VI, titled "Derived Photogrammetric Constants," and show exactly where the HSCA's numbers went wrong? How about the HSCA's analysis of marks and scratches on the rifles in the various photographs, as tabulated on p. 100 of that same volume? Can Hughes deny with any precision the existence of these features, which showed that the rifles were indeed the same? If not, then White's comparison study has sprung back out of the grave for no good reason.

#### 2) For Donahue:

Donahue listed four areas that he considered to be the

salient issues in the "Bishop" matter. Amazingly, he missed the only salient issue each time, namely, did Veciana identify Phillips as "Bishop"? As Donahue well knows, Veciana failed to do that. Veciana was the only witness placing Oswald and the alleged "Bishop" together, and so his failure to finger Phillips means that the entire house of cards comes down. If the successfully litigious Phillips were alive today and dragged Donahue into court, then I imagine Donahue would soon find out what is important for anyone claiming Phillips was behind Oswald. It is not enough to contend that Phillips "pretty clearly was one and the same person as Maurice Bishop." Jim Garrison, recall, thought Clay Shaw "pretty clearly" was Clay Bertrand. Either they are or they are not, period.

The same problem of conjecture versus actual knowledge crops up in Donahue's comment that Gilberto Alvarado Ugarte "was one of David Atlee Phillips' assets." Does Donahue think that the only proof necessary for that assertion is the fact that Alvarado worked in Mexico City? Can he not cite a single CIA document, or a statement by a former CIA officer, or any other source that shows beyond doubt that Phillips controlled Alvarado? If not, then Donahue is just making a wild guess, whereas the only true currency in so important a debate is hard proof. What is most strange here is that Donahue never once refers to the memoirs of Phillips, The Night Watch (New York: Atheneum, 1977). No matter how much he wants to convict Phillips, is it not permissible in the JFK world to get the accused's side of the story? Phillips discusses the Alvarado business on pp. 141-142 and professes to be as much puzzled by it as anyone else in the CIA station in Mexico City. Of course, Donahue can call Phillips a liar (now that Phillips is dead), but why would the spook bring it up at all if he were so guilty? Why not just say nothing?

#### 3) For Whitmey:

Let me get this straight: 1) Whitmey wrote the single-most deadly accounting of the number of times Jean Hill has changed her story over the years—I urge readers to ask him for copies—but 2) he now defends her. He cites the "crack investigative skills of Wallace Milam" in his recounting of a "stuffed white lamb" given to the Kennedys at Love Field, but says nothing about what Milam has or has not found in Dealey Plaza when the shooting began. (Indeed, Whitmey does not even specify the circumstances under which the said lamb was given: were the Kennedys even in the Presidential limousine at the time?) For example, can Milam—and I am addressing him here as much as Whitmey—point to the Zapruder frame that shows a stuffed white lamb? Can he cite the Dealey Plaza witness other than Hill who saw something interpretable as a stuffed white lamb? Can he show any evidence that there was such an object in the Presidential limousine at the time of the shooting? If not, then whatever happened at Love Field has little or no bearing on what



happened in Dealey Plaza. Has the JFK world reached the point where it is seriously being argued that the alleged villains were swiping kids' toys as part of their nefarious design? Nobody is pulling my leg on this one?

Moreover, no matter what Hill saw in the limousine, her crucial evidence is what she saw on the grassy knoll, and Whitmey's unpublished study definitively shows she has altered that part of the tale more than once. Perhaps Whitmey can argue he is merely being fair to Hill, but I would suggest this field has been more than fair to her (in contrast to the ruthless demonization of people like Clay Shaw and David Atlee Phillips). She is, after all, the person who told Mark Lane one thing (see WC II, p. 42), Anthony Summers a second thing (*Conspiracy*, 1989 edition, p. 28), and readers of her book *JFK: The Last Dissenting Witness* (Gretna: Pelican, 1992, p. 23) a third. For Jean Hill, the case truly is closed, and Whitmey—however uneasy this makes him—helped close it more than almost anyone else.

—Scott Van Wynsberghe, 87 Cornell Dr., Winnipeg, Manitoba, Canada R3T 3C2

#### Hughes Responds:

Mr. Van Wynsberghe seems to dislike my "opinion" of the rifles referred to in an article published in May, 1994; but seems to accept the "opinion" of Mr. Calvin McCamy and Cecil Kirk of the HSCA. It further appears from Mr. Van Wynsberghe's letter to the editor that he is limited in his readings of the Kennedy Assassination. In the second line, he states "just so that everyone is clear on this," then he goes on to voice his opinion. I too would like to repeat "just so that everyone is clear on this," The House Assassinations Committee is as "deceptive" in its findings as is the Warren Report. Both are documents "conceived to deceive." Mr. Van Wynsberghe, you need to broaden your reading and research. Just because the government wrote it, doesn't mean it is true.

Jack White is probably one of the most honest researchers still active on the assassination of the President. Jack never says "this is my opinion," he always says "this is what I found" and then he proceeds to let you and I know what he has found and where. That, Mr. Van Wynsberghe, is the sign of a dedicated researcher. He leaves the opinion to the reader based on the findings. When he presented his findings to the famous HSCA, his findings did not agree with what they wanted, they simply found someone that would tell them what they wanted to hear.

The article I wrote was simply in response to the question Mr. White asked in the January 1994 issue; "are the guns the same gun?"—The answer is unquestionably; they are not.

Jack White was right then and Jack White is right now. If you want only to read and believe the Warren Report and the HSCA Report, so be it and as a police officer, I will go to my

grave defending your right to voice your opinion. But, I would ask that if you are going to voice an opinion, that it be an educated one. There are some 2500 articles and books written on the assassination of President Kennedy. The one you seem to have read is a lie.

I have received almost 200 letters on this article and yours, Mr. Van Wynsberghe, is the only one with a negative opinion. But your opinion is as valuable as the others.

—J.W. Hughes, 2195 Toronto Ln., Concord, CA 94520

#### Donahue Responds:

I agree with Van Wynsberghe that "it is not enough to contend that Phillips 'pretty clearly was one and the same person as Maurice Bishop.'" Of course, this is not what I have done. As anyone who had read my article carefully would have realized, I synthesized into a coherent whole various pieces of evidence presented by Gaeton Fonzi and Anthony Summers which collectively constitute a strong and circumstantial case for the conclusion that Phillips was in fact one and the same person as Bishop.

It seems to me that Van Wynsberghe is laboring under a false dichotomy; i.e., either a claim is conclusively proven ("actual knowledge") or it is merely an unsubstantiated contention ("conjecture"). Unfortunately, on any difficult issue whose truth cannot be directly verified, we must toil in the gray area between these two extremes of mere opinion and demonstrable truth. In other words, we must examine the entirety of the relevant evidence and then arrive at the most reasonable conclusion. (How would Van Wynsberghe propose to conclusively settle the issue of whether or not Phillips was Bishop?) I have attempted to sift through the key evidence on the Phillips/Bishop controversy and have arrived at my best judgment. My article is an invitation to *The Fourth Decade's* readers to do the same.

Regarding Veciana's not identifying Phillips as Bishop, there are many possible explanations, including the one which the HSCA came up with, namely, "Veciana had an interest in renewing his anti-Castro operations that might have led him to protect the officer [Phillips] from exposure as Bishop so they could work together again" (Fonzi's *The Last Investigation*, p. 400).

—Dr. Thomas J. Donahue, 539 Talcott Rd., Waterford, PA 16441

#### Whitmey Responds:

In response to Scott Van Wynsberghe's comments related to my article "The Case of the Missing Lamb," if the title didn't give away my tongue-in-cheek approach, then the content of the article should have, especially my overblown conclusion. If Van Wynsberghe thinks I have reversed myself and am now defending Jean Hill, maybe he should ask her whether she felt

better having read it (I sent Jean a copy). I'm quite sure she still considers me a "thorn" in her side, as she described me at the Sudbury conference during a brief discussion we had. As for the missing lamb, I would assume it was passed on to the Secret Service, and did not remain in the limousine, on the off-chance that it was a bomb.

—Peter R. Whitmey, A149–1909 Salton Rd., Abbotsford, BC V2S 5B6

#### To the Editor:

Dennis Ford's belief (Letters, May, 1994) that it is impossible to go anywhere on the basis of fraudulent evidence because it's impossible to know what the true evidence is deserves comment. First, juries decide every day what is genuine and what is fraudulent in the evidence they consider. Some evidence is more persuasive to a jury than other evidence. Other evidence, like the abuse excuse, is shaky, but is admitted and presented to a jury anyway. (Bobbitt, Menendez cases).

David Lifton's theory of body alteration in Best Evidence rests on a solid, empirical foundation. It addresses two distinct patterns in the evidence: what he calls Pattern One evidence (the physical evidence found and the Bethesda autopsy conclusions) and Pattern Two evidence (the head snap, smoke and sound from the grassy knoll, and the Dallas medical observations).

It may have escaped Dennis Ford, but David Lifton's approach to the evidence differs fundamentally from most researchers. Lifton indicates in Best Evidence where he parted company (very early) with most critics. Those who believe that there was a crime first, and then a subsequent coverup of the crime by accessories after the fact are mistaken. This simplistic view demonizes the Warren Commission staff.

As Lifton indicates in Best Evidence, one need not get stuck endlessly debating, for example, whether Arlen Specter argued the single bullet theory honestly or not. The Commission staff found that the evidence, as compiled and evaluated, implicated Oswald. One can, in good faith, support the Warren Commission's conclusions that Oswald acted alone, if the evidence is unimpeachable.

Lifton argues instead that 1) evaluating the original statements of the witnesses and the authenticity of the evidence is more important than evaluating the psychology of the investigators; 2) that the Warren Commission was misled by the FBI investigation upon which it relied; 3) that the FBI investigation was in turn deceived by Secret Service handling of the primary evidence; 4) that the Secret Service was the agency through which all the primary evidence flowed; 5) that members of the Secret Service were part of an obstruction of justice, if the FBI's surgery statement is true, because members of this agency had custody of the "best evidence," the President's body.

None of this requires, as Lifton argues, a "coverup" of the truth by the Warren Commission. It requires access in real time to "the diagram of the shooting," the President's body. Body alteration, Lifton concludes, is the mechanism conceived by the plotters to construct a false solution of the crime for those who would ultimately rely upon the autopsy conclusions (the condition of the body at 8pm) as the final word on origin of the shots. The photographs and x-rays are post-alteration patchwork designed to obscure an imperfect alteration.

Best Evidence is a treatise on a likely conspirator's methodology. It shows how the official investigation could be misled (and in this reader's view was misled) at the outset by one false trajectory or wound. This is the central insight Best Evidence brings to the case. David Lifton succeeds in impeaching the autopsy conclusions as best evidence by uncovering new evidence ("surgery"). Conclusions based on the previously known evidence are unreliable, if support for the surgery statement is in the record. Lifton found this supporting evidence.

David Lifton used the "surgery" hypothesis as a research starting point. He accepted the challenge of those like Judge Burt Griffin, who found nothing compelling about "head surgery" in an FBI report. Lifton conducted detailed, empirical research into anatomical changes in the size and locations of the President's wounds (as seen at both Parkland and Bethesda), something very basic. Parkland vs Bethesda. Body alteration theory is the only way to give serious credence to evidence for a grassy knoll assassin. There were no front entry wounds on the body at autopsy.

Far from disregarding evidence that doesn't support his theory, Lifton is commendably aware of the implications of the evidence. As he has often stated, if the evidence as presented by the Commission is completely legitimate, David Lifton belongs on the other side of the case. That is how paramount the issue of authenticity is, and how seriously one must consider the evidence.

The issue of what is real, and fake in the medical evidence is Lifton's primary concern. Unlike Dennis Ford, I would agree that the issue of authenticity and integrity of the evidence should be the concern of any reasonable person. Let's get real. Post-mortem injury was certainly a concern of Dr. Humes, who, according to Dr. Perry asked of the Dallas doctors: did you make any wounds in the back?

David Lifton's theory in Best Evidence is empirical, not speculative. It addresses basic, factual conflicts. We need not be dismissive about compromised evidence, when it has been so carefully documented as such.

—Garrett B. Timmermans, 1164 Lincoln Ave. #138, Walnut Creek, CA 94596

Other things of interest that can be seen better in the Archive 8x10 than in the Life Magazine reproduction:

The baby bed [4], Marina's wooden folding chair [5] and the lamp [6] are all in approximately the same focal plane along the wall behind the Oswalds. The bed and chair are in very sharp focus. The lamp, however, is in extremely unsharp "soft focus", and appears to be "non-photographic", as if painted in by an artist. Perspective-wise, the camera viewpoint is looking down into the bed, but up at the lampshade. If the lamp is turned on, light from it should show in the photo as a lighter area on the wall or other objects in the picture. There is a light [7] on Marina's chair from that direction, but it seems out of character for a light from the lamp, when there are no other indications of the light being on.

The baby's eye [8] appears to be painted in (it is much too dark), and is so low on the cheek that it appears to be about the middle of the nose.

Of the many calls and letters I received regarding this article, one said the "doll" had a "Pinocchio nose." Looking at the Archive print, the nose [9] does appear too long. Oswald's nose [10], instead of being sharp and thin as in most photos of him, has a very round bulbous tip, a la W.C. Fields.

Of numerous people who contacted me, everyone agreed it was a very curious photo; one person did wonder if Lee's leg [11] was perhaps a chair-arm (definitely not; the trouser wrinkles are plainly visible as the right leg is crossed over the left knee). And Marina's knee seems much too close to Lee's leg to be photorealistic. Other readers pointed out that both Marina and Lee are wearing short sleeved shirts [12] but "baby" is heavily wrapped and capped for winter. No one has yet contacted me saying the photo is genuine.

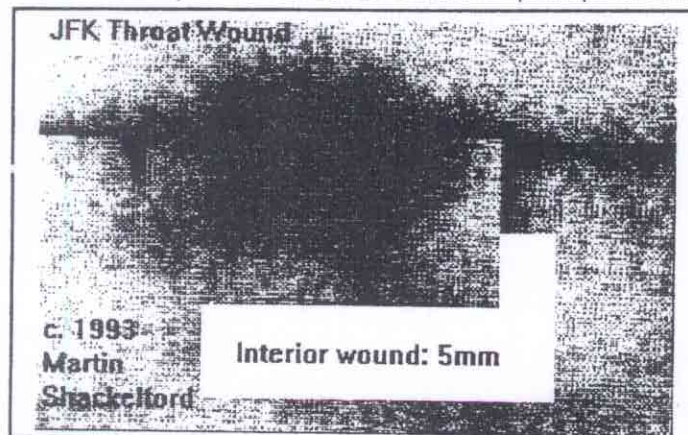
Finally, there is the very dark area [13] at the lower left, which seems to have just been painted black; and the extreme left margin, which has not been masked off by the printing easel, seems to show various unfinished areas where the retoucher did not join one area to another very carefully.

I think this Archive print does prove that someone created a composite picture incorporating Marina, Lee and "baby June." But I am totally mystified why there would be a need for such a fabrication. Ideas, anyone?

☛

## UPDATES: NEW DEVELOPMENTS ON PREVIOUS ARTICLES

Throat wound reconstruction Following my initial reconstruction of the throat wound, I happened to be re-reading the Warren Commission testimony of Dr. Malcolm Perry, and re-read his description of the throat wound as "perhaps 5mm in



diameter" (WC III p. 368). Following further measurement, I discovered that the semi-circular margin at the top of the tracheotomy was approximately 5mm in diameter. The bottom margin appears to be a semi-circle with another semi-circle at the bottom. The bottom semi-circle also measured approximately 5mm. Joining the two, I found myself with a reconstructed wound approximately 5mm in diameter, as shown here. — Martin Shackelford

☛

## FBI COPY OF Z FILM: CONNALLY SHOT FROM THE FRONT WHILE TURNED LEFT?

by

Milicent Cranor

Lyndal Shaneyfelt, photo expert for the FBI, apparently saw and described in detail something in the Zapruder film that is no longer there; connect his statement with what Connally said a few days after the shooting, study a map of Dealey Plaza, and you complete the circuit.

*"...[Connally] turns as they go behind the signboard, he turns this way and he is turning a little bit this way and as he comes out of the signboard he is facing slightly to the right, comes around straight on and then he turns to*

---

Milicent Cranor  
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*his left straight on, and then he turns to his right, continues to turn around and falls over in Mrs. Connally's lap." [1] (Emphasis added.)*

Notice the left turn follows after Connally faces the front "straight on." If he had been twisted around to his right, and then turned left, that left turn would just bring him around to the front. But this left turn originates from the front. Also notice the expression "left straight on." This is a body turn, not a little turn of the head.

Newsreel of the Governor in his bedside interview on November 27, 1963:

*"...We heard a shot. I turned to my left—I was sitting in the jumpseat—I turned to my left to look in the back seat. The President had slumped. He had said nothing. Almost simultaneously, as I turned I was hit..." [Underscored are the words later removed. The camera stayed on Connally.] (Emphasis added.) [2]*

Fourteen words, lasting only 3.5 seconds, were removed from this historical statement, and the jump in facial movements and hand gestures was covered with fragments of other films spliced in. This is how it appeared on NOVA:

*"...We heard a shot. I turned [camera cuts to scene of men taking notes] to look in the [camera on Connally again] back seat. The President had slumped. He had said nothing. Almost simultaneously, as I turned I was hit..." [3]*

Fortunately, the left turn was preserved in Martin Agronsky's report of the interview in The New York Times:

*"...We heard a shot. I turned to my left and the President had slumped. He had said nothing. Almost simultaneously, as I turned I was hit..." [4]*

When he testified to the Warren Commission, Connally changed his story significantly, (in a way which could be used to support the claim that the first shot missed, and the second shot got both men.) [5] He leaves out the left turn altogether, but says he looked over his right shoulder and saw "nothing unusual." Far from saying he saw the President "slumped," when he looked over his left shoulder, he says he had "just started" turning left when he was hit. Although he now began a turn to the right, Nellie pulled him to her and he claims he never saw Kennedy after he was shot. [6] In fact, as can be seen in the film, he heaves himself around to look right at Kennedy.

#### Corroboration: Connally Turned Left

In a taped interview with Mark Lane, witness S.M. Holland said that after the first bullet was fired,

*"...the President slumped over, and Governor Connally made his turn to the right and then back to the left and that's when the second shot was fired." [7]*

And a taped press conference shows an unidentified man, probably a hospital spokesman, standing with Dr. Shaw, telling how both Connally's agreed the Governor turned to his left, and that, had he not done so, the bullet would have struck him in the heart. [8]

#### Why Cut the Left Turn from the Film and from Testimony?

Any additional frames showing that Kennedy has been hit while Connally appears normal are not good for the conspiracy—especially when combined with Connally's later-dismissed memory of having seen Kennedy "slumped" at a time he, Connally, had not been hit. But there was a more powerful reason to cut out that turn:

**XXX** If Connally had twisted around to his left, his back would have been exposed to the grassy knoll.

#### Notes

1. Warren Commission Hearings and Exhibits, Vol. 5, p. 156. References to this source cited hereafter in format: 5H156.
2. The Two Kennedy's video, an Italian film re-released by M.P.I., Maljack Productions, Inc.; archive unclear.
3. NOVA: Who Shot President Kennedy? 1988.
4. The New York Times, November 28, 1963.
5. 4H133.
6. 4H134.
7. Video: Mark Lane, "Rush to Judgment."
8. "The Two Kennedy's" video.

CLAIM OF  
1ST SHOT MISSED

2ND SHOT HITTING  
CONNALLY