

Contra

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Illinois inmate says

Antioch producer believes in evidence

By MICHAEL HYTHA
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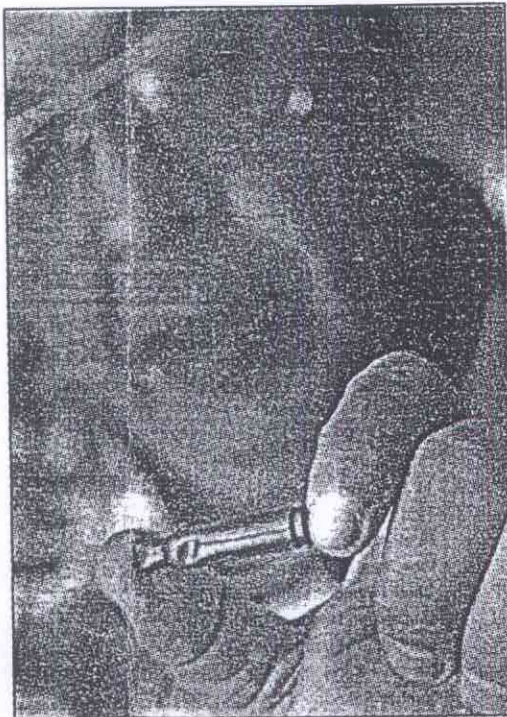
Two dents in a bullet casing and a man who claims to have put them there persuaded independent television producer Bob Vernon that Lee Harvey Oswald did not kill President Kennedy.

Now Vernon is pushing a documentary he hopes will convince America that he knows who did.

Vernon, who guards the 1 $\frac{3}{4}$ -inch shell in a bedside drawer in his Antioch home, is one of a few hundred researchers who ride herd on every new factoid trickling out of government assassination files, more than 32 years after John F. Kennedy's motorcade made its fateful turn into Dealey Plaza in Dallas.

What separates Vernon's assertions from the multitude of conspiracy theories — plausible to crackpot — is the .222-caliber shell, which he contends is the most significant physical evidence to come to light in three decades. And unlike other speculations, the FBI, and not conspiracy theorists, first put the dime on the man

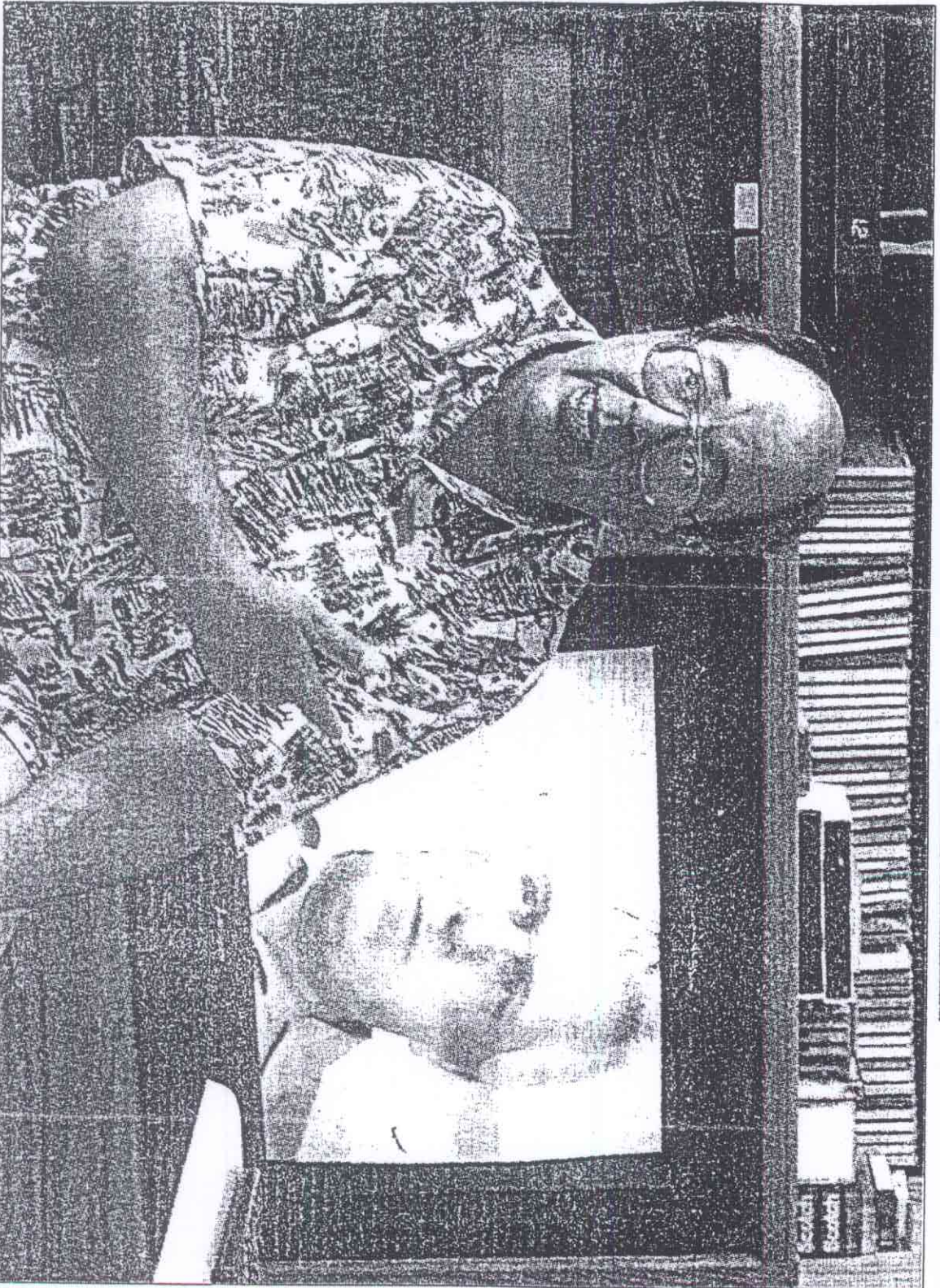
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THIS BULLET CASING contains teeth marks that career criminal James Earl Files says he made after he shot President Kennedy.

he did it

NEW JFK THEORY EMERGES



TV PRODUCER Bob Vernon claims that James Earl Ray, seen on the screen, was the real assassin of John F. Kennedy.

JON MCNALLY/Times

JFK

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who claims to have fired it, mashed it between his teeth and left it at the scene.

The FBI later dismissed the 54-year-old career criminal, James Earl Files, as a liar. Skeptics also doubt the authenticity of the shell, which was not found until 1987.

"It's the truth, or I'm not fat and bald-headed," said Vernon, a former New Orleans music producer turned assassination investigator.

Files says in a 1994 videotaped interview with Vernon that he and others were ordered to Dallas by the Chicago underworld. Files said he stood behind a white picket fence on the infamous "grassy knoll" in Dealey Plaza as a back-up shooter to Charles Nicoletti, whom Files described as a more experienced mob hitman.

When the other gunman's first shots failed to strike Kennedy in the head as planned, Files said he fired his high-powered scoped pistol, striking Kennedy a fraction of a second after the other shooter's final round. The syncopated shots, according to Files and Vernon, account for the puzzling whiplash appearance of Kennedy's head — first forward and then sharply backward.

"Mr. Files has withstood scrutiny," Vernon said. "He is who he says he is. He's done what he says he's done."

A legion of disbelievers

Others doubt Files, who is doing 50 years in an Illinois prison for attempted murder of two police officers.

The FBI agents who interviewed Files in 1993 said his story is fabricated. One of those agents, Robert Pecararo, said Files' knowledge of the assassination and the underworld

was "academic" rather than first-hand.

"It was the typical story that he's the only one alive who has this knowledge, and the rest are all dead," said Pecararo, a retired agent working as an insurance investigator in Tampa.

"The guy's a liar."

Even many conspiracy believers say Files' story is just the latest in a series concocted in pursuit of notoriety and royalties.

Underworld, CIA links

Conspiracy theorists generally reject official findings that Oswald acted alone and that neuromuscular reflexes or the "jet effect" of quickly exiting cranial tissue account for Kennedy's whiplash movement.

They focus their suspicions on organized crime and the Central Intelligence Agency. Kennedy's crackdown on the underworld angered the criminal bosses and his failure to provide military support for the failed Bay of Pigs invasion in 1961 infuriated the CIA and Cuban refugees intent on overthrowing Fidel Castro.

The grassy knoll gunman is not solely the creation of enterprising conspiracy theorists. A House of Representatives committee concluded in 1979 that at least four shots were fired, including one from the knoll. Experts later discredited the evidence used to reach that finding, but theorists still routinely cite the report.

Vernon has been trying for four years to prove that Files was that grassy knoll gunman.

Dogged pursuit of facts

A high school student when Kennedy died, Vernon got hooked on conspiracy theories much later. He became intrigued at a 1987 debate after listening to former New Orleans District Attorney Jim Garrison, the man lionized by movie director Oliver Stone's 1991 release "JFK."

Vernon, who made a living by promoting and managing New Orleans musicians, still juggles a handful of music and video projects. But the 48-year-old Louisiana native now spends much of his time linking up

by phone, fax and computer with the nationwide network of assassination researchers, ex-spies and underworld figures.

While Vernon retains the style of a promoter and is dismissed by more conservative Kennedy experts as a man looking for a deal, he has earned the respect of many prominent, experienced researchers.

"Bob Vernon is a wheeler-dealer and he'll slap you on the back, but he's never lied to me," said Jim Marrs, author of the book "Crossfire," which partly inspired Stone's movie.

Vernon's success in publicizing his findings has so far been limited to a few newspaper and television reports in Texas, where the assassination remains a perennial local interest story.

He said he worked out a \$2 mil-

lion deal with NBC last year. But the network backed out after consulting other assassination experts and its own private investigation agency.

Too many question marks

Despite the derailing of subsequent plans for a home video release this spring, Vernon remains optimistic that he can find backing for a video or pay-per-view documentary this year.

While Vernon provided the Times with a copy of his videotaped interviews with Files, Files did not respond to requests to be interviewed for this story.

The only reporter who has spoken with Files is Associated Press' Mike Cochran, who has been writing about the assassination since he rushed to Dallas' Parkland Hospital shortly after Kennedy's motorcade.

While Files undoubtedly associated with underworld figures, his story has too many unfilled holes, Cochran said.

"The chances of this guy telling the truth are about one in a billion," he said.

However, no one has proven Files didn't do it, Cochran said.

Consorting with criminals

Files has spent the past three decades doing organized crime business, including running a stolen car chop shop in the Chicago area, he said. After periodically cooling his heels behind bars on charges ranging from robbery to possession of explosives, he landed in prison for attempted murder following a 1991

roadside shootout with two police officers.

A Dallas private investigator named Joe West found him there, after receiving a tip from an FBI agent who had investigated the Chicago underworld.

When West died in 1993, Vernon, who lived in Houston and had worked with West, took over the project. What convinced Vernon that

worked with West, took over the project. What convinced Vernon that Files was telling the truth was his toothy trademark — the chewed-on shell. Unbeknownst to Files, a landscaper turned assassination buff had given a shell to West. That .222-caliber Remington casing, purportedly dug up on the grassy knoll, had two unexplained crimps.

Vernon sent the shell to a forensic dentist who said the dents were consistent with teeth marks.

He also has assembled other experts and stacks of documents that he said confirm Files' role in the assassination and those with the military, CIA and organized crime.

Witnesses' accounts

Two witnesses corroborate part of Files' account, saying they brought

to Dallas the two men under whom he claims to have worked. Chauncey Holt, who said his business forged identification for the CIA, said he drove Nicoletti from an Arizona ranch to Dallas. Former CIA pilot Robert "Tosh" Plumlee said he flew Johnny Roselli, whom Files said was another underworld figure, into Dallas early that morning.

Critics question some of the documentation. One report concludes that the dented shell's depth under the soil, compared with other items such as coins found on the grassy knoll, indicates it could have been left there in 1963. But that report was prepared by a man with an under-

graduate anthropology degree, not an archaeologist.

Files' purported military record is also in doubt. The military has no record of his service, but a 1973 fire destroyed thousands of personnel files. The serial number that Vernon said is Files' belonged to a James Edward Files who served in World War II when Files was a toddler.

The skeptics also question particulars of Files' story. The day of the assassination, he said, he parked the getaway car in a parking lot. Critics and Vernon disagree on whether a lot existed. Aerial photographs rule out the presence of a large parking lot, but are inconclusive about the

possibility of a small one.

Other questions arise over why no one found the shell in 1963. John Rademacher, the landscape gardener who reported it, theorizes the shell was bumped or blown off the fence top and smashed into the mud, where it lay until he found it in 1987. No one can explain why Rademacher found a second shell, same type but undented, 150 feet away.

"Is Files selectively chewing shells?" researcher David Perry asked sarcastically.

Perry also doubts organized crime, if it was behind the murder, would have tapped Files, then a wiry 21-year-old driver who was not actually a member of the underworld for such a critical role.

Like other Kennedy researchers, Perry faults the Warren Commission's 1964 conclusion that Oswald acted alone. But he said many fellow theorists, including Vernon, take liberties with "evidence" that would put the Warren Commission to shame.

Possible assassins

If Files' story unravels, it will have plenty of company.

In 1994, Perry compiled a list of everyone identified by theorists as an assassin or accomplice in Dealey Plaza. The list numbered 67, and included a host of underworld and CIA figures, Frank Sinatra's drummer and a Secret Service agent in the car behind the presidential motorcade. The agent shot the president accidentally, according to the theory.

In a city where tossing a few spent shells on the grassy knoll and watching visitors' reactions has become something of a municipal pastime, it is no wonder some of the conspiracy claims have been hoaxes.

Dallas police Officer Roscoe White, who served with Oswald in the Army, confessed to being the grassy knoll gunman in a diary his son said he discovered. The diary was later ruled to be a fraud and not

a very good one; it mentions the Watergate scandal nearly a year before that break-in occurred.

The two FBI agents who interviewed Files in 1993 concluded in their report that his story was a hoax, largely because he fell for the time-tested detective's trick of asking who he knew from a list of concocted names, in this case supposed underworld figures. Files said he knew of one of the men listed but had never met him and expressed a "vague familiarity" with some other names, which were actually derivations of FBI agents' names, according to the report.

The agents also based their conclusion on what they said was Files' inability to describe how he felt af-

ter shooting the president and what they said were inconsistencies in his story, especially whether he actually saw Nicoletti firing shots from across the plaza or merely assumed he did.

But Zack Shelton, the FBI agent who first referred private investigator West to Files, said Files did know Nicoletti. Shelton said he does not know whether Files is telling the truth about the assassination and could not comment further.

A weapons expert

One point that lends Files credibility among some conspiracy theorists is that he makes no claim to know what happened at the top. He was just a driver who knew weapons and how to shoot them.

"One thing that is interesting is that he has not made himself into Col. Files," said former CIA agent and author John Stockwell, who has a "tiny" financial stake in Vernon's project. Stockwell said Vernon has pushed him aside, apparently because of suspicions over his past CIA ties and more cautious approach. Vernon said the concern sprung from past CIA efforts to grab Stockwell's royalties.

One unexplained issue is why Files is talking now.

He says he spoke initially only because he warmed up to West, who set him up with a Houston attorney in a nearly successful effort to win immunity from prosecution for the assassination. West also helped convince the warden at Stateville Prison in Joliet, Ill., to put Files in a single — meaning safer — cell.

Files' supposed co-conspirators, Nicoletti and Roselli, were murdered in gangland slayings in the 1970s. Files refuses to implicate any living

mob figures involved in the assassination, including a man who Files said killed Dallas police Officer J.D. Tippit 45 minutes after Kennedy was shot.

The Warren Commission concluded Oswald killed Tippit and fled to a nearby movie theater, where no-

lice arrested him.

No place in history

Some say Files' reason for talking now is simple: cash.

While Vernon said Files would not benefit financially, his daughters would get a share of the proceeds.

As for his place in history as the man who, he claims, fired at least one of the shots that killed Kennedy, Files said he wants no part of it.

"I don't even want to be remembered in history. I'm nobody," Files stated in his interview with Vernon, suggesting he never chose to target Kennedy or anybody else. "I just followed the orders. To me it was like taking out the garbage."

Awed by mob, he just bit bullet, pulled trigger

By MICHAEL HYTHA
Staff writer

James Files' claim to have shot President Kennedy hinges on his purported ties to organized crime and the CIA and a few key plot twists that stretch, but do not necessarily defy, imagination.

In a videotaped interview with producer Bob Vernon, Files, a silver-haired prison inmate with a pencil-thin mustache and focused brown eyes, describes how he ended up in Dealey Plaza at 12:30 p.m. on Nov. 22, 1963:

He was born in Alabama, but shortly afterward moved with his family to California and then to an Italian neighborhood in Chicago, where he remembers looking up to one old-time mobster who threw him \$5 bills for polishing his hubcaps.

Files said he enlisted in the Army in 1959 and was sent to Laos, where he trained Laotian soldiers to handle small weapons and explosives. After his return home, he said CIA operator David Atlee Phillips recruited him to run guns and to train anti-Castro Cubans in Florida.

Meanwhile, Files fell in with Charles Nico-

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letti, a man he said was an underworld lieutenant who "took a shine" to Files after watching him race stock cars. Files said he became Nicoletti's driver and grew to believe the polished, well-mannered man "walked on water."

In early 1963, Nicoletti said they were going "to do a friend" of Files. He was referring to Kennedy, whom Files blamed for the failed Bay of Pigs invasion.

"I was a little shocked at first but I said, 'Hey, great. It don't matter to me.' I was game for anything he wanted to do," Files said on videotape.

A week before the assassination, Files said he packed up an underworld stash of weapons and drove to a hotel in Mesquite, Texas, east of Dallas. While there, a man he said he met through the CIA's Phillips, Lee Harvey Oswald, stopped by, presumably on orders from Nicoletti. Files said he test-fired the weapons and calibrated the scopes for Oswald.

Oswald spent the next few days driving Files around Dallas

to familiarize him with the town, especially escape routes. Neither of the two mentioned why they were there, Files said.

On the morning of Nov. 22, Files said he picked up another man he claimed was an underworld figure named Johnny Roselli at the Dallas Cabana Hotel and drove to a pancake house in Fort Worth. While Files sat guard at the counter over a cup of coffee, Roselli talked to a man Files would later learn was Jack Ruby, the nightclub owner who shot and killed Oswald two days

after the assassination. At the restaurant, Ruby handed Roselli an envelope, which turned out to contain Secret Service identification, Files said.

At 10:30 a.m., as Roselli, Nicoletti and Files cased Dealey Plaza, Files said Nicoletti asked him for the first time to back him up.

Files, who had turned his reversible jacket plaid side out, wandered around the train tracks behind Dealey Plaza, hoping to be taken for a railroad worker. As Kennedy's motorcade approached, Files stationed himself behind the fence and took out a 21¼-inch long single-shot Remington XP-100, also known as a Fireball, from a briefcase he had stashed nearby.

As shots rang out from behind Kennedy, the president's body lurched twice. Files said he then fired a shot that ripped into the president's right temple, a fraction of a second after another shot struck him in the back of the head.

With the crowd and police frozen in shock for 10 seconds, Files said he reloaded the bolt-action pistol, placed it in the attaché case, reversed his jacket with the gray side out and left his "calling card," a flattened shell.

"I took the casing and bit down on the casing — there'll be teeth marks on it — and I set the casing as a symbol right on top of the stockade fence, which I know I should have never done."

Files left as two men pretending to be Secret Service agents, he said, delayed police officers and onlookers who had rushed up the grassy knoll.

A couple of weeks or a month later, Files said, Nicoletti handed him an envelope containing \$30,000, saying, "This is for down in Texas."

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