

5/26/72

Mr. Ben Bradlee, Executive Editor
The Washington Post
1150 15 St., NW
Washington, D.C. 20005

Dear Mr. Bradlee,

Because my intent is not publicity but to inspire major-media thinking about the subject, I write you rather than "the editor" about this morning's piece by Philip McCombs. It deals seriously and responsibly with a major problem, but entirely inadequately.

I hold the traditional opinion about the sanctity of sources. I do not believe it applies in the Bremer case. I do believe other and important considerations do. No source is protected by withholding outtakes. Nor is any prosecution need served in asking for them unless it has in mind more than convicting Bremer or prejudicing the jury. Probative witnesses without end are available. The quotes from Beall are persuasive: "we don't need 'em." Why ask for them, then?

With the questions raised in your own excellent reporting alone, however, there can be legitimate reason for police examination of all film. Improbable as it seems, there remains the possibility that Bremer was not the long-advertised-for lone nut. He seems to have spent much more money than can be attributed to his income. A search of all film for the appearance of another person would seem to be a legitimate and obvious and proper police responsibility. Yet Beall openly disavows the need or intent.

There is also the atypical (except in assassinations) very bad work by the FBI, the more obvious illustrations being delay in reaching the Bremer apartment, failure to protect what was not taken, failure to take what should have been, and the even more incredible failure to seek a 9mm pistol when shells for it were in that apartment - and left for curiosity-seekers to steal. So, a desire to protect the FBI and those who failed to spot the omnipresent Bremer might be a purpose of seeking the film that is not necessary to obtaining a conviction.

There are precedents. To my knowledge, the FBI obtained from non-press sources two reels of amateur film of Oswald being arrested while leafletting in New Orleans. The Warren Commission was never told of the existence of this film in one case and in neither case was it told the FBI had the film. In neither case is the film in the National Archives. In both cases, under an executive order of 10/31/66 it is required to be. Ramsey Clark promulgated it before his confirmation. I have been told by the owners of both reels that the FBI returned edited copies. I have one. Paralleling this is what happened to WDSU-TV's footage when it passed into official hands. Some of what existed prior to official possession no longer exists. Moreover, the film no longer meets the official, not WDSU's, description of it. And aside from the confirmation I have from WDSU and an advertising and public-relations man that he was in it before it was surrendered, I can establish from official reports in my possession what was eliminated: another man with Oswald, in addition to the one officially acknowledged, identified and interviewed. A total of 17 stills were made for the government from this footage. I have FBI reports stating the reporting agents showed as many as six of these at one time to interviewed witnesses. Two only are in the national archives or referred to in the Warren Commission hearings and report.

If you doubt any of this, I will be happy to show you the FBI and Secret Service reports, the CBSU and the private film, copies of which were made available to me by the owners, and the official description it took much effort and the threat of suit to get.

Why should anyone be edited out of any assassination footage, no matter how indirect the relationship to the crime might be? Any Oswald associate was not relevant to any decent investigation? Failure to locate him should be hidden? Locating him made impossible?

So, although your reporter had no reason to suspect it, there are other reasons for the TV stations not to surrender their footage to the FBI. One is the mysterious disappearance of parts of the film, for which there is precedent, and another is misuse. The best example of the second point is the Zapruder film, no copy of which today is complete. LIFE gave the government copies of Zapruder's film immediately, but all copies eliminate at least 20 frames that is in the margin, between the sprocket holes. And LIFE's original has been edited. Frames are missing, more than I brought to light in my first book. (If you want the proof, I will show it to you.) Meanwhile, there is an official interpretation of the evidence of this film and nobody can make any kind of meaningful private study to contest it. The Commission's lawyers were careful to ask for stills of only some of the frames of the original, which does show the exposed film that is masked in copying. They then failed to print 9 of these, pretending a typographical error. (You would know if you were as familiar with my writing as you have suggested, for I also smoked these missing 9 frames out by exposure, but that doesn't get them printed in the Warren hearings, does it? Arlen Specter said they had to and including the frame numbered 334, but it was really to and including 343.) And in those frames that are printed, crucial ones, the two after the fatal shot, are reversed. The result is that study of these printed stills show the opposite on the direction of movement. Hoover, however, assured us not to worry because after the Warren conclusions were reached and published, the stills were returned to their proper order - in dead storage!

Insofar as he could, McCombs fairly states a serious problem. He could not state it fully. There may be considerations of which I am unaware.

I do not think that such film as is involved in the Bremer case can be compared with a printed-press reporter's need and right to protect his sources. I do think the police should be in a position to conduct the best investigation possible, whether or not they will, when there is no legitimate need for confidentiality. Yet this can involve another right McCombs did not mention, a property right. This film, whether or not aired, is a property and it can have value. Use by the police can destroy that value as an exclusive right of the owner.

Of one thing I am sure: original footage ought never be surrendered to the FBI. They have a special memory hole for film from which I have been able to retrieve but little.

I am not anti-police or anti-FBI. I am anti-abuse of police power, anti-dishonesty. As far back as the mid-30s I worked closely with the FBI. And as recently as two days ago I was visited by two men from a local (not Frederick) police intelligence unit with which I work and to which I have given some significant intelligence from a confidential source whose permission I had. In confidence you, too, can see some of it. It is inside stuff from the "inutemen, all their secret and rather professional data on bomb-making, booby-trapping - even their claim to having caused the famous Wilkerson bombing and how they arranged it. So, there are legitimate police interests it is no criticism of McCombs or the Post to say are not indicated in his story. These are the interests of all of society.

If I can't and don't pretend to know all the questions or to have all the answers, I do believe the issues are much more complex than I have ever seen stated. There should be some kind of answer. But it should not include the surrender of any rights. If I do not believe this is involved in the Bremer case, I do believe it is an issue that at some point must be faced and resolved.

This letter does not require an answer and I do not expect one.

Sincerely,
Marola Weisberg