

May 20, 1967

American Civil Liberties Union  
New Orleans, Louisiana

Gentlemen:

Your statement about my appearance of April 28 before the New Orleans Grand Jury as it appears in the Times-Picayune of May 17 constitutes the prostitution of a legitimate and responsible concept, protection of the rights of the accused, into a dishonest and partisan intrusion into a judicial proceeding and against the interests of organized society.

"Author Harold Weisberg also claims to be privy to the innermost secrets of Mr. Garrison, and there is little reason to doubt that he is," you say. This is so diametrically opposed to my conduct and my statements that, despite my long-standing respect for the American Civil Liberties Union and its objectives, I absolutely must write you in protest.

The truth is that, before testifying before the grand jury, I completed my own book on the subject of its inquiry and mailed it to my agent ten days prior to my departure for New Orleans. Further, I did not send a single copy of either of my two previous books to New Orleans in anticipation of my appearance. I made no statement to the press before departure or on arrival. When I was interviewed by the press prior to the grand jury proceedings, I evaded questions to my personal detriment. After my testimony, I refused any comment, no matter how indirect, on anything having to do with the grand jury and, upon being pressed by the reporters, specified my reasons.

This is a matter you can very readily confirm for yourself through Ross Yockey, Sam dePina, Miss Iris of WDSU, and others who were present. It is my believe Mr. dePina has a pretty complete tape recording of this spontaneous interview which I actually sought to avoid.

Because of the nature of your accusations, I challenge you to obtain this tape recording, transcribe it and make it public.

Writers, too, bear responsibility in a democratic society. I have sought to discharge mine in my two published books, WHITWASH: THE REPORT ON THE WARREN REPORT, and WHITWASH II: THE FBI-SECRET SERVICE COVER-UP, and in the current and as yet unpublished CIA WHITWASH: OSWALD IN NEW ORLEANS. The record is irrefutable. I protected Jim Garrison's, the grand jury's and my own integrity by completing my own work in advance.

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Am I to interpret your intrusion in this matter to represent an American Civil Liberties Union opinion that this is a subject a writer may not analyze? A subject he may not investigate? A subject upon which, at its demand, he may not communicate what he knows to a grand jury?

I found your New Orleans Grand Jury to be a fortunate and remarkable accident in our history. They impressed me as an intelligent, alert and quite serious group of men. I hope they and what may flow from their work may help redeem the national honor so wretchedly lost when President John F. Kennedy was consigned to history with the dubious spiteph of a fake inquest and to the accompaniment of your silence.

I have conducted my own investigation. Its fruit and my beliefs were public prior to Mr. Garrison and are set forth in large degree in Chapter 11 of WHITWASH: THE REPORT ON THE WARREN REPORT and Chapter 7 of WHITWASH II: THE FBI-SECRET SERVICE COVER-UP. There is nothing new about this and if Mr. Garrison and the grand jury understand the facts as I earlier understood and published them, I see no basis for complaint from you or anyone else.

So, your intrusion into this, based upon falsehood, constitutes an act against the rights of the people and an interference with the proper functioning of public authority as represented by the Orleans Parish District Attorney.

What has been sadly lacking in the great tragedy that only began with the assassination is the proper functioning of our society. This was made possible in part by the virtually total abdication of American lawyers. Now, for the first time, no matter how handicapped, no matter how limited, no matter how openly and violently opposed, the people may look forward to the functioning of law. With all of the odds against him, I welcome Mr. Garrison's effort for, from the time of the assassination, we have needed nothing so much as the testing of any aspect or element of the improper and wrongful conclusions of the federal government before a judge and a jury.

While you properly demand the accused be granted all of his rights, is it asking too much to expect you to demand that the people, as represented by public authority, also enjoy all of their rights?

Is it asking or expecting too much to hear from you a condemnation of what is undisguised, the intrusion of federal authority, from the Attorney General down, in this proceeding and against the operation of the only applicable law?

Sincerely,

Harold Weisberg

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P.S. I would feel happier about my long respect for the American Civil Liberties Union and have fewer questions about your partisanship if at any point during my long effort to achieve publication of a now successful book on the terrible thing done us by the federal government when I faced the suppression (and in this was not alone) had the good name of the American Civil Liberties Union been associated with any protest against this denial of my right to publish and the people's right to know.

H.W.

CC: Jim Garrison  
Ross Yockey  
Sam dePina  
Richard Townley