

"They've Killed The President"

The book you shouldn't read

DAVID W. BELIN

THE TITLE of the book: *They've Killed the President!* The author: Robert Sam Anson. It is a "Bantam Extra," published at \$2.50, with an initial press run of 250,000 copies. Projected gross sales the first time around are \$625,000. To help make sure the projected sales goals are reached, the red letters across the top of the front cover proclaim: "Twelve years is a long time to have buried the truth . . ." Like his predecessors, Robert Sam Anson charges that the Warren Commission was nothing more than a "Blue-Ribbon Coverup."

When charges such as these are leveled at a Commission whose chairman was the Chief Justice of the United States and one of whose members is now the President of the United States, it is fitting to examine how the author goes about uncovering what he professes to be the truth. Since Anson is currently Executive Producer for Special Events for Public Television Station WNET in New York, it is especially appropriate to examine the kind of standards he has adopted.

The book was commissioned by Bantam Books, Inc., as an outgrowth of a *New Times* magazine article by Anson on the John F. Kennedy assassination. And major portions of it have been sold to some of the leading newspapers in the country. The *Washington Post*, for example, featured a large extract in its Sunday edition of November 23, 1975.

Anson's thesis is that there was a conspiracy in the assassination of President Kennedy, most probably involving the CIA and also possibly involving organized crime, the FBI, anti-Castro elements, Jimmy Hoffa or his supporters, and/or "right-wing" elements. The inaccuracies

underlying Anson's various theories can be so readily discovered that one wonders why the media have not taken the time to expose them, particularly in light of the rebirth of national interest in the murder of President Kennedy.

Perhaps the most vivid demonstration of how Anson attempts to rewrite history involves the murder of Dallas police officer J. D. Tippit in the Oak Cliff section of Dallas, approximately 45 minutes after the assassination of President Kennedy. Anson himself declares: "Tippit's murder was a crucial occurrence. It was the event which brought the Dallas police, sirens screaming, into the neighborhood where Oswald was soon discovered. But if Oswald did not kill Tippit, who did and why?" (pages 351-352).

Yes, Tippit's murder is the crucial occurrence. I have called it "the Rosetta Stone to the solution of President Kennedy's murder."

Why did the Dallas police come into the Texas Theatre, where they arrested Lee Harvey Oswald? The answer lies in the testimony of Johnny Calvin Brewer, who was the manager of Hardy's Shoe Store in the Oak Cliff section of Dallas. While serving as Counsel with the Warren Commission, I took Brewer's testimony in Dallas on April 2, 1964.

Brewer described how, on the afternoon of November 22, 1963, he heard a radio news flash that a police officer had been shot approximately eight blocks away from the location of his shoe store. Shortly thereafter, Brewer said he heard a police siren coming down Jefferson Street, and "I looked up and saw the man enter the lobby [of the shoe store]. . . he stood there with his back to the street." The police car made a U-turn and went back down the street away from Brewer's shoe store. "And when they turned and left, Oswald [he didn't know it was Oswald at the time] looked over his shoulder and turned around and walked up

Mr. Belin served as Counsel with the Warren Commission, and, more recently, was Executive Director of the Rockefeller Commission investigating the CIA.

West Jefferson toward the Texas Theatre," a few doors away.

Brewer became suspicious and decided to trail the man into the Texas Theatre. He asked the cashier if she had sold a ticket to the man "and she said no, she hadn't. She was listening to the radio herself." So Brewer went into the theater, which had only 15 or twenty patrons at the time. It was dark and he couldn't see the man, either downstairs or in the upstairs balcony. He then went to the cashier and asked her to call the police.

Mr. Belin. Then what happened?

Mr. Brewer. Well, just before they came, they turned the house lights on, and I looked out from the curtains and saw the man. . . . [Emphasis added.]

Mr. Belin. Then what happened?

Mr. Brewer. I heard a noise outside, and I opened the door, and the alley, I guess it was filled with police cars, and policemen were on the fire exits and stacked around the alley, and they grabbed me, a couple of them, and held and searched me and asked me what I was doing there, and I told them that there was a guy in the theater that I was suspicious of, and he asked me if he was still there.

And I said, yes, I just seen him. And he asked me if I would point him out. And I and two or three other officers walked out on the stage and I pointed him out, and there were officers coming in from the front of the show, I guess, coming toward that way, and officers going from the back. [Emphasis added.]

Mr. Belin. Then what did you see?

Mr. Brewer. Well, I saw this policeman approach Oswald and Oswald stood up and I heard some hollering, I don't know exactly what he said, and this man hit Patrolman McDonald . . .

Mr. Belin. Did you say this man was the same man?

Mr. Brewer. The same man that had stood in my lobby that I followed to the show.

Mr. Belin. Who hit who first?

Mr. Brewer. Oswald hit McDonald first, and he knocked him to the seat.

Oswald pulled out a gun—hardly the mark of an innocent man. He was finally subdued by Patrolman McDonald and several other police officers and taken down to the Dallas Police Station where he was held and then charged with the murder of Officer J. D. Tippit.

Now let us examine how Anson, the man who charges coverup, the man who is an executive producer of a major public television station in this country, treats Brewer's testimony.

On page 37: "A dozen, perhaps two dozen people were in the theater. In the dark, Brewer could not pick out the man he had seen by his store. By now it didn't matter. The police were arriving." Then, on page 38: "N. M. McDonald, one of the officers, looked out over the row of seats. There were 12 or 15 people sitting on the lower level. McDonald couldn't be sure who he was supposed to be looking for. As McDonald scanned the theater, a man sitting near the front spoke up quietly. The man the police were looking for, he said, was sitting on the ground floor, in the center, about three rows from the back. . . .

"The police had their man. As they led him away the man in the front row who had fingered him rose from his seat, walked outside, and quietly disappeared."

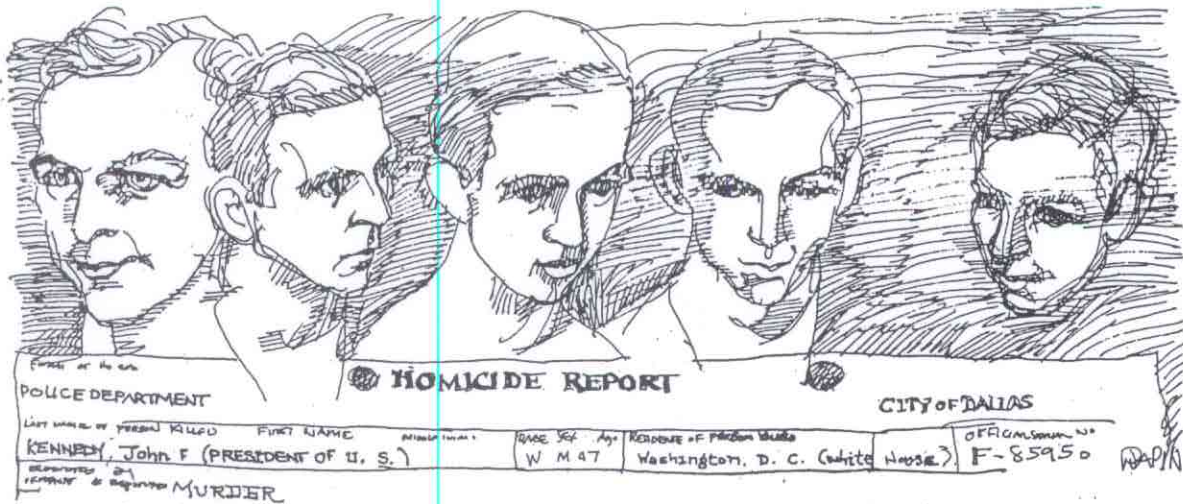
Thus, we see the web of conspiracy. According to Anson, there was a man in the front row who "fingered" Oswald and who then "walked outside and quietly disappeared."

Anson again picks up the thread on page 282:

George O'Toole, a former CIA man who suggests that the FBI may have been involved in Kennedy's killing (a not surprising contention, considering the Bureau's and the Agency's mutual detestation), points out that movie theaters are a favored rendezvous for agents. O'Toole quotes a Soviet intelligence manual which describes them thus:

Intelligence Officers can make extensive use of movie theaters when organizing agent communications by spending a certain amount of time in them before a meeting. The fact is that there are few people in most movie theaters, especially on weekdays during working hours. Movie theaters located away from the center of the city are often practically empty. Thus, by arriving at a designated time at a previously predetermined movie theater and taking advantage of many empty seats, the intelligence officer and the agent can hold a meeting right in the theater.

The Texas Theatre was, just as the Soviet manual predicted, virtually empty when Oswald entered it, and there was at least one other man in the theater who knew him—the person who fingered him for the police and then disappeared during the ensuing melee.



And then finally, in the concluding chapter of his book, on page 353, Anson asks the reader, Why did the Dallas police "concentrate on the Texas Theatre where a man matching Oswald's description was said to have run in without buying a ticket?" According to Anson, the only reasonable "explanation is that Oswald did buy a ticket, and that someone else ran into the theater to draw the police to the scene. This other person could either have run out the back or remained, becoming the mysterious man in the front row who informed the police where the man they were looking for was sitting. As N. M. McDonald, the officer who arrested Oswald, remembered him: 'A man sitting near the front, and I still don't know who it was, tipped me the man I wanted was sitting in the third row from the rear, not in the balcony.'"

What Anson has done is to cover up the fact that it was Brewer himself who pointed out Oswald to the police. And America's media could readily determine this if they were to examine Anson's footnotes. For instance, footnote 148 in Chapter I refers to the fact that Brewer could not find the man he trailed into the theater when the theater was dark. But this footnote refers you to "Belin, November 22, 1963: *You Are the Jury*, page 26." This is accurate, if you just read the first half of page 26 of my book.

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But if you continue reading Brewer's testimony on page 26, you find toward the bottom of the page Brewer's testimony that "they turned the house lights on, and I looked up from the curtains and saw the man." And a few lines later, "I pointed him out" to the police officers. Anson covers up these crucial facts.

What about Anson's allegation about the unknown man who was sitting in the front row and then quietly disappeared? There is no footnote to corroborate the statement that the man "who had fingered him [Oswald] rose from his seat, walked outside, and quietly disappeared." However, Anson does give a footnote for Patrolman McDonald's alleged statement: "A man sitting near the front, and I still don't know who it was, tipped me the man I wanted was sitting in the third row from the rear, not in the balcony." If you read that footnote, number 62 in Chapter XII, you will find that it states "First-person story by N. M. McDonald, *Dallas Morning News*, November 24, 1963." This same source was first quoted by Sylvia Meagher in 1967 in her book, *Accessories after the Fact*. What neither Anson nor Meagher tells the reader is that McDonald later learned the name of the person who had pointed out the gunman and that McDonald testified under oath that that person was none other than Johnny Calvin Brewer.

And as a matter of fact, since Anson has cited my book as the authority for some of his statements, he could have gone to page 35 and read the following exchange between Senator Cooper, one of the members of the Warren Commission, and Patrolman McDonald:

Senator Cooper. Who was it that pointed out to you the suspect when you entered the theater?

Mr. McDonald. I learned his name later.

Senator Cooper. Did some person there point out to you, though, this man sitting in the row whom you later arrested?

Mr. McDonald. Yes Sir. He was a shoe store salesman. His name was Brewer. He was the one that met us at the rear exit door and said that he saw this person run into the Texas Theatre.

These vital omissions by Anson are typical of his entire book. Just as Anson omits vital portions of Brewer's testimony, he also leaves out other major parts of the record pertaining to the murder of Officer J. D. Tippit. For instance, on pages 35-36, Anson refers to cabdriver William Scoggins, who witnessed the murder of Officer Tippit. Here is Anson's entire reference to Scoggins' testimony:

William Scoggins witnessed the murder, too. A cabdriver, Scoggins had just finished having lunch in a restaurant at the corner of Patton and 10th, and was getting back into his cab, when he saw Tippit's car drive slowly down 10th. Scoggins headed that way as well. He saw Tippit stop his car, get out, and begin to walk to the front of the cruiser when a man in a light jacket fired at the officer several times. Tippit went down, clutching at his stomach. Scoggins pulled his cab over and got out. For an instant the killer glanced over at him, and Scoggins ducked, afraid that he would be seen. The killer then began to run away in the direction from which Scoggins had come. As he rushed by, Scoggins heard him mutter, "Poor dumb cop."

Anson doesn't tell the reader that the gunman passed as close as 12 feet to where Scoggins was crouching behind his cab and that the next day, before Scoggins had seen any television, he was taken down to the Dallas Police Station, where he identified the man that he had seen at the Tippit murder scene.

Mr. Belin. Would it have been on the afternoon of November 23, to the best of your recollection?

Mr. Scoggins. When they took me down there it was along about dinner time.

[Gerald R. Ford was following the testimony closely. He caught a point of possible confusion in the witness' use of the word dinner.]

Representative Ford. What do you mean by dinner time? In various parts of the country dinner and supper get confused a little bit. Was it the noon meal or the evening meal?

Mr. Scoggins. Yes.

Representative Ford. Yes what? It was the noon meal?

Mr. Scoggins. Yes.

Mr. Belin. They took you down about the time of the noon meal, is that correct; they took you to the police station?

Mr. Scoggins. I would think that would be about the time. . . .

Mr. Belin. How many people were in the lineup, if you can remember?

Mr. Scoggins. Four.

Mr. Belin. Did you identify anyone in the lineup?

Mr. Scoggins. I identified the one we are talking about, Oswald. I identified him. . . .

Mr. Belin. Did all of these men look different to you? Were most of them fat, or were most of them thin, or some fat, some thin, some tall, some short?

Mr. Scoggins. There were two of them—the one that I identified as the one I saw over at Oak Cliff, and there was one I saw similar to him, and the other two was a little bit shorter.

And then there was Barbara Jeanette Davis, who lived with her sister-in-law, Virginia Davis, in a two-story frame residential building at the corner of 10th and Patton Streets where the Tippit murder occurred. She heard the gunshots, went to the front door, saw a woman, Helen Markham, screaming, and saw a man cutting across her yard, "and he was, what I thought, was emptying the gun."

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That night, before watching any pictures on television, she went down to the police station and identified the man with the gun whom she had seen cutting across her yard. The man she identified was Lee Harvey Oswald. None of this appears in Anson's book.

Virginia Davis also testified that she heard the gunshots and went to the front door with her sister-in-law and saw the gunman cutting across their front yard. She "watched him unload the shells out of his gun." She also went down to the police station that night and in the police lineup identified the gunman as Lee Harvey Oswald. None of this appears in Anson's book.

On the afternoon of November 22, 1963, Ted Callaway was a used car manager at the northeast corner of 10th and Jefferson Streets in the Oak Cliff section of Dallas—one block south of the Tippit murder. Callaway testified: "I heard what sounded to me like five pistol shots . . . I ran out to the sidewalk on Patton . . . I could see this taxicab parked down on Patton. I saw the cabdriver beside his cab, and saw a man cutting from one side of the street to the other. That would be the east side of Patton and over to the west side of Patton. And he was running. And he had a gun, in his hand, his right hand."

Callaway testified that he hollered at the man running with the gun, "Hey, man, what the hell is going on?"

"[Counsel Joseph Ball.] What did he do when you hollered at him?"

"Mr. Callaway. He slowed his pace, almost halted for a

minute. And he said something to me, which I could not understand. And then kind of shrugged his shoulders, and kept on going."

Later that evening, Callaway went down to the Dallas Police Station and viewed a lineup of four men. He identified Lee Harvey Oswald as the man he saw running with the gun. None of this appears in Anson's book.

Sam Guinyard was working with Ted Callaway on the afternoon of November 22, 1963. Guinyard also heard pistol shots and saw a man with a gun coming down Patton Street. "He came through there running and knocking empty shells out of his pistol and he had it just up like this with his hand." Later that night he was asked to come down to the Dallas Police Station to see a lineup with four men.

"Mr. Ball. After they brought them in and after you looked at them, what did you tell the police officers?"

"Mr. Guinyard. I told them that was him right there—I pointed him out right there. That was him right there." The man Guinyard pointed out was Lee Harvey Oswald. None of this appears in Anson's book.

There were two other important witnesses at the Tippit murder scene: Helen Markham and Domingo Benavides. In a police lineup, Helen Markham unequivocally identified Oswald as the gunman. Anson questions her credibility, writing on page 58 that the Warren Commission "relied heavily on her testimony to establish Oswald as the slayer of Tippit." Here again, Anson is not accurate, for on page 168 of the Warren Commission Report: "Addressing itself solely to the probative value of Mrs. Markham's contemporaneous description of the gunman and her positive identification of Oswald at a police lineup, the Commission considers her testimony reliable. However, even in the absence of Mrs. Markham's testimony, there is ample evidence to identify Oswald as the killer of Tippit."

THAT OTHER evidence includes William Scoggins, Barbara Jeanette Davis, Virginia Davis, Ted Callaway, and Sam Guinyard, all of whom identified Oswald as the gunman. There was not one sentence in Anson's book about the identification of Oswald by these five independent witnesses.

Furthermore, Anson ignores the most crucial evidence of



all: the scientific ballistic evidence that proved that the Tippit murder weapon was the very weapon that Oswald had in his possession at the time of his arrest.

The bullets in Tippit's body were too mutilated to be ballistically identifiable. However, cartridge cases can be traced to a particular weapon with utmost certainty.

Domingo Benavides saw the Tippit murder, saw the gunman toss cartridge cases into the bushes as he sped from the scene of the murder, and then notified the Dallas police through the radio in Tippit's police car. Later that afternoon, Benavides went into the bushes and found two of the cartridge cases. He then turned them over to the police.

AT AROUND 4 P.M. on November 22, 1963, two Dallas police officers came to see Benavides and asked him if he had seen the gunman, "and I told them yes, and I told them that I had seen, and they asked me if I could identify him, and I said I don't think I could." Incredible as it may seem, the Dallas police did not then ask Benavides to come to see a police lineup, just because he said he didn't think he could identify the gunman.

Benavides was not the only one to turn cartridge cases over to the police. Barbara Jeanette Davis and Virginia Davis each found a cartridge case in the bushes and turned these over to the police. Irrefutable ballistic evidence proved that these cartridge cases came from the revolver that Oswald pulled out in the Texas Theatre. Anson totally ignores this conclusive ballistic evidence.

This, of course, is not the first time that authors seeking to proclaim Oswald's innocence have been confronted by the incontrovertible ballistic evidence showing that Oswald killed Officer Tippit. *Penthouse* magazine commissioned a book called *The Assassination Tapes* (published in 1975), portions of which were serialized in several of its issues. Although *Penthouse* is not noted for covering up very much, in the case of this particular book, there was a lot of coverup. The author was George O'Toole, whom Anson used as his source for the statement that movie theaters are a favorite rendezvous for agents.

O'Toole's thesis is that Oswald was telling the truth at a press conference at the Dallas Police Station when he said that he didn't shoot anybody on November 22. O'Toole claims that he has an instrument called a psychological stress evaluator and that if you hear a tape recording of a person's voice, you can determine whether or not that person is telling the truth. He has listened to the tape recording of Oswald's voice at the Dallas press conference, and according to his instrument, Oswald was telling the truth. Now, of course, common sense tells us that such an instrument does not exist. Having served as Executive Director of the Rockefeller Commission investigating the CIA, I know that if such an instrument did exist, the CIA would be the first agency to use it because they would have a foolproof scientific instrument which would accurately determine whether or not a person was a double agent.

The basic problem Mr. O'Toole faces, and the basic problem faced by all other authors proclaiming Oswald's innocence, is the Tippit murder. Like Anson, O'Toole ignores most of the eyewitnesses who identified Oswald as the gunman. When it comes to the cartridge cases, O'Toole

writes on page 146 of his book that "the spent shells seemed to have been put deliberately where they would be found after brief search." Thus, O'Toole implies that there was an attempt to frame Oswald, just as Anson implied such an attempt when he came up with the man in the front row of the Texas Theatre who purportedly pointed out Oswald to the police. Of course, O'Toole doesn't tell his readers that Benavides saw the gunman toss the cartridge cases into the bushes and that Benavides took the cases out of the bushes and turned them over to the police. Nor does O'Toole say that Barbara Jeanette Davis and Virginia Davis, who saw Oswald and identified him in a police lineup, each took a cartridge case out of the bushes and turned it over to the police.

Like Anson and O'Toole, Mark Lane, who since 1964 has been charging a Warren Commission coverup, also prefers to ignore the evidence. Lane doesn't have any problems with Brewer's testimony for the simple reason that he refuses to acknowledge its existence. Lane baldly asserts that there was no reason for the Dallas police to arrest Oswald. He has even persuaded the noted historian Hugh Trevor-Roper, who writes in his introduction to Lane's book, *Rush to Judgment* (in which there is not a word about Brewer):

The plain fact is that there is no evidence at all to explain how or why the Dallas police instantly pounced on Oswald, and until some adequate explanation is given, no one can be blamed for entertaining the most likely hypothesis, viz: that the Dallas police had undisclosed reasons for arresting Oswald even before they had allowable evidence pointing toward him. Once that hypothesis is admitted, almost all the evidence accepted by the Commission can be reinterpreted in a different way.

Of course: if you cover up the testimony of Johnny Calvin Brewer, there is no evidence showing why the Dallas police came to the Texas Theatre and "instantly pounced on Oswald."

THUS FAR we have been talking about the murder of J. D. Tippit. What about the assassination of John F. Kennedy?

Anson, like all the other conspiracy theorists who allege Oswald's innocence, argues that some of the shots came from the front. He cites as evidence statements made on November 22, 1963, by the physicians who, fighting to save President Kennedy's life, performed a tracheotomy at the point in President Kennedy's neck where there was a wound. They assumed this was an entrance wound because they never turned him over to find the real entrance wound, in the back of the neck. Nor did they know that the fibers on the front of the President's shirt were pointed outward and those on the back were pointed inward.

The autopsy on President Kennedy disclosed that the bullet that struck him in the back exited through his neck. Wound ballistic tests conducted by experts at the Edgewood Arsenal showed that the exit speed of this bullet was approximately 1,800 feet per second. The Warren Commission determined that after exiting President Kennedy's neck, the bullet struck Governor Connally, who was seated directly in front of the President. The bullet

(Continues on page 88)

passed through Governor Connally's body and wrist, made a superficial wound in his leg, and was found after it rolled off Governor Connally's stretcher in Parkland Memorial Hospital in Dallas. The bullet was marked by the Warren Commission as Exhibit 399.

Anson claims that Exhibit 399 did not exit from President Kennedy's neck and that, rather, the neck wound was an entrance wound. He thereby introduces a second gunman—and a conspiracy. To buttress his thesis, Anson cites

Mrs. Kennedy: No; I was looking this way, to the left, and I heard these terrible noises. You know. And my husband never made any sound . . .

the testimony of Secret Service Agent Roy Kellerman, who was sitting next to the driver in the front seat of the presidential limousine. In Anson's words (page 82):

And then there was the President's cry of pain: "My God, I am hit." Roy Kellerman, one of the Secret Service agents riding in the front of the limousine, distinctly heard those words from the President. If Kellerman's recollection is accurate, Kennedy could not have been struck by 399, because in going through his throat, the magic bullet also punctured the President's windpipe. The throat wound had to have come later, either from a separate bullet (in which case, the question becomes, Where did it go?) or, far more probably, from a bullet fragment.

All the conclusions were ominous for the report. They demolished the magic-bullet and with it the single-assassin theory. Lee Harvey Oswald, if he acted at all, was not alone.

This same thesis was enunciated by Edward Epstein in his book *Inquest*. The only thing wrong is that Anson, like Epstein, relies solely on Kellerman's testimony and ignores the testimony of the other people in the presidential limousine: William Greer, the driver; Governor Connally; Mrs. Connally; and Mrs. Kennedy. Here is what they had to say:

First, Secret Service Agent William Greer:

Representative Ford. Did you hear the President say anything after the first shot?

Mr. Greer. No, Sir; I never heard him say anything; never at any time did I hear him say anything.

Now, Governor Connally:

Mr. Specter. Did President Kennedy make any statement during the time of the shooting or immediately prior thereto?

Governor Connally. He never uttered a sound at all that I heard.

Mrs. Connally:

Mrs. Connally. In fact the receptions had been so good every place that I had showed much restraint by not mentioning something about it before.

I could resist no longer. When we got past this area I did turn to the President and said, "Mr. President, you can't say Dallas doesn't love you."

Then I don't know how soon, it seems to me it was very soon, that I heard a noise, and not being an expert rifleman, I was not aware that it was a rifle. It was just a frightening noise, and it came from the right.

I turned over my right shoulder and looked back, and saw the President as he had both hands at his neck.

Mr. Specter. And you are indicating with your own hands, two hands crossing over gripping your own neck?

Mrs. Connally. Yes; and it seemed to me there was—he made no utterance, no cry . . . [Emphasis added.]

And finally, Jacqueline Kennedy:

Mrs. Kennedy. You know, there is always noise in a motorcade and there are always motorcycles beside us, a lot of them backfiring. So I was looking to the left. I guess there was a noise, but it didn't seem like any different noise really because there is so much noise, motorcycles and things. But then suddenly Governor Connally was yelling, "Oh, no, no, no."

Mr. Rankin. Did he turn toward you?

Mrs. Kennedy. No; I was looking this way, to the left, and I heard these terrible noises. You know. And my husband never made any sound . . . [Emphasis added.]

When Anson brings up the question of whether or not President Kennedy said anything after he was hit, why does he cite only Roy Kellerman and fail to mention William Greer, Governor Connally, Mrs. Connally, and Mrs. Kennedy? Isn't this a coverup? If so, Anson is just doing what his predecessors have done before him.

As a matter of common sense, the wound in President Kennedy's throat could not be an entrance wound, because if it were an entrance wound, either there would have to be an exit point for the bullet or the bullet would still have to be in the President's body. The autopsy photographs and X-rays of President Kennedy disclosed that there were no bullets remaining in his body and no exit point for any bullet that might have entered his throat.

Furthermore, every single doctor who has examined the Kennedy autopsy photos and X-rays agrees that there is no medical evidence showing that any shots struck the President except from the rear and above. Among these doctors are: the three who performed the autopsy; the panel of four physicians selected by Attorney General Ramsey Clark upon the recommendations of the presidents of Johns Hopkins University, Michigan State University, Stanford University, and the College of American Pathologists; the panel selected by Senior Counsel Robert B. Olsen of the Rockefeller Commission; and four others, the most recent of whom was an independent expert retained by CBS for the preparation of a documentary on the assassination of President Kennedy. Anson neglects to tell his readers about these facts.

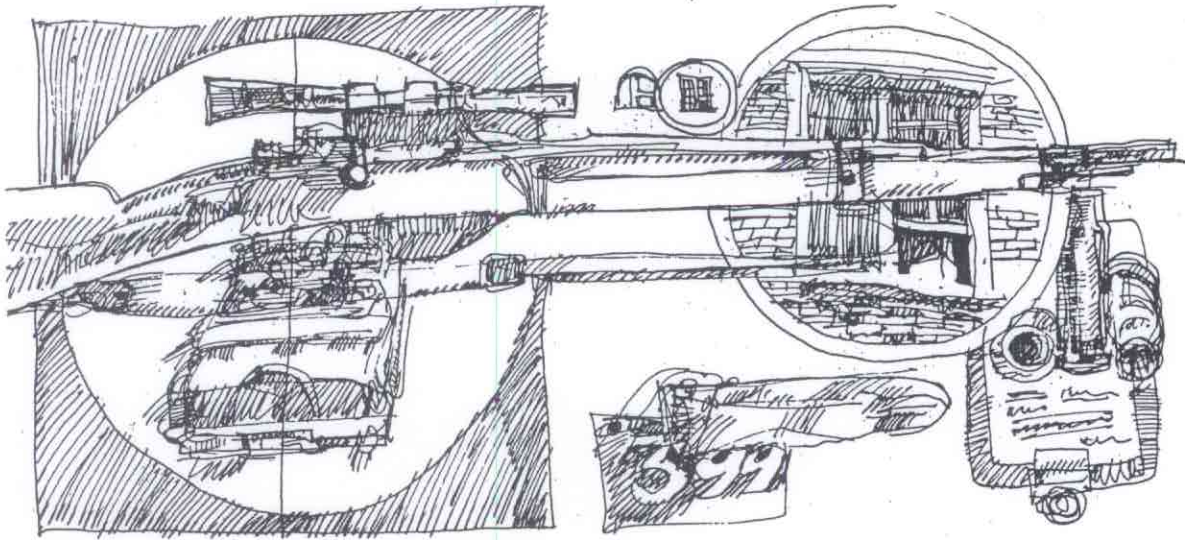
THIS IS JUST one of many omissions. For instance, nowhere in Anson's book will you find any of the following facts:

1. The only witnesses who saw a gun when the shots were fired saw that gun in the southeast corner window of the sixth floor of the Texas School Book Depository (TSBD) Building.

2. When police went into the TSBD Building and searched the sixth floor, they found three cartridge cases by the southeast corner window.

3. After finding the cartridge cases, they found a rifle stuck between boxes by the back stairway.

4. The rifle remained in place until it was picked up



by Lieutenant J. C. Day, Head of the Crime Scene Search Bureau of the Dallas Police Department. (Nowhere in Anson's book do you find any reference to Day.)

5. Day noted the serial number on the rifle, Number C 2766, photographed it, and subsequently was able to lift from the rifle a palm print that was sent to the FBI lab in Washington for analysis. The palm print turned out to be that of Lee Harvey Oswald.

6. The rifle was ordered through the mail by Oswald under his alias of A. Hidell. It was mailed to the exact same post office box under the exact same alias that was used when Oswald ordered the revolver involved in the Tippit shooting.

7. The cartridge cases found by the sixth-floor window came from Oswald's rifle, to the exclusion of all other weapons in the world.

8. A large paper bag was also found near that sixth-floor window in the TSBD Building. That paper bag was obviously used to carry the rifle into the building; the fingerprint of Lee Harvey Oswald was found on it.

9. In the presidential limousine, two ballistically identifiable portions of a bullet were found. These were from the bullet that shattered the President's head. One was the upper portion of a bullet, and the other was the lower portion of a bullet. Those bullet fragments came from Oswald's rifle.

10. At Parkland Memorial Hospital, a nearly whole bullet rolled off Governor Connally's stretcher. (There was some confusion about whether it might have come from President Kennedy's stretcher, but we determined that it could not have come from that stretcher.) That bullet, Exhibit 399, came from Oswald's rifle.

11. No other bullets or cartridge cases were found except those from Oswald's rifle.

12. Some days after the assassination, near the place where the rifle was found by the back stairway of the sixth floor of the TSBD Building, Oswald's clipboard was found stuffed between boxes. It carried unfilled orders dated November 22, 1963.

13. The fibers in the back of President Kennedy's clothing were pointed inward. The fibers in the front of the shirt were pointed outward.

14. All of Governor Connally's physicians agreed that he was struck by a single shot that was fired from the rear.

15. During his interrogation, Oswald repeatedly lied about important matters. He denied owning a rifle. He lied about where he purchased the pistol used in the Tippit shooting. He lied about where he was at the time of the assassination. And he lied about many other key questions.

Many of the omissions and inaccuracies in Anson's book can be traced to Anson's predecessors in the post-assassination folklore. A typical example involves Charles Douglas Givens, who worked with Oswald in the warehouse of the Texas School Book Depository Company. On November 22, 1963, Givens was working with other employees on the sixth floor and took the elevator down with them for the lunch break shortly before noon. Givens forgot his cigarettes, so he went back to the sixth floor to get them. While there, he saw Oswald with his clipboard. After the assassination, Givens was interviewed by both the FBI and the Secret Service.

WHILE SERVING with the Warren Commission, my colleague Joseph A. Ball and I found that there were contradictions between Givens' statements to the FBI and to the Secret Service. We noted these in a written report dated February 25, 1964. On page 105 of our report, we wrote: "Charles Givens says he saw Oswald on the sixth floor with a clipboard at around 11:45 A.M. (Secret Service document No. 491). There are some contradictions in his testimony."

We then noted that in an FBI report and in a Dallas police report, Givens did not mention seeing Oswald on the sixth floor and instead said that he saw Oswald with a newspaper in the Domino Room, which would have been on the first floor. We also discussed this on pages 106-108 of our report, which has been open to public inspection at the National Archives. There was a Dallas police report that Givens "would change his story for money." In light of the contradictions between the FBI and the Secret Service reports of Givens' statements, coupled with the state-

ment by a Dallas police official that Givens might change his story for money, I decided that in Givens' case I would not follow customary legal procedure, which would call for interviewing a witness prior to taking his testimony. Rather, I made arrangements for Givens to meet with me and a court reporter, and when Givens walked into the room, I had him raise his right hand, be sworn, and give his testimony under oath.

The recipe for these distortions is basically very simple: a few omissions here, a few omissions there; sprinkle with some outright falsehoods; add a few innuendos

Givens testified that when he last saw Oswald, Oswald had his (Oswald's) clipboard in his hand on the sixth floor of the Texas School Book Depository Building at approximately 11:55 A.M.

Then, in the concluding portion of Givens' testimony:

Mr. Belin. Now you said you saw Lee Oswald on the sixth floor around 11:55?

Mr. Givens. Right.

Mr. Belin. Did you see Lee Oswald anywhere else in the building between 11:55 and the time you left the building?

Mr. Givens. No, Sir.

Mr. Belin. On November 22nd?

Mr. Givens. No, Sir.

Mr. Belin. Did you see him in the Domino Room at all around anywhere between 11:30 and 12 or 12:30?

Mr. Givens. No, Sir . . .

Mr. Belin. Did you ever see Lee Oswald at any time after the time you saw him carrying the clipboard on the sixth floor?

Mr. Givens. No, Sir. The next time I saw him was on television.

Mr. Belin. Is there anything else you can think of, whether I have asked it or not, that in any way is relevant to the assassination?

Mr. Givens. No, Sir.

Mr. Belin. Anything else you can think of about Lee Oswald, whether I have asked it or not, that might in any way be helpful?

Mr. Givens. No, Sir. Other than he is just a peculiar fellow. He is just a loner. Don't have much to say to anybody. Stayed by himself most of the time. . . .

Mr. Belin. Well, Mr. Givens, we surely appreciate your cooperation in coming down here.

Now you and I didn't talk about this at all until we started taking this deposition, did we?

Mr. Givens. No, Sir.

Mr. Belin. You walked into the room and you raised your right hand and we started taking your testimony. Is that correct?

Mr. Givens. Yes, Sir.

Mr. Belin. Have I ever met you before?

Mr. Givens. I don't believe so. I don't believe I have.

The questions at the end of Givens' testimony typify the standard questions which I used in interrogating witnesses: "Anything else you can think of?" A trial lawyer trying to prove a case does not ask many open-ended questions. But as attorneys working with the Warren Commission, we were not prosecutors or defense attorneys; we were independent investigators.

It is revealing to examine Anson's treatment of Givens' testimony. It occurs in Chapter 11 of his book—a chapter that is entitled "The Blue-Ribbon Coverup"—and follows Anson's discussion of the murder of J. D. Tippit. Here is what Anson has to say (page 58):

Givens was one of Oswald's co-workers at the Book Depository. On the afternoon of November 22, Givens told the FBI he had seen Oswald on the first floor of the Book Depository forty minutes before the assassination. He repeated the story during the next six months without significant changes in detail. Then, on April 8, 1964, Givens was interrogated by Warren Commission lawyer David Belin. Suddenly Givens' memory freshened. He remembered that shortly before noon on the day of the assassination he had forgotten his cigarettes, and had gone to the sixth floor of the Book Depository to retrieve them. There he saw Oswald. Givens' latest recollection was crucial in building the case against Oswald, for no other credible witness had been able to place him on the sixth floor at a time anywhere near the assassination. Only Givens, a man who, according to a Dallas police official, "would change his story for money" (C.D. 735), had [done so]. The Warren Commission believed him.

The obvious implication is that the Warren Commission sought to change Givens' testimony. That is an outright lie. Not only does Anson fail to tell the reader about the series of questions (including the open-ended ones) and not only does he fail to mention that Givens was never interviewed by the Commission prior to the taking of his testimony, but when Anson says that Givens "repeated the story during the next six months without significant changes in detail," he neglects to mention that from the very beginning there was a conflict between what Givens told the FBI and what he told the Secret Service.

These crucial omissions can be traced to an article by Sylvia Meagher in the *Texas Observer* of August 13, 1971. The Meagher article has been picked up and rewritten again and again in subsequent articles. Anson, like Meagher, Lane, O'Toole, et al., repeats patently false accusations even though every one of them can be disproved by an objective, in-depth analysis of the record as a whole. But the media all too often have failed to make such an analysis.

The recipe for these distortions is basically very simple: a few omissions here, a few omissions there; sprinkle with some outright falsehoods; add a few innuendos; and, above all, be sure to use liberally that favorite word in political literature these days: "coverup." The recipe has been successful for the small group of Ansons, Lanes, Meaghers, O'Tooles, etc. Although relatively few in number, they have been able to convince many people that Lee Harvey Oswald was not the sole gunman who killed President Kennedy and Officer Tippit.

To help publicize his book, Anson is appearing on national as well as local and regional television programs. Time and time again, the public will hear Anson. But when will the public hear about Anson's omissions and distortions? It will get to know the facts only when Congress reopens the Warren Commission Investigation, or when the American press undertakes to approach these issues with at least some of the care and thoroughness with which it approached Watergate.

We must be aware of the facts, for our ultimate judgments will be no better than the accuracy of the information on which they are based. □