

Case Closing?

As Media Rush to Final Judgment on JFK, Assassinologists Brace for Last Stand

In the midst of all the television hoopla surrounding the 30th anniversary of the JFK assassination last week, the PBS series *Frontline* aired an exhaustive three-hour documentary (9 p.m., November 16) dissecting the life and times of Lee Harvey Oswald. The show's conclusion, reached somewhere around midnight, was that this guy shot the president.

"As far as we can tell," *Frontline* senior producer Mike Sullivan said at a news conference at the National Press Club in Washington, D.C., on Monday, November 15, "[Oswald] killed the president on his own."

While that might not exactly be breaking news, the amount of attention the hoary lone-nut theory has received in the past year is staggering. You'd think they'd just thought of it. New York City author Gerald Posner's recent *Case Closed*, which systematically debunks the underpinnings of many a conspiracy theory, has been seized by most of the mainstream media as a way out of the public's seemingly endless appetite for deconstruction of assassination mythology. *The Washington Post* and *Newsweek* came out with much-ballyhooed "special investigations" last week (both of

which drew heavily from Posner's work), and their conclusion, as *Newsweek* declared confidently, was that "the Warren Commission was probably right." In other words—go home, folks, there's nothing to see here.

The eagerness to line up behind case closers such as Posner may be in part a backlash to the conspiracy frenzy that followed the release of Oliver Stone's 1991 film, *JFK*. But there seems to be a very real need in the media to use the 30th anniversary to put the story to rest once and for all. An air of finality pervaded all the TV movies and special reports that littered the network schedules last week.

Even Gerald Posner himself is a little surprised by all the attention he's getting.

"I really felt that I could be the lone wolf," Posner says, speaking from his home in between talk-show appearances and live radio-phone-in interviews. "But there's a reevaluation taking place among the opinion makers.... The burden of proof has shifted back. The time is here where we can say, 'Where is the evidence?'"

Baltimore researcher Gus Russo, who was both a consultant for the Stone film and a reporter for the *Frontline* program, admits that "there is a real need to close this up now." And the new evidence that *Frontline* unveiled at its Washington news conference works toward what Russo calls "narrowing the workload" on the case, while not closing it.

Frontline came up with three bits of new material, none of which is conclusive on its own but when taken together thicken the plot. First, there's a reexamination of the fingerprints on the trigger guard of the Mannlicher-Carcano rifle found on the sixth floor of the

Texas School Book Depository. Previously, only a palm print on the barrel of the rifle was identified positively as Oswald's; conspiracy thinkers maintained that Dallas police could have planted the print. Faint fingerprints on the rifle's trigger guard could not be seen clearly enough to use for identification purposes, until a former Dallas police officer named Rusty Livingstone recently remembered that he had a set of original photographs of the trigger-guard prints in his closet—they'd been there for 30 years.

Vincent Scalice, former head of the New York City Police Department's latent fingerprint unit, reexamined the photos (in 1978, Scalice had examined all the available prints and photos for the House Select Committee on Assassinations and was unable to say whether the trigger-guard prints were Oswald's), and now has determined that the prints on the rifle are indeed those of Lee Harvey Oswald.

"My head's been turned around one hundred eighty degrees on this," Gus Russo now says. "Oswald shot him. He really did it.... Now the question is 'What got him to do it?'"

To that end, *Frontline* also uncovered photographic evidence definitively linking Oswald with David Ferrie, the notorious anti-Castro pilot who had strong connections to both the right-wing community and New Orleans mob boss Carlos Marcello. New Orleans district attorney Jim Garrison tried to arrest Ferrie in the course of his ill-fated 1967 investigation into the Kennedy assassination, but right up to Ferrie's mysterious death that year, he maintained he never knew Oswald. A photograph taken in 1955, however, seems to show Ferrie

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and a teenage Oswald together at a barbecue for the New Orleans squadron of the Civil Air Patrol (CAP), a youth auxiliary of the U.S. Air Force. Ferrie was a squadron leader, and Oswald, apparently, was a cadet in his group.

"It doesn't prove anything," Russo warns, "except that [Oswald and Ferrie] probably knew each other."

The photo also seems to undermine Gerald Posner's claim that the two men did not serve together in the CAP at the same time; Ferrie was kicked out of the CAP in 1954, supposedly for trying to indoctrinate his cadets in his right-wing philosophy, and Oswald did not join until the next year. The group in the 1955 photo, Russo says, must have been a "very small, renegade" squadron of some kind. And according to Russo, chances are that cadet Oswald got to know Ferrie pretty well.

"These people really knew [Ferrie]," Russo says. "Frontline won't say that, but I will."

Frontline's final piece of new evidence comes from the CIA's recently declassified files on Oswald. (Last year's JFK Release Act called for the release of hundreds of thousands of pages of CIA documents, but so far only a fraction have been made available to researchers.) The CIA always has denied that it had any contact with Oswald prior to the assassination, even maintaining that the ex-Marine and Soviet defector was not debriefed upon his return to the U.S. from the USSR in 1962. Researchers John Newman and Scott Malone, however, stumbled upon a scrawled bit of marginalia on one CIA document that read "Andy Anderson 00

on Oswald." "00" was a CIA symbol for its Domestic Contacts Division.

"It is virtually certain that the CIA had contact with Oswald," Frontline producer Mike Sullivan declared at the news conference. Why the CIA still steadfastly denies this, however, remains a mystery. Newman says the debriefing issue is only "part of the broader lie that the CIA has been telling for decades—that the CIA was just not interested in Oswald."

Newman, who wrote the best-selling 1992 *JFK and Vietnam*, says, "There'll be unhappy people on both sides of the fence" in the wake of the Frontline show. He seems to be right. The final judgment that despite the evidence of further links to Ferrie and the CIA, Oswald ultimately acted alone anyway is certain to infuriate and/or confound plenty of conspiracy supporters.

"People are upset about it," says one prominent D.C.-based researcher who requested anonymity because of his position with the supposedly nonpartisan Assassination Archives and Research Center (AARC), located in D.C. "Look at the people Frontline talked to," he says, citing Gerald Posner and House Select Committee on Assassinations chief counsel Dr. Robert Blakey, both of whom got heaps of air-time. "They don't really represent a wide range of opinion in the field."

AARC functions as a sort of clearinghouse of assassinology literature, and officially it takes no position on Frontline's conclusions. But at the Frontline conference, an enigmatic long-haired young man handed out a media release on AARC letterhead. It stated that prominent

researcher and author Anthony Summers, who wrote the well-regarded 1980 book *Conspiracy* and contributed heavily to the Frontline investigation, withdrew his name from the show's credits after seeing a final cut. Summers' wife and fellow researcher, Robbyn Swan, also requested that her name be dropped from the credits. According to the AARC release, "Summers described the program as 'too judgmental' for a subject with such conflicting evidence."

Reached at his home in County Waterford, Ireland, Anthony Summers himself is reluctant to discuss the couple's objections to the report. "We don't want to dump on our colleagues," he says, adding that their withdrawal "should speak volumes in itself and we don't wish to comment further."

Gerald Posner, however, says that "[Summers and Swan] were furious" about the way the Frontline program turned out. Originally, Posner says, things were supposed to be different.

"[The Frontline story] was going to be a major conspiracy piece, and it came around one hundred eighty degrees," Posner claims. "I'm very pleased where it ended up.... There are things [in it] I disagree with, but the portrait of Oswald is exactly the same as the one in the first part of my book."

However, Anthony Summers notes that "at least Frontline has done a real thorough research job," which is more than he can say about the rest of the American media.

"I've been deeply unimpressed ... by their arrogance and ignorance," he says. "I don't think your country has been well served by the media.... Of course, it's true that the media would like to have closure on the case. Wouldn't we all? But if the evidence doesn't support it, it's simply a cheap way out."

Baltimore's Gus Russo notes that many members of the sprawling and notoriously dissent-ridden JFK research community, much of which gathered in Dallas last weekend for the third annual Assassination Symposium on John F. Kennedy (see *CP*, 11/20/92), are unlikely to be moved by the *Frontline* report.

"A lot of the real far-out conspiracy people won't buy anything," Russo shrugs. "[They think] it's *all* forged."

Anthony Summers agrees.

"If they are grownups, they'll find the positive and interesting things [in the *Frontline* report]," he says. "But in many cases, you might see a lot of unfocused anger."

Summers says that at this point in history "the only rational position [on the assassination] is to be an agnostic. We don't know what happened."

And despite Gus Russo's newfound conviction that at least Oswald pulled the trigger that day in Dallas 30 years ago, the local researcher seems resigned to a certain inability to lay the conspiracy beast to rest.

"It's almost going to be impossible to find out what's going on in [Oswald's] head," he says. "And that might be the only thing left in his mystery." ■

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