

with experience in pathology knows that the mark on the thumb is meaningless, since it is impossible to get a permanent mark on one's thumb by pulling a trigger once.

ANOTHER inaccurate statement: "Two separate teams of forensic pathologists who subsequently reviewed the autopsy findings concurred with them—entirely." As for the first team, the prominent pathologist Dr. Michael Baden ridiculed them as rubber-stamping what was given to them.

The second "team" Cohen refers to is actually a single pathologist, Dr. Brian Blackbourne, who was hired by Independent Counsel Starr. As I revealed in my book, Dr. Blackbourne is a good friend and former deputy to the lead pathologist who ruled the case a suicide for Fiske.

Cohen tells us we should have much faith in these incestuous investigative bodies. He doesn't mention that one expert hired by Starr was Dr. Henry Lee. Lee is a critical figure in the Foster investigation because it is his finds that were most helpful in allowing Independent Counsel Starr to declare the case closed.

Cohen has good reason to avoid mentioning Dr. Lee to NATIONAL REVIEW readers because Lee is self-discrediting, having served as O. J. Simpson's chief defense expert.

While Lee's findings in the Simpson case might have been considered preposterous, consider the magic he performed in the Foster case. Rebutting evidence that Foster had not walked alive in the park, Lee found, with the naked eye, smears of soil on Foster's shoes that the FBI did not find when they first examined them with microscopes. Lee found specks of blood on the gun found in Foster's hand not found previously by the FBI. Though twenty people at the scene said they saw no blood on the leaves above Foster's head—key evidence that Foster had not blown his brains out there—Lee has contradicted them and now says he can see blood on the leaves by looking at some blurry Polaroids of the scene.

Mr. Cohen suggests I just imagined all sorts of problems and inconsistencies in the case. What he fails to tell his readers is that it was not I who raised the problems, but the officials, investigators, and prosecutors who worked on the case.

Prosecutor Miguel Rodriguez and his assistant, working for Starr, uncovered additional evidence pointing to foul play and cover-up. This evidence seemed to indicate that a gun was placed in Foster's hand; that his body had been moved to

the park; that a briefcase was found in his Honda at the park and removed without being listed on evidence reports; that there was an additional wound on Foster's neck—and other issues. All of these were serious matters brought before a federal grand jury.

Cohen suggests that because these facts are inconvenient to the suicide theory I have no business reporting on them. Instead I should rest easy because in the latest report witnesses have changed their stories to fit the official line. Consider that Richard Arthur said there was an apparent bullet hole in Foster's neck near the jaw line. Arthur told the FBI this twice, and repeated it, twice again, under oath. In the Starr report, Arthur is now quoted as saying he may be mistaken.

One witness wouldn't change his story, Patrick Knowlton, and he is suing the FBI for, among other things, pressuring him to change his story and then misrepresenting his account in his official FBI witness statement.

Knowlton's case might be easily dismissed were it not for the fact that the witness who found Foster's body—and said he saw no gun—has testified he was badgered by the FBI to change his testimony. Two Arkansas state troopers who claim they knew of Foster's death, much earlier than the White House has claimed, also said they were pressured by the FBI to change their stories. Trooper Larry Patterson was shocked when subjected to a series of four interviews by the FBI to get him to change his story. He wouldn't budge.

Unable to address the pattern of inconsistencies, missing and tampered-with evidence, and changed witness statements, Cohen resorts to name calling, such as "conspiracy theorist."

Readers of NATIONAL REVIEW can also have an open mind. They need not believe me or Jacob Cohen. They can call the Government Printing Office in Washington and order the Starr report, and draw their own conclusions. —CHRISTOPHER RUDDY

Case Closed

MR. RUDDY gives the game away in his opening gambit. He has offered no grand conspiracy theory, he says, and sets down quotations from several respectable reviewers who dutifully repeated what he cued them to say and what he cues the reader to believe: that he offers no grand conspiracy theories. Defending O. J. Simpson, Alan Dershowitz also said that he was not claiming that there was a grand conspiracy to frame O.J. Well, that is true. He didn't and Ruddy doesn't say that, and for good reason: if they, and myriad other conspiracy theorists who also hide behind that weasel formulation, had the courage of their insinuations, the laughable absurdity and/or mendacity of their position would be revealed. Theirs is a methodology of pure attack; they accept no responsibility to state and defend the alternative version of singular reality which those attacks logically entail. The reader is left alone with his fantasies, and theirs.

As cases in point, consider the preceding letters. Mr. Ruddy says he is "rather suspicious" of the failure of the Park Police to find Foster's car keys and another

set of keys in his pocket at the scene of the crime, only to discover them there, in the hospital, "a half-hour" after the body was removed, naked, from the park. (Mercifully, Ruddy here abandons the insinuation in his book that White House aide Craig Livingston brought the keys to the hospital three hours later, presumably to salvage the suicide legend.)

Mr. Ruddy is suggesting that the keys were not in Foster's pocket in the park but were inserted there for discovery a half-hour later to cover up the fact that Foster had not driven his car to the park. His killers drove the car to the park having brought him in another car, another Honda with Arkansas plates, as it happens.

Let us slow down the action. The killers suddenly realize that they had the keys to Foster's car, which they had driven separately to the park. So they go to the hospital and, undetected, slip them into Foster's pocket. They know, of course, exactly where the pants are and when they would arrive at the hospital (How? Did they ask?) and of course they had unimpaired access to the pants. No one noticed. Ruddy has elsewhere suggested that they then whispered in the ears of the Park Police that if they again searched the pockets they would find the keys, which of

Mr. Cohen is a professor of American studies at Brandeis University.

course the police obediently did. Indeed, they found not only the car keys but a second pair of keys, having nothing to do with the car, which apparently the killers had removed from his pocket and then returned to him, or rather to his pants in the hospital. The Park Police and hospital staff saw no one suspicious sticking keys in pockets, and the police found nothing suspicious in the whisper, apparently because they understood, *from the first*, within hours of the killing, that a cover-up was afoot. To me, that sounds silly.

Mr. Ruddy is at great pains to discredit

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the autopsy, which found none of the other wounds that he strongly insinuates were there, the signs of murder. This is not a subtle point. That external wounds as glaringly conspicuous as those he insinuates were there would simply go undetected and unmentioned on by the autopsy doctor, who has performed more than 20,000 autopsies, and by his assistant, and were not heard spoken of by the four others in the room during the autopsy, and that photographs taken during the autopsy and at the murder scene would fail to show these tell-tale signs, necessitate a very grand conspiracy instructing the doctors and the four observers in the autopsy room to lie. That conspiracy would involve the fabrication of many photographs and the destruction of the real ones. By whom? Under whose orders? Mr. Ruddy lamely asks whether the many who would have had to know about this could be expected to call up the *Washington Post*. The answer to that is: yes. Again, to me, all this sounds silly, and sinister beyond belief.

I might add that the medical examination also reported "no wounds or bruises . . . in the neck, hands, buttocks, shoulder, back, or any portion of the body except the head," to quote from the Starr Report. If that was the case, then we must hypothesize that Foster permitted his killers to place a gun in his mouth, without any struggle, conveniently placing his hands near the muzzle in order to explain the powder burns which were found there.

Ruddy and his army of followers need to answer the powerful argument in the

Starr Report that the large amount of blood deposited in the body bag in which Foster's naked body was brought to the hospital, and the absence of blood on his clothing, is proof in itself that his dead body was not transported somehow to the park, and, as I said in my review, lugged over two hundred yards and deposited there, in broad daylight, in full view of many potential eyewitnesses, and a gun, his gun, placed awkwardly in his hand to simulate suicide. It is true that Ruddy offers no grand theories. However, his readers have a right to expect him to stop hiding behind his suspicions and say what might have happened. I did that for him in my review, and that is what has occasioned this howling protest. But note: he still offers no alternative theories.

Nor does he address the many contradictions in his insinuations which I pointed out in my review. Mr. Irvine calls them "peripheral oddities"—but they touch the pivotal matters. Astonishingly, Mr. Ruddy again comes to the defense of Mr. Knowlton, who in fact is regularly trotted out in press briefings staged by Ruddy and Irvine and is a regular on their farflung circuit. To me, Knowlton and Ruddy's insinuation that round-the-clock teams of feds were conspiring to break his story by glaring menacingly at him in the street, for weeks on end, sounds dotty. Understand: all that is at issue here is whether the car Knowlton says he saw in the parking lot, more than an hour before the body was discovered and well before Foster died, the Honda with Arkansas plates, was brown or grey. (Apparently, the conspiracy car pool only had Hondas with Arkansas plates.) "Men, we've got a problem," the harassers must have been briefed by elements in the grand conspiracy. "Knowlton says brown and we've got to break him to save our story. Now go out there and glare with all your strength and all your might until he says grey."

One final point on Mr. Ruddy (there is not space to respond to everything, although I could). He complains of "incestuous investigative bodies"—a reference to the fact that three separate official considerations of Foster's death have made a similar hash of him, presumably under orders or habits of obedience—and he complains in particular about Starr's use of Dr. Henry Lee, O.J.'s expert. Here, Mr. Ruddy is giving hypocrisy a bad name. Just before his comments on Lee, he offers, on his own behalf, the testimony of Dr. Michael Baden, who, of course, was O.J.'s other expert, the one who argued that it would have taken ten minutes for

someone to have killed Nicole and Ron and therefore there was not time enough for O.J. to have done the foul deed. The reader is invited to sit and watch a clock for ten minutes, to evaluate Dr. Baden's reliability.

Turning to Mr. Irvine, same story, I regret to say, for he is someone whose journalistic witness I have admired on other occasions. The "paramedic" indeed said he saw a "wound" on the right side of the neck. What he saw was probably the blood spot clearly visible in the Polaroids taken at the scene. I refer Mr. Irvine to my comments on the autopsy.

The powder burns on the back of Foster's throat are not "severe" enough to satisfy him, though they were to an array of forensic experts who firmly concluded that Foster died from a gun fired in his throat. Is Irvine denying that that was the way Foster died? How else? Was he shot in the side of the neck and all external and internal signs of that shot dropped into a memory hole?

I might add that Irvine and Ruddy have some further explaining to do about the gun. The police found in the glove compartment of the car an oven mitt which had signs of having held a gun. Foster's pocket showed signs of having held the gun, and the gun showed signs of having been in the oven mitt. It was Foster's gun, and the mitt was missing from his kitchen. So now what are we to infer? Did the killer steal the mitt and place it in the glove compartment? Or is it just a coincidence that the missing mitt looked just like the one in the car?

Of course, Irvine denies it was Foster's gun, despite the opinion of Foster's family that it was very much like his gun. So let us amend the implied theory: the killers placed a gun in Foster's hand which by coincidence strongly resembled a family heirloom. And, by the way, the real gun is mysteriously missing.

One final matter, which I did not develop in my review: Ruddy argues that at the time of his death Foster was not depressed, not a suicide candidate. Let me join Mr. Ruddy's invitation to readers to compare his book (available in bookstores) to the Starr Report (available from the Superintendent of Documents in Washington). Compare them on this point and all others. In the meantime, I am prepared to nominate either of these gentlemen for an Oliver Stone Award in Creative Journalism.

—JACOB COHEN

The Foster Controversy

PROFESSOR Jacob Cohen's review of *The Strange Death of Vincent Foster* by Christopher Ruddy is badly out of focus ("Conspiracy Central" November 24). He confines himself to discussing peripheral oddities and ignores the evidence that has convinced students of the case that Foster did not die in Fort Marcy Park.

Two of the paramedics who viewed Foster's body reported his death as a homicide. They had more experience with suicides and homicides than the U.S. Park Police officers who were in charge of the investigation. Their suspicions were aroused by the attitude of the body, which was laid out as if ready for a coffin. That is very unusual for a suicide by gunshot. The neatness of the scene was also suspicious. A gunshot to the head usually creates a bloody mess. Paramedic Richard Arthur said the only wound he could see was on the right side of the neck, and he said it was too small to have been made by the large-caliber brown/black semi-automatic he said he saw in Foster's hand.

The fact that a gun was found in Foster's hand should not have been regarded as evidence of suicide, because in the case of cadaveric spasm the gun is usually thrown out of the hand by the recoil when a person shoots himself to death.

Mr. Cohen apparently does not know that Kenneth Starr ordered a third intensive search to find the bullet that killed Foster because without it he had no evidence that proved that the fatal shot was fired in the park. The search took seven weeks, and it was a failure. That means there is still no forensic evidence that Foster died where his body was found.

Dr. Henry Lee, a consultant Starr hired, tried to make up for this troublesome deficiency by claiming to find red stains on some of the foliage shown in the Polaroid photos of Foster's body. His claims are not evidence. There should have been blood spattered all over the vegetation, but no one at the scene saw any. Nor did they find any bone fragments from the exit wound in the skull, or any brain tissue.

Neither blood nor fingerprints were found on the gun. The absence of blood is especially suspicious because the muzzle

Mr. Irvine is chairman of Accuracy in Media.

had to have been pressed against the soft palate to account for the absence of severe powder burns inside the mouth. There should have been blowback of blood and tissue inside the barrel. The DNA on the gun to which Cohen attaches so much weight does not prove that the barrel was ever inside Foster's mouth. It is a type shared by 6 per cent of Caucasians and 8 per cent of blacks and Hispanics, according to the FBI Crime Lab.

No one has explained how Foster's glasses could have flown through the air and landed 13 feet in front of his body. Starr's report makes the astonishing claim that "the location where the glasses were found is consistent with the conclusion that Mr. Foster was wearing the glasses when the shot was fired." He doesn't try to explain what propelled them through the air.

Starr and his predecessor Robert Fiske both recognized that it was important to show that Foster owned the gun that was found in his hand. Since he owned two modern handguns, a silver revolver and a semi-automatic .45, the question of why he would shoot himself with an eighty-year-old gun that he didn't own had to be answered. Starr and Fiske tried to make it appear that Foster's widow, Lisa, had identified the eighty-year-old black Colt Army Special as the "silver six-gun" that she herself had packed and brought to Washington. They accomplished this by not reporting that the gun found in Foster's hand was black. Starr acknowledged that the gun Mrs. Foster brought from Arkansas was silver. That was the nice, "store-bought" silver revolver that Foster's nephew, Foster Bowman, says Foster inherited from his father. There is no evidence that the black gun belonged to Foster. It was not a family heirloom, as Cohen describes it. It was a typical untraceable drop gun, made up from parts of two different weapons.

Cohen cannot dismiss the eyewitness testimony and photographic evidence of a possible wound in the neck simply by saying that the medical examiner who performed the autopsy did not notice it. This would not be the first time Dr. James Beyer had failed to notice a wound that proved that the victim had not committed suicide. The body should be exhumed and a second autopsy made.

All these bits of evidence that undermine the suicide-in-the-park theory are rendered superfluous by the unrefuted evidence that Foster's car did not arrive at the Fort Marcy parking lot until at least two hours after the estimated time of his death. Patrick Knowlton reported seeing a 1983 or 1984 brown Honda with Arkansas plates in the parking lot at 4:30 P.M. After viewing photos of Foster's grey 1989 Honda, he told the FBI that the car he saw in that spot was definitely not Foster's. It was the wrong color, the wrong age, the wrong size, and lacked several features that distinguished Foster's car, including a decal in the rear window and a dent on the back.

Two other eyewitnesses who pulled into the parking lot not long after Knowlton left also saw a brown, mid-1980s Honda parked in the same spot in the lot. They were still in the park when the police arrived and were questioned about what cars they had seen. This was done in the parking lot where Foster's light grey Honda was now parked in the spot where they had seen the brown Honda an hour or so before. The car they described to the police and the FBI was the brown Honda, not Foster's light grey Honda. Both the Fiske and Starr reports are completely silent on the description these witnesses gave of the brown car. They do not claim

It was a typical untraceable gun, made up from parts of two different weapons.

that these witnesses saw Foster's car, but Starr's report uses a footnote to imply that they did.

The three judges who appointed Starr ordered him to append to his report twenty pages of comments and exhibits submitted by Knowlton's attorney which show that Vince Foster did not drive to Fort Marcy Park and kill himself, as Starr's report contends. The judges were not compelled by law to do this. They obviously saw that Starr had suppressed important evidence that disproved his finding. They decided that the public had a right to know it. Cohen tries to discredit Knowlton, portraying him as paranoid. The FBI went to a lot of trouble to create that impression, but the judges didn't buy it. It is too bad NATIONAL REVIEW did.

—REED IRVINE