

PROBE

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The Newsletter of Citizens for Truth
about the Kennedy Assassination

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CTKA is a political action group
lobbying for full disclosure of files
relating to the Kennedy assassination

ARRB Meets First Hurdles

On July 21st the National Archives released the first set of ARRB approved documents. These were 16 CIA documents that the agency did not choose to contest. As Peter Dale Scott has written, "One of the documents...strengthens the impression that David Phillips...was directly involved before the assassination in the handling and reporting of Oswald's visit to Mexico City." Scott found that the temporary duty officer who picked up a special pouch related to the Mexico City episode was "Michael C. Choaden", a name the Review Board understands, from the CIA, to be a pseudonym for Phillips.

FBI and CIA Balk

After the rather smooth going on the first release, both the FBI and CIA began to balk at what came next. From CTKA sources in Washington, the ARRB itself, and the AP newswire, PROBE will now outline the struggle going on in the capitol.

When the ARRB moves to release a batch of documents from an agency's files, that agency has the privilege to request a private conference with the Board to try to convince them of other options other than full disclosure e.g. postponement or non-release. A worst case postponement can last well into the next century. Our sources tell us that the original release pattern planned by the ARRB has been altered. The pattern originally held that another batch of solely CIA documents from Oswald's CIA HQ file were to be released next. Then a combination of 15 FBI and 2 CIA documents concerning Oswald's trip to Mexico City were to be third. The Board had originally agreed on this sequence. The CIA then requested another audience with the Board to request postponement on the CIA HQ release. This audience was granted. During this delay, the third release went ahead and will be uncontested on the CIA's part. After their conference with the CIA, our information is that the Board is now reconsidering their original intent to release the documents in full. The FBI has

GOP Effort to Defund the ARRB

The story broke suddenly in *The Wall Street Journal* of June 23, 1995. The Republicans in the House were looking for funds to cut from the federal government's operating budget. The first move was to pass a bill cutting \$155,000,000 and eliminating 2,700 jobs from operations of the House and legislative agencies such as the General Accounting Office. Then Speaker Newt Gingrich and Majority Leader Dick Armey apparently had their legislative aides go through the White House budget and target agencies they felt were unnecessary and expendable. In the sixteenth and next to last paragraph of the "Wall Street Jour-

nal" story noted above, the reference to eliminating the Review Board appeared. Ironically a quote from Armey in the story read that, "I hope that we can set straight a perception of wrongdoing." How Congress could do this by saving a whopping two million (approximate ARRB budget) from a one and a half trillion dollar budget escapes us. Precisely the opposite effect would occur. But this statement and this effort shows us even more how out of touch our Washington representatives are.

When this story got out and circulated to the members of the ARRB and
continued on page 7

been more overt about the scheduled release of 15 documents. They have appealed the release of 9 of these to President Clinton. According to the ARRB, the FBI contested files relate to Oswald's stay in the Soviet Union, the Communist Party USA, and Ruby's shooting of Oswald.

Sources and Methods, yeah yeah yeah...

The objections seem to be on the usual grounds of the sensitivity of "methods and sources" and damage to our intelligence relationships with foreign countries, i.e. intelligence sources and agents inside foreign countries. Since the Board has seen the documents and are well aware of the standard line on "national security" one can't help but wonder how that antique warning could be sounded three decades later and with the Cold War finished.

The Board's Recommendation

We quote from Mr. Marwell's letter to President Clinton dated August 11th:

"Dear Mr. President:

"I have the honor of submitting to you the enclosed Reply of the Assassina-

tion Records Review Board to the Federal Bureau of Investigation's August 8, 1995 Appeal of Formal Determinations under The President John F. Kennedy Assassination Records Collection Act of 1992.

"There are two principal points made in our Reply. First, the Federal Bureau of Investigation has failed to provide the "clear and convincing evidence" required by the JFK Act; and second, much of the information that the Bureau now wishes
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From the Chairman's Desk:

As many have predicted, earliest and most presciently John Newman, the ARRB is now meeting its first serious obstructions by the most consistent enemies of full disclosure: our old friends with long institutional memories, the CIA and FBI. The attempt to defund has been turned back due to some quick politicking by Tunheim, Marwell, and COPA. But now the second attack is upon us. After clearing the first release of files, the ARRB is now meeting resistance in its newest requests for full disclosure. We urge every reader to either phone or fax the ARRB and urge them not to back down in their pursuit of the newest file requests, in full and with no redactions. The numbers to call are: Phone, 202-724-0088; Fax, 202-724-0457. We also urge readers to write CIA Director John Deutch and FBI Director Louis Freeh and alert them that the public will not put up with any more stonewalling and scare tactics. The time for subverting the will of the American people in its pursuit of openness and honesty has long gone. We at PROBE honestly feel that no other issue ranks as high as restoring the public's faith in its government and that if the ARRB is subverted now, after it has received a mandate from the public, the Congress, and the chief executive, it would truly be calamitous.

The ARRB is also meeting resistance from New Orleans DA Harry Connick and his allies Hugh Aynesworth, Gerald Posner and the New York Times. We find it odd that a medium sized city's rather undistinguished DA would merit attention by the big media centers of Washington and New York. We explain why we think there is more here than meets the eye and we offer the full transcript of the local WDSU report that started the uproar. Also, Dave Manning offers coverage of the RFK news conference by Ted Charach who now appears to have found the "second gun" of Thane Eugene Cesar. We update our readers on the progress of Robert Groden's lawsuit against Random House and Posner. Roger Feinman is not giving up. In a special section we honor some of the women in the community who have not received the accolades and recognition they deserve. We hope this begins to reverse that trend. People like Millicent, Anna Marie, Kathleen, Carol, our own Lisa Pease—and more—have certainly made a mark and continued—in some ways, furthered—the pioneering work of the late, great Sylvia Meagher.

Finally, and speaking of pioneers, Cyril Wecht ties everything together with his response to Dr. Boswell's recently declassified letter to the top brass in the Navy in anticipation of exposure of the world's worst autopsy at the Shaw trial. In this response, he speaks for all of us by reminding Boswell of who he is, and us of who we are and what this case is really all about. Amen.



What is CTKA?

Citizens for Truth about the Kennedy Assassination was organized as a result of the April 1993 Chicago Midwest Symposium on Assassinations. At the end of that conference, it was generally decided that the time had come to create a political action group, which would urge the executive branch of our government to re-open the unsolved assassinations of the 1960s—i.e., the murders of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King. CTKA endeavors to ensure that the Review Board fulfill its mandate to release all the remaining records pertaining to the JFK assassination; to amend the current Freedom of Information Act to render future covert actions more difficult to hide; and to urge the American people to discover the truth about their history.

If you are not already a member of CTKA, please consider supporting our efforts with a subscription to PROBE or a donation to help cover the hidden costs of running a not-for-profit organization. Thanks to all of you who are already CTKA supporters. Let's continue to work together to get the truth out about our collective past.

Connick vs. Garrison: Round Three

Harry Connick ran against Jim Garrison twice, once in 1969 and again in 1973. He



lost the first time and then, due to the bad publicity of Garrison's two frame-up trials, he defeated him in 1973. Connick took office April 1, 1974. He has been the DA ever since. As background to the rather curious events of the last

two months, it is important to note who some of Connick's backers were in the 1973 race with Garrison and to mention at least one strange event that occurred during the '69 race.

In the 1969 race, on the eve of the election, a poll put out of New Orleans on October 15th placed Garrison ahead 49%-18%. Three weeks later, very close to election eve, a St. Louis company called DeWitt announced the results of another poll. This one put Connick ahead 49%-28%. Garrison won in a landslide. The poll was quite questionable, yet WDSU newscaster Terry Fletcher did a much publicized segment trumpeting its results. The day after the election even the *Times-Picayune*, no friend of Garrison's, wondered if the poll was a hoax intended to help Connick win.

In 1973, Connick outspent Garrison by a wide margin, as had been the case in '69. In the second race, the local alternative papers like *Gambit* and *The Courier* badgered Connick to release the list of contributors to his campaign. After weeks of pressure, Connick finally released a *partial* list. The contributors included the major backers of the Superdome project, including his brother William (Superdome secretary). In other words all the big banking interests in the city. Two other contributors were Clay Shaw and Carlos Bringuier. Two others were Leonard and Bill Gurvich, who also ended up helping Shaw's defense. Both newspapers at that time, owned by Ashton Phelps, did much to help Connick. Connick won a close race.

Connick Drops the Ball

As Garrison suspected, once he was in office, Connick did nothing to preserve or pursue the Kennedy investigation. For ex-

ample, in a televised debate during the '69 race Connick stated that although he was "inclined to say there is no merit to them" he would have to evaluate each of the charges involved in the case before dismissing them. Apparently, the evaluation did not take long since, to use one example, the case against Kerry Thornley was dismissed five months after he took office.

Under Connick's watch there has been massive urban flight out of New Orleans into the suburbs like Gretna, Covington, and Metairie. The New Orleans police force has deteriorated to the point where stories about murder and cover-up run in big city newspapers. In fact, the August 12th issue of the *Los Angeles Times* ran an article in which a chief suspect in a serial murder case there is a policeman. New Orleans has become the city with the highest murder per capita ratio in the U.S.

The Missing Files

So on June 28th, when Connick stepped into the witness chair to testify before the ARRB at the old U.S. Mint at 400 Esplanade, most observers familiar with him and his career did not expect much in the way of candor or forthrightness. Even before the hearing, Connick tipped his hand by cozying up to Gerald Posner, mysteriously in town for a secret and "unrelated" project. No dummy, Connick complemented the Board on its effort to secure records. He said he had decided to turn over what he had left to them because "what you are doing is important and we think that what we can hopefully add... will clarify some of the clouded areas of the past and make sense out of what happened." Under questioning from the Board he implied that Garrison and his staff had "rifled" the investigative files since much was missing from them when he took office. He qualified that to Kermit Hall by saying "Our criminal code calls that theft." He took a parting shot at Garrison by saying that when he took over the office "it was a pretty sorry state of affairs", "things were run in a very slipshod manner", and "It was in bad shape".

It was a typical Connick performance: slick, sanctimonious, less than candid, mean-spirited and cheap toward his predecessor. But Connick made one mistake. By calling the disposal of records theft, he sent shock waves through some members of his former staff. Predictably, Connick did not

reveal that he himself had participated in—ordered actually—the destruction of valuable records. According to an affidavit executed by a former Connick staffer the DA decided to destroy the records of the grand jury testimony during the Shaw investigation. When the staffer questioned this decision on the basis of historical significance, Connick said, "Burn this sonofabitch and burn it today!"

Fortunately for history, the staffer did not. He kept them in his garage in the intervening years and when Connick's accusation of "theft" was broadcast, he felt that the DA was setting him up to take the fall on the missing grand jury testimony. He called local television reporter Richard Angelico and gave him the testimony of the 40 witnesses. He swore out the affidavit on condition Angelico send them to the ARRB. Angelico did, but not before getting an interview with Connick in which, in another typical Connick performance, Connick smugly stuck his foot in his mouth (the entire report is in the accompanying transcript). It got worse when, the day after Connick denied he destroyed records, another former staffer, Ralph Whalen, stated in the local papers that he remembered Connick "destroying a bunch of Garrison stuff... some things that related directly to the Shaw case".

Subpoenas Galore

Suffice it to say, after stating on camera that he did not remember ordering the destruction of the records, Connick had been cornered. He now told the press that he had discussed the matter recently with top assistants and "Neither has any recollection of any orders to burn anything." This was a curious statement for him to say because on the next day, July 13th, he ordered his former investigator Gary Raymond—the staffer who had contacted Angelico—before the grand jury. Clearly, Connick had been embarrassed in front of his electorate and then he had been disingenuous with them. How else can one explain the apparent paradox of the DA "not remembering" any orders for destruction, yet issuing a specific subpoena for a specific name—Gary Raymond—to appear before the grand jury to testify on such matters. Raymond's name had not appeared in either the broadcast or any of the papers yet. On the same day, he also issued a subpoena for Angelico

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Connick vs. Garrison*continued from page 3*

to appear before the grand jury. Later he was to subpoena the ARRB itself. He referred to Raymond as "the thief" in the case and Angelico as "the recipient of stolen property." During a press conference Connick, after saying in the Angelico segment that everything involved in the

**Raymond vs. Connick:
Round One**

This is not the first time that Gary Raymond has crossed swords with his former boss, Harry Connick. When Connick came into office in 1974, Raymond was an investigator on his staff. By the time he left the department in the mid 1980's, he was his chief investigator. He then became a private investigator. Since one of Raymond's specialties was pedophile cases, Connick asked him to check out a case he had of a local priest who was sodomizing children and young adults. Gary checked out the materials, tapes and affidavits and recommended to the DA that he prosecute the case. Gary waited and waited. Nothing happened.

Meanwhile, Gary encountered one of the kids he had seen on the pornographic tapes, which the priest had been peddling. Raymond asked the boy if he wanted to talk for the record. He said that the priest had threatened his life if he did. Raymond then drew up a three page memo outlining the case and he forwarded it to Connick. Connick's assistant then told Gary that the DA was very angry about the memo. When Raymond asked why, the reply was that it left a paper trail. Connick had cut a deal with the archbishop in September of 1989. Later, Raymond saw Connick at a St. Patrick's Day parade. He asked the DA when the priest was going to be prosecuted. Connick put his finger in his chest and said, "He won't. Not as long as I am the DA. And you can't do a thing about it." Gary then went to Richard Angelico and he did a continuing five day series on what became the famous Father Dino Cinel child abuse case, in which the priest was making child pornography films in the rectory of St. Rita's Church. One of the series highlights was Angelico's interview with Connick. He asked the DA if he had made a deal with the diocese not to prosecute. He said he had because it would have been too difficult to track down and I.D. all the kids. Angelico had to remind Connick that the DA had gone before the legislature in 1985 and had the law changed so that mere possession of the material was a contraband charge. Connick had smugly stuck his foot in his mouth. ♦

Shaw case should have been "retained and preserved in some way", now reversed himself. He said he did destroy records, but none that could have been useful to historians. He then defended his order to destroy the grand jury testimony by saying, "What's my responsibility, to put them in an iron box and adore them?"

The subpoena to Angelico was served on WDSU's corporate counsel so it was not valid: specific personal subpoenas have to be served on the person named. The subpoena to the ARRB, according to ARRB attorneys and the Justice Department, is not valid. Raymond did show up before the grand jury. Even though there were nine murder cases that week, Connick still attempted to muster enough grand jurors to hear Raymond. Connick could not get a quorum and Raymond was asked to come back the next week, July 20th. His session on that date was then canceled. As of today, the only person to have gone before the grand jury was Connick's first assistant. When she outlined what had happened, the members asked, "Well, what's the charge?" Her response reportedly was, "We aren't sure." The grand jury asked what she was doing there then, since they had important matters to attend to.

At this point and due to reports out of New Orleans that Connick was going to destroy other remaining records of the case, Jim Lesar wrote a long FOIA request to Connick. It read in part, "I am making this request to prevent you from carrying out your threat to destroy records relevant to an important chapter in American history." And further on, "Whatever records you or your office may possess pertaining to Garrison's investigation into President Kennedy's murder are of intense interest to students and scholars of the assassination."

Another strange thing then occurred. Hugh Aynesworth, longtime FBI asset on the Kennedy assassination, wrote a front page article based on the grand jury testimony for the July 16th *Washington Times*. Predictably, it focused on the testimony of Bill Gurvich, a plant inside Garrison's office, without, of course, mentioning that fact. At first, most felt that WDSU had sent the testimony to Aynesworth since Angelico had closed his report by saying that he would send the transcripts to an "assassination expert" in Washington for review. But in an interview with PROBE Angelico stated, "Why do think it was me. Connick and Aynesworth have been friends for a long time." Both Angelico and

Raymond also revealed that Connick had kept a copy of the testimony for himself.

The story then took another twist. With the controversy swirling to a boiling point in New Orleans, with the local papers and TV carrying daily stories, with the public waiting for the results of the grand jury testimony and subpoenas, with T-shirts being printed with Connick's picture above the quote "What's the point Harry?", the DA left town. He went to New York. All further announcements were left to his office. But Connick did do one thing before he left. He sent out feelers to Raymond. He wanted to know what he wanted in return for a deal. Connick's position in New Orleans was weak.

Before the controversy erupted, Connick had agreed to send up the only investigative file left from the Shaw case to the ARRB. This was a five drawer file cabinet chockfull of extremely interesting, unique materials. In fact the day he testified, he called the ARRB and said he was arranging to have it sent up. This was in keeping with an interview he had given to researcher James DiEugenio in August of 1994. At that time he said that he would only give these files to an official government body. In fact the HSCA had indexed these files but, for some reason, had not requested them.

In the first week of August, Reuters ran a story based on an interview with author Gerald Posner. The story was picked up by the *Washington Post* and the New York press. This previewed and announced an upcoming article to be written by Posner for the *New York Times Magazine* in the Sunday August 6th issue. That piece was written at about the level of Posner's book, i.e. recycled, blatant disinformation. (See accompanying CTKA press release.)

Was Connick plotting with Posner during the ARRB hearing? Did he or WDSU (strong allies of Walter Sheridan during the Shaw prosecution) send the transcripts to Aynesworth? Did Connick talk with the always pro-Warren Commission staff of the *The New York Times* while he was in New York? Did they then arrange a damage control piece with the always accommodating Posner. It is curious, but predictable, that Posner's piece mentions not one word about Connick being under attack locally. As in 1967, the people in New Orleans got a much better view of things than did the American public. Was this the aim? Should we ask Connick?

What's the point Harry? ♦

The Transcript from Harry's Hell

Special Thanks to Steve Tyler for providing CTKA with the video of this news segment.

WDSU Local Evening News

7/11/95

Lead In:

There have been many mysteries surrounding the murder of President John F. Kennedy including a mystery right here in New Orleans: What happened to the files of former prosecutor Jim Garrison?

Connick:

I think everything connected with that case should have been retained and preserved in some way.

Cut to:

live in-studio anchors Norman Robinson and Susan Roesgen sitting with reporter Richard Angelico.

Norman:

You'll recall that the District Attorney testified that the files had been stolen.

Susan:

But for the first time we know what happened to at least some of the JFK files because Richard Angelico found them.

Richard:

Well Susan and Norman, the story of the missing original grand jury testimony is bizarre to say the least. Harry Connick says it was stolen. But a former staffer of Connick's says the District Attorney knows better about the missing Kennedy files.

Cut to:

A montage segment of the Zapruder film, HSCA Report cover, photos of Oswald in handcuffs, films of Garrison and Shaw, booking photos of Ferrie and Shaw.

Richard's Voice-Over:

The assassination of John Kennedy spawned dozens of conspiracy theories. But the Warren Commission named Lee Harvey Oswald as the lone assassin. Many found that hard to believe. Among them New Orleans District Attorney Jim Garrison. After a highly publicized investigation, he arrested New Orleans businessman Clay Shaw, charging that Shaw, Oswald and a local pilot named David Ferrie plotted Kennedy's death here in New Orleans. Shaw was acquitted, Garrison's investigation discredited.

Cut to:

Angelico in front of Court House.

Richard:

For years the records of that investigation lay in storage at the DA's office gathering dust. Now a federal commission, the Assassination Records and Review Board wants those records and two weeks ago called on current district attorney Harry Connick to produce them.

Cut to:

Film of the Review Board hearing.

Richard's Voice-Over:

Connick told the committee only a small portion of the records remain. Most of them, he said, had been stolen.

Connick:

There are a lot of folks who were connected with that investigation and prosecution and were in that office you know, from that time of the trial until we took office in '74. And I think a lot of that material is probably in their custody. I think those files were rifled and I think they took from those files things that would be of great interest to the American public, and to the world as a matter of fact.

Richard's Voice-Over:

Connick clearly pointed the finger of blame for the missing records at Garrison's office. Had a crime been committed asked the committee chairman? To which Connick replied:

Connick:

Our criminal code calls that theft.

Cut to:

Angelico walking down the street in front of the Court House.

Richard:

Those were strong words from the DA But now a former member of Connick's staff has come forward with equally strong words. He says Connick did not tell the committee the entire truth.

Cut to:

Montage segment of the two page affidavit being shown on the screen.

Richard's Voice-Over:

In this sworn affidavit the former staff member says, "Recent news articles indicate DA Harry Connick has testified before the Assassination Records and Review Board that records of Garrison's were 'pilfered' from the files of the DA's office. Nothing could be further from the truth. Harry

Connick, elected District Attorney, Chief Law Enforcement Officer of Orleans Parish, personally ordered those records destroyed. I know, and do hereby swear this to be the truth because I was one of two or three individuals ordered by Harry Connick to destroy them."

Cut to:

Angelico in an office with a table in front of him. Copies of the grand jury testimony are on top.

Richard:

These are the records the former staffer says that Connick ordered him to destroy: the original testimony of more than 40 witnesses who appeared before Garrison's grand jury. Many of them major players in the investigation. The documents include the testimony of Perry Raymond Russo, the man who placed Shaw with Oswald and Ferrie. Mark Lane, the original conspiracy theorist. Dean Andrews, a New Orleans lawyer, who claimed to have gotten a call asking him to represent Oswald. And even the testimony of Marina Oswald, Lee Harvey Oswald's widow. According to the affidavit, Connick's reasons for destroying the records were simple: he needed more storage space.

Cut to:

The affidavit.

Richard's Voice-Over:

The former staffer says when he suggested the records were of historical significance, Connick told him: "This investigation was a figment of Jim Garrison's overactive imagination. Burn this son-of-a-bitch and burn it today."

Cut to:

Close-up shots of the bound grand jury testimony.

Richard's Voice-Over:

But the staffer disobeyed Connick and kept the records for over 21 years until turning them over to me. Last week we asked Connick about his testimony before the Assassination Records and Review Board and his contention that many of the records had been stolen by Garrison's staff.

Cut to:

Inside of Connick's office. Angelico is sitting opposite of Connick at his desk.

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Harry's Hell

continued from page 5

Richard:

The grand jury testimony in the Shaw case should have been kept do you think?

Connick:

I think everything connected with that case should have been retained and preserved in some way.

Richard:

We have a, I found an affidavit from a former staff member of yours who says that you ordered him to burn the grand jury transcripts.

Connick:

No, no. (Smiles, giggles nervously.)

Richard:

I'll let you look at it and see what it says.

Connick:

I don't, I don't, it... so what's the point.

Richard:

Well, he saw you tell the committee that and he says you ordered him to burn the grand jury transcripts of the Shaw-Garrison investigation because you simply needed storage space when you moved into office.

Connick:

That, that, that may well be so... we, we dispose of a lot of records, have disposed of a lot of records, um-huh.

Richard:

Hmm. He maintains in the affidavit that, that he suggested to you—

Connick:

I will, I will accept that as, as valid...

Richard:

Huh?

Connick:

I will. He's saying that we should have kept it, is this what he's saying?

Richard:

He's saying that he came to you and said maybe we should keep this because this is not John Smith killing John Doe, this is Garrison's investigation of Shaw. It may have some historical significance. And you said the case has been disposed of, the man not guilty, burn the records.

Connick:

Right.

Richard:

Because you needed storage space...

CTKA PRESS RELEASE

Aug. 6, 1995

In the New York Times Magazine of August 6, 1995, author Gerald Posner was allowed to do what no other American can do at this moment: pass judgment on a 5 drawer file cabinet of materials from the late Jim Garrison's JFK assassination probe. DA Harry Connick has given Posner sole access to materials about which he said on local television last month: "Everything connected with that case [Shaw trial] should have been retained and preserved in some way." Later before the Assassination Record and Review Board hearing he stated that the files contained, "...things that would be of great interest to the American public and the world, as a matter of fact." In praise of the mission of the ARRB, namely to obtain and open up all records on the JFK murder, he said: "I compliment you for attempting to do what I think is a necessary undertaking"; and still later in his testimony, "...we think that what you are doing is important and we think that what we can hopefully add to what you're doing will clarify some of the clouded areas of the past and make sense out of what happened." At the time of his testimony-June 28th-Connick was arranging to ship these records to the National Archives so the American public could begin the "clarification of clouded areas" for itself.

Nearly a month and a half later, the public has yet to see the files. Yet Connick has allowed one select person privileged access. He is Gerald Posner, author of the 1993 book "Case Closed" which argued that the Warren Commission was correct in its 1964 finding that Lee Harvey Oswald was the lone, deranged assassin of President Kennedy. In a 1994 interview with researcher James DiEugenio, Connick said that no one could have these files except an "official body". The article does not explain Connick's apparent reversal on this point. Posner also never explains why Connick is delaying the National Archives receipt of these materials.

Mr. Posner's article is relatively brief: 1 1/2 pages, or 3 magazine columns. In this short piece, Posner spends 7 paragraphs dealing with the contents of these new files. Of these, 3 deal with information not already published in books. Yet, the last people able to peruse these files, the House Select Committee on Assassinations (a true official body) made a recently declassified index to these records. The index itself is 18 pages long! From this skeleton guide much of the material ignored by Posner is new and seems to support some of Garrison's charges, specifically about the association of Shaw with Oswald and the attempts some people made to intimidate and bribe his witnesses, which is why he wished them surveilled. This is left out by Mr. Posner.

Finally, Posner leaves out the most important story of all. The ARRB is about to request the release of CIA HQ files on Oswald to the Archives. The CIA is resisting. If, as Posner states, the case is closed and Oswald was the sole, deranged assassin, why would the CIA a.) have voluminous files on him, and b.) not want the public to see them fully disclosed 32 years later. Posner and The Times should save their space for an article on this issue and its outcome done by an unbiased writer whose interpretations can be checked against the record. Openness, not elitist bias, is what the JFK Act was all about.

Connick:

Uh-huh.

Richard:

Do you dispute that? Do you recall that?

Connick:

I, I don't recall that, I don't recall that. But if I did do it, so what, its done.

Richard:

Yeah.

Connick:

We've destroyed a lot of records.

Cut to:

Inside of Sal Panzeca' office. Angelico and Panzeca sitting at a table with the grand jury testimony between them.

Richard's Voice-Over:

As a final footnote to this story, we showed the transcripts to Sal Panzeca, a former member of Shaw's defense team. His reaction:

Panzeca:

We were not able to see the documents at the time I was working on this case, uh, today we would be and I think that the Garrison case would never have gone to trial.

Cut to:

In studio, Angelico sitting at a desk with the two anchors.

Richard:

These records were provided to us on the condition that we forward them to the Assassination Records and Review Board. We will do that. We have also provided a copy

to an assassination expert for his review to determine if these files will shed some light on the assassination investigation. We'll let you know what they find.

Norman:

Richie, does an original copy of the grand jury testimony exist anywhere else.

Richard:

Well, Connick told me that he had some copies of grand jury testimony. I don't know if what he has is some of the other originals or if they're copies. He says he can't make that public because its grand jury testimony. He'll probably burn those.

Susan:

Now since you've gotten actually your hands on these, conspiracy buffs who are still out there would want to know, did you see anything surprising in it?

Richard:

Not from what I know of the Kennedy assassination. I mean one of the things I read first was Perry Raymond Russo's grand jury testimony because he's the one who placed Oswald, Shaw, and Ferrie together. But if you step back a little bit and you know what happened to Perry Raymond Russo, he was given sodium pentothal, he was hypnotized at one point because he had no independent recollection of this. And under hypnosis it was suggested to him that there was a gray-haired man at a party he went to. So when you put this all in context nothing's really new. And that's why we're giving them to the expert so that he can go through them and give us a synopsis of everything.

Susan:

Good, maybe we'll get more. Great story Richard.

Norman:

And the mystery continues. ♦

It's too bad that Angelico's report didn't stop after the Connick interview. Two fallacies were appended to it at that point. First, the implication by Panzeca is confusing. Defense lawyers are not allowed to contest the prosecution's case to a grand jury today just as they were not back then; so it's hard to decipher what he means when he says the case would not have gone to trial if he would have known what was in the grand jury testimony. Secondly, Angelico repeats the ancient James Phelan canard about Russo. As the recent revelations in the actual interviews, trial testimony, and Bill Turner's unpublished manuscript show, Russo mentioned the name Bertrand before he was hypnotized and without being prompted.—Ed.

GOP Defund Attempt

continued from page 1

the research community, a coordinated effort took place to lobby the House Appropriations Subcommittee on Treasury, Postal Service and General Government. This effort was led by representatives and friends of COPA like John Judge, Dan Alcorn, John Newman, and Washington columnist Sarah McClendon. As a result of this effort, Rep. Steny Hoyer (D) of Maryland sponsored an amendment that restored funding in the House to 2.15 million for the ARRB. The bill was passed and then sent on to the equivalent committee in the Senate led by Sen. Shelby (R) of Alabama and Sen. Kerrey (D) of Nebraska. It was passed there also. The villain in this drama was Rep. Jim Lightfoot (R) of Iowa who originally moved the bill to cancel the ARRB in the House Committee on Appropriations. We understand that the line being sold in the House was that the National Archives could do the equivalent job that the ARRB was doing. We won't comment on the inanity of that obvious deception.

There was a downside in all this though. President Clinton had originally asked for an operating budget of 2.4 million. In the view of many, that was not enough. But the amount voted in both the Senate and House versions of the bill was 2.15 million. It seems the DeConcini effort of the previous year to whittle down the budget has taken a mental hold on the funding figure in Congress. Next year PROBE will prepare its readership in advance to lobby the appropriate committees for the higher figure. ♦

ARRB Meets Hurdles

continued from page 1

to redact has already been officially released by the Bureau. We respectfully request that you carefully consider the merits of the arguments raised in our Reply.

"In making its formal determinations, the Board carefully considered the assassination records in question and determined that the public interest in the release of all of the information contained in them outweighed the insufficient evidence that the FBI had offered in support of continued secrecy. The Review Board has, and will, postpone the release of information in cases where the statutorily mandated "clear and convincing evidence"

is supplied and that evidence outweighs the public interest in disclosure.

"A copy of the enclosed Reply, classified SECRET, is being submitted under separate cover to Marvin Krislov, Associate Counsel at The White House."

The contents page of the 26 page reply to the FBI's appeal shows that the ARRB has come down on the research community's side on this issue:

- Part I: The JFK Act Presumes Disclosure of Assassination Records
- Part II: The FBI's Informant Postponements
 - A. The FBI Failed To Meet Its Statutory Obligation to Provide Clear and Convincing Evidence
 - B. The FBI's "Broad-Brush" Arguments Against Release of Information About Informants Should be Rejected
 - C. In the Absence of Clear and Convincing Evidence to the Contrary, the JFK Act Requires Full and Immediate Release of the Appealed Documents
- Part III: The FBI's "Foreign Relations" Postponements

We back the belief in total candor. In fact we think its the only tenable view today. We trust the Review Board's judgment since it is certainly not composed of fringe, or irresponsible professionals. In fact, in Graff and Hall, it contains two former intelligence employees. Does anyone believe they would vote to endanger "national security"? It is a critical time and we are glad it came early. Here and elsewhere, we urge everyone to call or fax the White House, and FBI Director Mr. Freeh to make their voices heard on this momentous issue. Mr. Clinton must back the ARRB in this first appeal by the FBI to the White House. These appeals for secrecy and non-review have led the Bureau into suspicion on the King case, and culpability in Ruby Ridge and Waco. Let this appeal fall where the previous ones should have: on deaf ears. ♦

Make Your Voice Heard.

Director Louis Freeh
FBI
10th & Pennsylvania Ave. NW
Washington D.C. 20535
Phone: 202-324-3000 Fax: 324-4705

President Bill Clinton
The White House
Washington D.C. 20500
Phone: 202-456-1111 Fax: 202-456-2461
e-mail: president@whitehouse.gov

ARRB Hearing in New Orleans: A Participant's View

by Steve Tyler

I was initially flattered when ARRB counsel Thomas Samoluk contacted me last spring about testifying at the New Orleans hearings scheduled for June 28. I warned Tom that my humble testimony might represent a classic good news/bad news story: the good news was that I probably knew as much about the Garrison case as any native New Orleanian. Unfortunately, that was also the bad news. After all, Rosemary James and David Snyder are still considered Garrison experts around here.

When I made my 1992 television documentary, *He Must Have Something*, I embraced the beliefs most residents of "The City That Care Forgot" still hold about the Garrison investigation: that Clay Shaw was a respected, even beloved man whose disastrous prosecution has come to symbolize the futility of any suggestion that JFK's assassination was the result of a conspiracy. I suggested to Tom that if my testimony were to serve any useful purpose, it might be to describe my personal assassination story—how my attendance at A.S.K. '92 concluded one aspect of my journey and sent me on another one—one that has taken me on a hundred and eighty degree turn.

So testify I did, taking the hot seat after Harry Connick, Sr., Congresswoman Lindy Boggs, and Cynthia Wegmann, daughter of Shaw's late attorney Edward. Connick probably rues the day he ever agreed to testify, as his comments about the need to preserve all of Garrison's files that hadn't been "stolen" from the DA's office were to come back to haunt him, as most readers of this journal are well aware. What was notable about the distinguished former Congresswoman's brief remarks was she intimated that her late husband Hale had essentially embraced the Warren Commission's findings. I found this a curious claim, as I seemed to recall reading on more than one occasion that Hale had had serious doubts.

Ms. Wegmann took the stand and recited the standard Shaw persecution litany: that he was a noble, dignified man whose prosecution was a travesty of justice. What most New Orleanians refuse to consider is that this profile begs the question whether Shaw *could* have been up to some nefarious deeds as well—starting with perjury.

As my time drew near I thought it prudent to take a quick trip to the men's room. As I stepped into the hallway I suddenly

found myself face to face with none other than—Gerald Posner! I assumed Pozzie would at least know who I was since I had once been asked to "debate" him on a local talk show when his book tour came through New Orleans (remember—they think I'm an expert.) Unable to make it to the studio, I had done a phone-in instead; he had seen my program and loved it—although reasonably objective it's more sympathetic to Shaw than Garrison—but when I informed him of my growing disillusionment we essentially agreed to disagree. I hasten to add that I had second thoughts about introducing myself to Posner; the thought crossed my mind that one day I'll finally write my book on Shaw and it'll be debunked by the research community because some picture surfaces that shows me talking to Gerald Posner. Well, sorry guys, I'm from the South. I was raised to be polite. Many in the community might say, "I wouldn't give Posner the time of day." Well, I did. But I gave him the *wrong* time.

As I was talking to Posner—he told me he just happened to be in New Orleans for "other reasons," we know what those reasons are now—I spotted New Orleans researcher Guyton Stubbs out of the corner of my eye. I admit to being a little paranoid to begin with, but I was sure the look on Guyton's face said "Turncoat!"

Posner was affable enough, introducing me to his wife as "the guy who made that great documentary on the Shaw trial." Okay, so maybe he has disdain for the facts, but the guy has good taste. When our brief pleasantries were over, I made a beeline for Guyton and told him that I've always lived by the credo that Vito Corleone passed on to his son Michael: "Keep your friends close, but your enemies closer." Besides, I told Guyton, I don't think Posner's going to like hearing what I have to say when I testify.

When it came my turn to testify, I provided the proceedings with the kind of moment I sensed was wanted. Since I had agreed to donate all the unedited interviews from *He Must Have Something* to the National Archives, I reached under the table and plopped a crate full of outtakes in full view of the news cameras. I made a bet with myself that this is the shot they'd use on the news that night; I wasn't disappointed.

I told the board about my assassination metamorphosis, how I began work

on my documentary fully convinced of Shaw's innocence but had since become plagued with reasonable doubt. I heard someone in the audience sigh sympathetically, "Finally!" I wanted to sneak a look to see who it was but decided that might be gauche; suffice it to say I assumed it wasn't Posner.

I suggested that one way of clearing up my growing doubt would be to locate the rest of Garrison's files, Shaw's CIA contact reports from the 40's and 50's, everything on Shaw's involvement with QK/ENCHANT, all files on Permindex and/or Centro Mondiale Commerciale, the Church Committee's files on CIA media assets, all INCA files, Shaw's defense attorney records and all notes and materials compiled by L.J. Delsa and Robert Buras during their work for the HSCA.

When I finished my testimony, I was besieged by requests for interviews by all three network local affiliates. I told each of them essentially the same thing: until all of these files and documents are located and secured, then all we can have is doubt. I happened to pass Connick as he was giving an interview to another group of reporters. The "sound bite" I heard was the predictable "Garrison's investigation was completely absurd." These words would come back to haunt the DA. People in glass houses, Harry! ♦

Be a participant yourself! Find out what's going on in the research community by attending:

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Ted Charach's Press Conference: Thane Eugene Cesar's Gun Found

By David Manning

In truth, heretics are more despised than infidels. In practice, it is never more true than in the attitude of the political elite and the wags who sing their praises, toward the assassination research community. The most recent case in point was the non-coverage of the press conference held by RFK assassination researcher, Ted Charach. Charach used the occasion of the 27th anniversary of RFK's death to reveal the latest findings in the case. Surprisingly or not so surprisingly, not one reporter from any news organization showed up!

It is no small coincidence that author Dan Moldea also called a press conference at exactly 11:00 a.m. on Monday, June 5th, ostensibly to hype his latest book *The Killing of Robert F. Kennedy*. Since the book concludes that Sirhan acting alone shot and killed Robert Kennedy, we wonder if any news organization covered Moldea's press conference. We certainly did not see, hear or read anything about the press conference, so we're left to conclude one of two things; either Moldea had nothing very compelling to say or the press coverage in this town is a lot worse than anyone realized.

In the course of recapping that which is known from the release of his book, articles, video and film presentations, Charach revealed several new pieces of evidence which substantiate the charges of obstruction of justice, subornation of perjury and a cover-up in this case. He also revealed a new wrinkle in his second gun theory. He now believes that not only did Thane Eugene Cesar fatally shoot RFK in the head, but like Sirhan, as discussed in the book *The Assassination of Robert F. Kennedy*, by Jon Christian and William Turner, Cesar was a programmed assassin and has no memory of the acts he committed that night.

Charach displayed copies of documents recovered from state archives which bolstered the 1970 testimony of criminalist William Harper. Harper testified that LAPD criminalist DeWayne Wolfer had falsified the results of the test-firing of the gun used by Sirhan. The documents clearly show the serial number of

the gun test-fired by Wolfer as H-18602. Yet, the serial number of Sirhan's gun is actually H-53725. Wolfer has always stated (even under oath) this discrepancy was merely a "clerical error."

Charach also revealed that last year he made a trip to the Middle East. During that trip he met with members of the Israeli Mossad who, Charach implied, had been aware of the CIA's use of Sirhan Bishara Sirhan as a mind-control subject and a programmed assassin. He offered up a film he

had made of these discussions with the Mossad agents to any legitimate news service organization for airing and analysis on American television.

Another film he offered to any news service organization was that of an interview of shooting eyewitness Donald Schulman who that night told Jerry Dunphy of KNXT news (now KCBS)

that a security guard had fired his gun back at Sirhan and had accidentally shot RFK. Jerry Dunphy and KCBS have denied that this interview ever took place. Of course, since no news organization was represented at the press conference, nobody took Charach up on his offer to air either of these films.

Finally, Ted Charach, who refers to himself as the "Father of the Second Gun Theory" in the assassination of Robert F. Kennedy, has teamed up with feature film producers, Beaux Carson and Tim Gibbons to tell the story of the search for the second gun and the lives who have been affected by the search.

The project is titled, "Operation Tinker Toy" - Phase I and Phase II. It's the story of how the gun turned up in the possession of certain residents of a little town in Arkansas, and how their lives took rather dramatic turns for the worse under possession of this gun. Their story is told within the backdrop of

Charach's 25 year search for it.

At one point during the press conference, Beaux Carson brought in a man toting a metal briefcase and a handcuff attached to his wrist. Inside the briefcase was the nine-shot, .22 caliber revolver, serial number Y-13332, salvaged from a muddy pond in Arkansas after 25 years. This is the gun which was owned by Thane Eugene Cesar and which Charach believes is the second gun used in the assassination. Sirhan's gun was an eight-shot, Iver-Johnson Cadet, .22 caliber revolver, serial number H-53725.

This was the first public display of the gun since its recovery in 1993. Carson announced that tests on the gun and test-firings will be made sometime this year by independent forensic labs. He stated he had also been approached by law enforcement agencies who expressed interest in test-firing the gun using their own forensic experts. He hesitated to identify which law enforcement agencies were interested.

We came away from the press conference believing ourselves more blessed for the cursed heretic and despising evermore the beloved infidel. ♦



Photo by Thomas Smith

June 15, 1993

Mr. Beaux Carson
JC Entertainment
4500 Forman
Toluca Lake, CA 91602
RE: Examination of RFK Second Gun.

Dear Mr. Carson:

A 9-shot H & R 22 Revolver, with serial No. Y13332 was examined using an optical microscope and a scanning electron microscope (SEM). Special attention was paid to examine for any alteration in the serial number of the revolver.

Optical and SEM examination revealed that the surface of the revolver at the butt end with the serial number did not show any grinding marks or surface obliteration. This surface was identical to the other surfaces of the gun. The grooves for the serial numbers and the pits on the steel surfaces were filled with natural oxide (that shows the age) and handling debris accumulated over a period of time.

Optical and SEM micrographs obtained of the serial number are attached and show no grinding marks or surface obliteration. Energy Dispersive X-ray (EDX) microprobe analysis revealed that the revolver handle was made from a plain carbon steel containing silicon and manganese. The EDX microprobe spectra obtained on the handle surface as well as within a surface pit are attached.

Please do not hesitate to contact me if you have any further questions regarding this analysis.

Sincerely,
SEAL LABORATORIES

Arun Kumar, Ph.D.
Vice President, General Manager

CTKA Pays Tribute to Women



Anna Marie Kuhns-Walko

What One Can Do

by Steve Jones

"Ask not what your country can do for you...." For most Americans today these words are but a distant memory or at best a part of some arcane history lesson. But for Anna Marie Kuhns-Walko the challenge that President John Kennedy gave to us 34 years ago is as real and important today as it was when it was first issued.

For the past year and a half, Anna has devoted her life to doing her best to live up to that challenge. She is helping to bring about a more open and honest government so that past crimes held secret may never be repeated again. Between August 1993 and January 1995, Anna spent almost every day, sometimes as much as 50-60 hours per week, at either the National Archives building in downtown Washington or at the newly opened Archives II in College Park, Maryland, digging through millions of documents released under the JFK Assassination Materials Disclosure Act of 1992. No professional historian, journalist, researcher or government bureaucrat is as familiar with the Kennedy assassination materials as this wife and mother of two grown children. In fact, one security guard at the National Archives became so used to seeing her there that he assumed she was an archives employee.

Anna has been an invaluable asset to countless authors and fellow researchers who have made the journey to the new College Park archives. Many have relied upon her for advice and information. An almost equal number have been warmly invited into her home. She gladly shares her research work with others out of a firm conviction that all Americans have a right to know their own history.

The only thing that upsets her is "When

Women in the Research Community

We have decided to devote a special section of PROBE to honor some of the current and prominent female contributors in the research community. For a long time when women in the field were mentioned, the only two names listed were Sylvia Meagher and Mary Ferrell; the former for her wonderful book "Accessories After the Fact", the latter for her personal archives. "JFK" changed that equation. But even at the symposiums held immediately afterward—except for Stone's assistant Jane Rusconi—new female faces were rarely seen on the dais. Last year's COPA conference was a slight improvement. Carol and Kathleen were on panels. But Millicent's presentation on the alteration of John Connally's hospital testimony was rushed and Anne-Marie was inexcusably shunted into a sideroom. We hope that doesn't happen again and we do what we can here to both recognize their work and reverse a neglect that cannot be called benign.

the media, or the government, rely upon researchers for information and then publicly refer to them as 'conspiracy buffs.' I hate that term. I don't buff anyone's shoes. I prefer to be referred to simply as a citizen who is deeply concerned that so much of our real history has been kept hidden from us. In going through the files, it's become clear to me that the government isn't going to take the initiative in telling the truth about who killed President Kennedy. We citizens have to make them accountable; to do what is right for the people."

Anna's passion for politics began as a child growing up in Pittsburgh, PA. As a little girl she attended Democratic party and steel-workers union meetings with her mother. As a seven year old, she saw John Kennedy while he was on a campaign swing through her town on October 10, 1960. Anna went on to college and earned three Associate degrees, a bachelors degree, and accumulated fifteen credits towards her Masters degree in political science. She accomplished this while enduring the many moves required of her due to her husband's career in the military.

Anna states that she has uncovered enough information in the newly released files to convince her that the assassination was the result of "a covert operation from within the United States." Among the documents she's uncovered so far:

Documents exposing "Operation TILT": an ill-fated attempt to smuggle four Soviet Military officers out of Cuba who allegedly maintained that missiles were still in place

after Krushchev's promise to remove them during the Cuban missile crisis of October, 1962. One of the key players in this drama, John Martino, has been independently identified as being involved in JFK's murder.

She found an envelope with the inscription "7.65 shell found in Dealey Plaza on 12/02/63," only to find that the shell had been removed from the envelope with a note left in its place that stated, "determined of no value and destroyed." Oswald was alleged to have used 6.5 ammunition.

Another document she uncovered states, "photo of bullet allegedly removed from President Kennedy's body." This was found with accompanying photos of a nearly whole bullet. According to the Warren Commission version of events no bullet was ever removed from President Kennedy's body. The only bullet mentioned in their report are "traces" that were found as minute particles which showed up on a skull x-ray.

A document dated February, 1960, claims that then Vice President Richard Nixon was arranging for two million dollars to be turned over to a Cuban revolutionary group and used for the purpose of overthrowing Fidel Castro's government.

It was the public furor caused by the release of Oliver Stone's movie "JFK" that brought about the creation of a five person review board of eminent historians who are responsible for the release of many documents in the government's possession. This review board was given a working staff, a

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in the Research Community



Carol Hewett

Coming Full Circle

by Carol Hewett

I became mildly interested in the assassination as a result of the Oliver Stone movie and casually pursued this interest by reading general books about the assassination by Garrison, Lane, Summers, etc. I was far from being a serious researcher and simply viewed the case as a yet unsolved murder mystery - a much better read than Dash Hammett novels. However, I became hooked by Michael Beschloss's book, *Mayday*, on the Gary Powers U-2 spy affair wherein Lee Harvey Oswald's name suddenly appears on page 236. Beschloss suggests that Oswald, as a former U-2 radar operator, may have been infiltrated into Russia and utilized to sabotage Powers's flight and the upcoming summit between the superpowers. The timing of these events and the fact that Oswald was released shortly after the Powers exchange for Rudolf Abel put Oswald into an entirely different perspective for me and I embarked upon research into cold war politics and Oswald's military background - still without much interest in the events of Dallas.

I mentally traveled the Far East, Russia and Cuba from post WWII to the Bay of Pigs. Eventually I found myself physically present in Texas in September of 1992 looking for an obscure book in the Dallas library entitled *Oswald*, by Kerry Thornley, only because there were no copies available in Florida's libraries and I had an airline ticket that needed to be used up by the year's end. It was in Dallas that I discovered that there were others like me who researched and who actually came together at conferences to study the assassination! From my first attendance at ASK 1992 until the present, I have worked vigorously on JFK research and find myself pursuing a

wide variety of topics which thus far have covered the Dallas "sleaze scene" including night club operators and gunrunners; Kerry Thornley and E. Howard Hunt as possible propaganda assets; the history of Mannlicher-Carcanos; and an overview of the circumstantial evidence that might have been admitted into a trial had there been one. And so I arrived full circle - from deep politics to the nitpicking details of a Dallas police investigation.

I regard the most significant research development of the 1990's (aside from the historical release of previously classified documents) to be the shift in attitude in a growing number of pro-conspiracy researchers that Oswald may have been involved in the assassination after all. Oswald's innocence up until now has been a sacred cow, which if challenged in the slightest, causes Oswald's defenders to accuse other researchers of being traitors to the cause. I feel this thwarts progress by preventing evidence from being tested against a variety of hypotheses which in turn I feel is essential to unraveling what happened on November 22, 1963. I confess to being part of the small minority of researchers who seriously doubt Oswald's innocence yet who fervently believe in a conspiracy. While I may be in a minority amongst conspiracy theorists, I nevertheless keep company with the majority of Americans - who have maintained that Oswald did not act alone.

My particular approach to research comes from my own tendency as a trial lawyer to analyze facts in such a way so as to reconcile apparent discrepancies. Only in this way can a lawyer make his or her version of the case acceptable to judges and jurors who are receiving conflicting data. In other words, what case scenario would allow both sets of seemingly conflicting facts to exist? This "reconciliation" process can be applied to JFK research as well. For example: if there is both reliable evidence of only 3 shots and reliable evidence of more than 3 shots, then what additional unknown factor might explain both phenomena? One possible answer could be the use of silencers. Thus I began researching both Mannlicher-Carcanos as well as sniper weapons. The results are rather interesting because in 1963 there existed CIA sniper weapons equipped with silencers (that did

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Milicent Cranor

Excavating History

by Milicent Cranor

All kinds of expertise and semi-expertise can be applied to the study of the Kennedy assassination. In my case, an amateur's passion for archeology and what it reveals about ancient crimes carried over to the crime of this century.

In archeology, you get the conqueror's version of the truth filtered through layers of dead languages, and a lot is left in the filter. Sometimes the truth can be found, not on a great stone monument, but beneath it, in layers of debris, trampled on for centuries. You find fragments of ancient texts, and fragments of individual letters, which may or may not belong together. You combine certain pieces, and take special care to keep others separate.

The testimonies of witnesses to the Kennedy assassination all seems to be jagged fragments of the same picture. Some of the stories don't seem to fit at all, until you ask the right questions; then you find that someone has shifted the context, and you have to reframe the answers.

The best archeologists try to fill in a lot of blanks with imagination and logic, and keep track of every speck of dust that suggests a different picture.

In contrast, spokesmen for the official version of the Kennedy assassination identify no important blanks, and sweep mounds of contradiction beneath a grey rug. I try to identify the blanks - as well as the shape of the lumps under the rug. Less difficult is identifying the lumps standing on the rug, doing business as usual. ♦

Milicent Cranor is the co-author of over a dozen articles for peer-reviewed medical journals, amateur paleographer, former staff writer for *Applause Magazine*, and former editor at E. P. Dutton

Anna Marie Kuhns-Walko

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budget of \$2 million dollars and a three year life span to carry out this task. Though the board was to have begun their work in 1993, it was not ready to begin work until well into 1994. In the meantime, researchers like Anna didn't waste precious time waiting for the government to act. She was already on the trail long before the ARRB became functional.

But the Review Board still has an important function. Just how efficiently and honestly they operate will show how serious the government is about getting to the truth of the assassination.

What concerns Anna most is that the recent lurch to the right in Congress may spell trouble for the board and the fate of even more documents that are due for release under this legislation. Right wing politicians generally favor authoritarianism and secrecy. "We have to be vigilant and make sure they don't chop it, cut it or stop it. We have to watch and see that Congress doesn't close down the Review Board."

Despite her concerns, Anna is optimistic that, "in time, truth and justice will prevail. People have more to say than they believe they do; more power in what can be done than they realize. We have to keep trying or we're never going to succeed." ♦

Carol Hewett

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not muffle the sound as well as they should depending upon where the listener is standing) which happened to have rifling patterns very similar to the Mannlicher-Caracanos. I will elaborate more on my findings in the next issue of Probe.

What has also intrigued me about the JFK assassination was the manner in which the evidence simultaneously implicated and exonerated Oswald - it undisputedly rose to the level of "probable cause" yet neatly fell short of proof "beyond a reasonable doubt. Even if Oswald had not been arrested in the Texas Theater that afternoon, the evidence which came to light during that day was abundantly sufficient to require the issuance of an arrest warrant and the filing of charges against him. Yet this very same evidence falls apart upon closer scrutiny and would not have held up at trial. Examples abound but I will mention just a few: 1) Oswald's fingerprints on the rifle which supported ownership, yet none on the clip or handloaded cartridges which would have shown possession by him that day; 2) the mail order purchase of a

Mannlicher from Klein's in the name of an alias of Oswald's and in the handwriting of Oswald, yet a 42" rifle arrives instead of the 36" which he ordered; 3) a paper bag on the sixth floor containing Oswald's blanket fibers yet a similar bag addressed to Oswald languishes in the "dead mail" bin of an Irving post office; 4) backyard photos hidden amongst his personal possessions showing him to be a left-wing militant armed to his teeth yet bearing the markings of being faked; 5) ownership of a handgun of the same 38 caliber that killed Tippett yet the Tippett bullets come from an automatic and Oswald's hand gun is a revolver. Oswald cannot only proclaim that he is a patsy, he can prove it! He even says as much during his interrogations.

Would a bonafide sophisticated frame-up of an innocent person be so flawed naturally? Or, as researcher William Weston argues, was Oswald actually a "sham" patsy who allowed himself to be implicated provided he could be assured of escape and/or acquittal at trial? If Oswald was truly innocent, how does one explain his departure from the book depository, only to arm himself with a weapon and hide out in a dark theater. No other "innocent" book depository employee felt the need to spend Friday afternoon in the manner selected by Oswald. Oswald was apparently "in the know" about something - but what?

Was Oswald "in the know" of the pending plans to invade Cuba at the end of November 1963, a covert operation which is slowly coming to light for the first time in 30 years? Did this operation have official sanction by the White House or were the Kennedy brothers oblivious to these covert activities? Was the assassination to be a fake one (to justify the invasion) which a few fanatics within the CIA and military transformed into a real one - one covert operation hidden inside of another? How do all of these notions square with the circumstantial and physical evidence that is at hand? The deep politics once again becomes as fascinating as the minute details - how could anyone not be sucked up into what some perceive to be the black hole of assassination research? We at least begin to understand our body politic and thus our own roles as citizens of a democracy, do we not? No matter the individual theories, no matter the outcome, we are all as citizens obligated to probe for the truth and to support one another's efforts - without rancor and back-biting criticism of one another's work, I might add.

I feel that we are arriving closer to the truth with each passing day and with each

new document - otherwise I could not continue with my own research if I sensed it was a bottomless pit. Even without a definitive answer, I now understand my government better than I did before. I have also made many wonderful friends from within a group of the most dedicated and intellectually stimulating folks that I have encountered since my college days. What a welcome respite from the grind of the work-a-day world. History has never been so alive! ♦

Carol Hewett is a practicing attorney in Pinellas County, Florida, the same county where Ruth Paine now lives. Following her graduation from the University of Texas School of Law in 1975, she worked for various federally funded legal services programs which engaged in advocacy on behalf of institutionalized persons, including mental patients, prisoners, foster children and juvenile delinquents. Her efforts were directed at safeguarding their constitutional rights with regard to their conditions of confinement. She later served as litigation director of the National Juvenile Law Center, a now defunct program under the U.S. Department of Justice. While there she had occasion to represent Cuban youths in a landmark case which successfully challenged their indefinite detention in adult jails following their arrival into the U.S. in the 1980 Mariel boatlift. In 1982 she formed her own law firm where she focused primarily on criminal defense and family law. Since 1992 she has limited her practice to federal administrative appeals on behalf of social security disability claimants which is far less demanding than her previous trial work and which allows her to pursue assassination research on almost a full-time basis.

~ In Memoriam ~ Cindy McNeill

1952-1995

Cindy McNeill of Houston, Texas passed away on March 21, 1995 after a long battle with breast cancer. Cindy, who was a wife, mother, lawyer and regent with a local university, was a relative newcomer to the assassination research community. Yet she had spent years studying Richard Nixon and E. Howard Hunt and their possible roles in the Kennedy assassination. At the time of her death, Cindy left behind a lengthy unfinished manuscript about these two men. Those who had the opportunity to collaborate with Cindy will remember her impressive command of the subject, her no-nonsense approach to research politics and her generosity and willingness to share her research with others.

Gunrunner Ruby and the CIA

by Lisa Pease

It's not as if they didn't know. Assistant counsels to the Warren Commission Burt Griffin and Leon Hubert wrote, in a memo to the Warren Commission members dated March 20, 1964, that "the most promising links between Jack Ruby and the assassination of President Kennedy are established through underworld figures and anti-Castro Cubans, and extreme right-wing Americans."¹ Two months later, Griffin and Hubert wrote another memo to the Commission, significantly titled "Adequacy of the Ruby Investigation" in which they warned, "We believe that a reasonable possibility exists that Ruby has maintained a close interest in Cuban affairs to the extent necessary to participate in gun sales or smuggling."

Ruby had talked about it himself while in jail, reportedly telling a friend, "They're going to find out about Cuba. They're going to find out about the guns, find out about New Orleans, find out about everything."² Tales of Ruby running guns to Cuba abounded in the FBI reports taken in the first weeks after the assassination, yet neither the Warren Commission nor the House Select Committee pursued those leads very far. Griffin and Hubert expressed concern over this, saying that "neither Oswald's Cuban interests in Dallas nor Ruby's Cuban activities have been adequately explored."³

If They Dared

Hubert and Griffin expressed in their memo of May 14 to Rankin that "we believe that the possibility exists, based on evidence already available, that Ruby was involved in illegal dealings with Cuban elements who might have had contact with Oswald. The existence of such dealings can only be surmised since the present investigation has not focused on that area."⁴ They expressed concern that "Ruby had time to engage in substantial activities in addition to the management of his Clubs" and that "Ruby has always been a person who looked for money-making 'sidelines'." They even suggested that since the Fort Worth manufacturer of the famous "Twist Board" Ruby was demonstrating the night after the assassination had no known sales, and was manufactured by an oil field equipment company, that "[t]he possibility remains that the 'twist board' was a front for some other illegal enterprise." But what

Griffin and Hubert kept coming back to is that there was "much evidence" that Ruby "was interested in Cuban matters, citing his relationship to Louis McWillie; his attempted sale of jeeps to Castro, his reported attendance of meetings "in connection with the sale of arms to Cubans and the smuggling out of refugees"; and Ruby's quick correction of Wade's remark that Oswald was a member of the Free Cuba Committee, a group populated with such notables as Clare Booth Luce, Admiral Arleigh Burke, and Hal Hendrix. "Bits of evidence link Ruby to others who may have been interested in Cuban affairs."

What was their recommendation, based on such tantalizing evidence? "We suggest that these matters cannot be left 'hanging in the air.' They must either be explored further or a firm decision must be made not to do so supported by stated reasons for the decision." History has given us the commission's decision on this, but a clue to the motivation shows up in this same memo, in regards to Seth Kantor, who claimed to have seen Ruby at Parkland hospital around the time of Kennedy's death. "We must decide who is telling the truth, for there would be considerable significance if it would be concluded that Ruby is lying." [emphasis added] The concern was not what the truth was, but what the truth might mean if it was uncomfortably discovered.

Ruby was lying, and the implications are enormous.

Cuban Excursions

Ruby had told the Warren Commission he had only been to Cuba once, on vacation, for a week to ten days. Not true. According to Cuban travel records, Jack Ruby entered Cuba from New Orleans on August 8, 1959; left Cuba September 11, 1959; re-entered Cuba from Miami on September 12, 1959; and returned from Cuba to New Orleans on September 13, 1959.⁵ But bank records⁶, Dallas police records⁷, and FBI records⁸ showed Ruby in Dallas August 10, 21, 31, and September 4, days which fall

right in the middle of his supposedly continuous stay in Cuba. Somehow, Ruby was getting in and out of Cuba without the Cuban authorities detecting and recording such. Why was Ruby making multiple excursions to Cuba during this time? What were the nature of these visits and why did he choose to hide them?

The reticence of investigative bodies to investigate these matters make sense when one realizes that Jack Ruby was not going to Cuba on pleasure trips. The Warren Report tells of an incident in early 1959 where Ruby made "preliminary inquiries, as a middleman, concerning the possible sale to Cuba of some surplus jeeps located in Shreveport, La., and asked about the possible re-

lease of prisoners from a Cuban prison."⁹ Ruby's sister indicated the jeeps might have been military surplus from WWII.¹⁰ Both the story of the jeeps and the story of the prisoners tie Ruby to some interesting Cuban activities.

A Whole Lot of Jeeps

Texas gunrunner Robert McKeown said Ruby "had a whole lot of jeeps he wanted to get to Castro." Ruby wanted McKeown to write a personal letter of introduction to Castro for Ruby so he could talk to Castro about releasing some unnamed friends detained in Havana.¹¹

At that time, Santo Trafficante was being held at the Trescorna detention center in Cuba. Was Ruby instrumental in winning Trafficante's release at that time? John Wilson Hudson (a.k.a. John Wilson), an English journalist supposedly detained with Trafficante in the camp, indicated that Ruby came to see Trafficante in Trescorna.¹² After Ruby shot Oswald, according to CIA cables, Wilson contacted the American Embassy and reported that "an American gangster called Santo...was visited by an American gangster type named Ruby."¹³ If Ruby was trying to sell jeeps to Castro, as McKeown said, was this an arms-for-hostages type deal? Get Castro the jeeps and get Trafficante out of jail? Recent events remind us this certainly wouldn't have been

"They're going to find out about Cuba. They're going to find out about the guns, find out about New Orleans, find out about everything."

Gunrunner Ruby

continued from page 13

the only such effort in history. Trafficante was released from the detention center in August, 1959¹⁴, possibly just after Ruby's appearance there.

Questioning Trafficante

Trafficante is a person often portrayed as one of Ruby's mob contacts. But Trafficante was one of the "gangsters" who participated in the CIA's Castro assassination attempts, according to the CIA Inspector General's report. Key to understanding the seriousness of defining Trafficante's relationship with Ruby are the questions originally put to him before Blakey took over the HSCA, by then-chief counsel Richard Sprague.¹⁵ To all of the following, Trafficante's response was, "I respectfully refuse to answer that question pursuant to my constitutional rights under the 1st, 4th, 5th, and 14th amendments." This is the legal outlet allowed when a truthful answer will be self-incriminating, and Trafficante used it throughout.

The first question out of Sprague's mouth is probably indicative of why he was eventually ousted - he had a habit of getting right to the point:

"Mr. Trafficante, have you at any time been an employee, a contract employee, or in any manner been in the service of the Central Intelligence Agency, or any other agency of the Federal Government of the United States?"

The rest of the questions followed in a similar vein:

"Mr. Trafficante, did you know John Rosselli?"

"Mr. Trafficante, did you know Sam Giancana?"

"Mr. Trafficante, do you know Robert Maheu?"

"Mr. Trafficante, prior to November 22, 1963, did you have information that President Kennedy was going to be assassinated?"

"Mr. Trafficante, prior to November 22, 1963, did you advise other people of the assassination of President Kennedy?"

"Mr. Trafficante, prior to November 22, 1963, did you know Jack Ruby?"

"Mr. Trafficante, have you ever met with representatives of the Central Intelligence Agency to discuss the assassination of various world leaders, including Fidel Castro?"

"Mr. Trafficante, is any agency of the U.S. Government giving you any immunity with regard to any plans to assassinate any world leaders?"

"Mr. Trafficante, did you ever discuss with any individual plans to assassinate President Kennedy prior to his assassination?"

"Mr. Trafficante, while you were in prison in Cuba, were you visited by Jack Ruby?"

When the questions were opened to the others present, more questions followed in the same vein. Note: *no one was asking questions about Trafficante's mob involvement.* They were interested in his ties to the government:

"Mr. Trafficante, as a result of your appearance here today, have you been threatened by anyone, any group or agency? Has your life been threatened in any way?"

"Mr. Trafficante, have you been contacted by any agency in the executive branch, say the

"Mr. Trafficante, have you at any time been an employee, a contract employee, or in any manner been in the service of the Central Intelligence Agency, or any other agency of the Federal Government of the United States?"

CIA or FBI, in connection with your possible testimony before or after you received formal subpoena to appear before this committee?"

Trafficante's involvement with the CIA and Ruby bear further scrutiny. The Review Board should be asked to release all CIA and FBI files on Santo Trafficante.

The story of Jack Ruby getting Trafficante out of a Cuban jail was not the only such allegation. There is another allegation from a different source that Ruby was involved in some guns for hostages deal.

Nancy Perrin Rich told the Warren Commission a fascinating story about a group running Enfield rifles to Castro in order to run refugees out of Cuba to Florida. The guns were to be run through Mexico. Ruby was evidently the bagman for this group, since his appearance on at least one occasion made the cries about lack of money disappear when he walked in.¹⁶

Nancy Perrin Rich's story is perhaps the most widely retold of Ruby's gunrunning episodes. But there are a number of other odd stories that bear dissemination, some with more substantiation than others. There are the new Elrod revelations that put Ruby in the middle of yet another gunrunning scenario.¹⁷ And there is a story from Islamorada, Florida that leads to interesting places.

Jack and James

Mrs. Mary Thompson met a man named "Jack" accompanied by a woman, not his wife, named "Isabel" at the home of Mary Lou and James Woodard in Islamorada, Florida.¹⁸ At the time, Mary Thompson was accompanied by her daughter Dolores and Dolores's husband. Jack was said to be from Chicago originally. Mrs. Thompson placed the date of this encounter around the end of May of 1958. Interestingly enough, she said Jack's first real name was Leon but went by Jack. Jack Ruby's middle name was Leon.

Mary Lou Woodard said Jack had a trunk full of guns he was going to supply to Cubans. Mary Thompson stated she'd been told there were supplies of guns hidden in the marshes that were being collected by the Indians in the area to be sold to the Cubans, as this was around the time of the Cuban revolution. Mary Thompson's daughter Dolores also saw and described this same Jack, as did Mrs. W. R. Simons.

Dolores recalled that her husband's friend James Woodard, while drunk one night, declared he would run guns to Cuba with Jack. Woodard had two or three guns of his own but said Jack had a lot more. When shown a photo of Jack Ruby she said it resembled the man she remembered, although she didn't remember his last name as being "Ruby."

A check of the Knoxville FBI files showed that James Woodard was considered "armed and dangerous", packed a weapon, and had a violent temper when drinking. Interviewed by the FBI in September of 1963, Woodard "in somewhat rambling and incoherent manner" talked of his participation in an invasion of Cuba prior to the Castro regime, that he had again participated in the Bay of Pigs and had furnished ammunition and dynamite to both Castro and the Cuban exile forces. On October 8, 1963, Woodard was questioned again, this time concerning dynamite found at his residence in South Dade County, Florida, as the dynamite had been stolen from a construction company. He claimed the dynamite was being used by Cuban exile forces fighting the Castro regime.

After the assassination, James Woodard's sister said James had been in Texas a lot, and that she had asked James if he ever knew Ruby. He said no, but then promptly disappeared and hadn't been seen since November 25, 1963. If he truly had been running guns with Ruby to the CIA-

sponsored Cuban exile forces, one can surely imagine a hefty motive for his sudden disappearance after Ruby appeared on the public scene by shooting Oswald. Woodward is another person whose records the Review Board should look into to shed light on Ruby's contacts with Cubans and gunrunning.

Perhaps Ruby was concerned enough to hide his activities not so much because he was running guns, but because of who he was running them for, and with.

By far the most interesting account of Ruby's gunrunning is found in an FBI report taken a week after the assassination. Informant "T-2" (Blaney Mack Johnson) revealed that in the early 1950s a man he knew then as "Rubenstein" arranged illegal flights of weapons to the Castro organization in Cuba. He added that Rubenstein "left Miami and purchased a substantial share in a Havana gaming house in which one COLLIS PRIO (phonetic) was principal owner."¹⁹ One recognizes the name Carlos Prio Socarras, especially when T-2 linked "COLLIS" to Batista. In the early 50s Prio was a supporter of the Batista regime under which he had grown exceedingly wealthy, but in the mid to late 50s Prio worked hand in hand with Castro, aided by the CIA, to overthrow the increasingly difficult Batista. In a letter to Lee Rankin of the Warren Commission, Hoover had this to say of the ongoing (since 1952) investigation of Dr. Carlos Prio Socarras, a.k.a. Carlos Prio: "The neutrality and registration act investigation related primarily to the activities of Carlos Prio Socarras, who, with a number of others including McKeown, was involved in a conspiracy to ship arms, munitions, and other war materials to Fidel Castro to assist him in his efforts to overthrow the Batista regime in this investigation."²⁰ In the attachment, the FBI had McKeown knowing Castro and Carlos Prio Socarras personally. As referenced earlier, McKeown was the one who revealed Ruby's possible jeep deal and Ruby's attempt to get friends released from Cuban detention. McKeown also said that Ruby came to him offering a large sum of money in return for a personal letter of introduction to Castro.²¹

Mysterious Mr. Browder

But T-2's account revealed possibly a contact of Ruby's even more interesting than Prio. T-2 stated that the man he recognized as Ruby but knew formerly as Rubenstein was smuggling arms to Cuba with one Donald Edward Browder. T-2

went on to name three people who he said could corroborate his story: Joe Marrs of Marrs Aircraft whom Ruby contracted to make flights to Cuba; former Chief of Police in Hialeah, Florida Leslie Lewis, who would know of Ruby's gunrunning and smuggling operations; and Clifton T. Bowes, Jr., formerly captain of National Airlines, Miami, for further corroboration.

Joe Marrs worked for Eastern Airlines. He claimed he never flew for hire or transported goods. He knew Browder, but claimed he avoided Browder as he saw him as a shady promoter who was all talk about air transport plans but no money (an amusing revelation from a man who just a few words earlier had said he didn't fly for hire.)²²

Les Lewis, the former Chief of Police, denied knowing Jack Ruby and claimed to have "no knowledge whatsoever of persons flying weapons to Cuba." A Hialeah Police Chief having no knowledge of persons flying weapons to Cuba in the fifties is a bit hard to believe. And of course, Lewis completely denied ever knowing a Donald Edward Browder.²³

Clifton T. Bowes was sure he never knew a Jack Rubenstein and said he first heard of Ruby watching him on television. He did not know a Donald Edward Browder but did claim to know Blaney Mack Johnson, saying he understood Johnson was ill and had been hospitalized, was "highly imaginative"²⁴, the usual FBI line for an unwelcome witness.

When the FBI collected these denials, they returned to Johnson. Johnson stuck tightly by his story and insisted all the information he had provided had been true and accurate. He also said he understood why Lewis, Marrs and Bowes would have lied to conceal their knowledge of and/or involvement in Ruby's activities. And of course, Johnson replied he had never been hospitalized.

Enter Eddie Browder. Eddie Browder testified before the House Select Committee on Assassinations in the 70s.²⁵ He was a former Lockheed test pilot who was serving a 25-year prison sentence for "security violations." He told the committee he worked for the CIA. One time he had leased a B-25 bomber under the name of a non-existent company and flown it to Haiti a year after the Kennedy assassination. He cashed a check signed by George DeMohrenschildt's Haitian business associate Clemard Charles, in the amount of \$24,000. What's interesting is that the HSCA used Browder's testimony in the

DeMohrenschildt section, not the Jack Ruby section. Is there a tie there linking DeMohrenschildt to Jack Ruby? Only three small "innocuous" reports of the more than 1000 pages the FBI has on Browder were released to the Warren Commission.²⁶ It's time the remaining documents on Browder, including the full text of his executive session testimony before the HSCA, were released. Any Browder who used the Don Eduardo alias²⁷, worked with DeMohrenschildt, and ran guns with Ruby to Cuba is worthy of further study.

(To be continued in the next PROBE.)

Notes

¹George Michael Evica, *And We Are All Mortal* (University of Hartford, 1978), p. 161.

²Peter Dale Scott, *Deep Politics and the Death of JFK* (University of California Press, Ltd, 1993), p. 179.

³Memorandum to J. Lee Rankin from Leon D. Hubert and Burt W. Griffin, May 14, 1964, p. 3.

⁴Memorandum to J. Lee Rankin from Leon D. Hubert and Burt W. Griffin, May 14, 1964, p. 4.

⁵HSCA, Vol. 5, pp. 197-198.

⁶HSCA, Vol. 5, p. 204. On page 205 Stokes said that Ruby was admitted to his box on August 20th, but the copy of the FBI report on the bank records on the previous page show both a typewritten date of August 21 and a handwritten note with the same date.

⁷Anthony Summers, *Conspiracy* (Paragon House paperback edition, 1989), p. 439.

⁸HSCA, Vol. 5, p. 221.

⁹Report of the Warren Commission on the Assassination of President Kennedy (McGraw-Hill Book Company, 1964), p. 345.

¹⁰WC Vol. 26, p. 661, CE 3069.

¹¹Summers, p. 437.

¹²Summers, p. 441.

¹³Summers, p. 440; HSCA Vol. 5, p. 365.

¹⁴HSCA, Vol. 5, p. 325.

¹⁵HSCA, Hearings March 16, 1977, pp.37-41.

¹⁶WC Vol. 14, pp. 349-350.

¹⁷For a lengthy treatment of Elrod, see the article by Ray and Mary La Fontaine, *The Washington Post*, 8/7/94, "The Fourth Tramp".

¹⁸WC Vol. 26, p. 642-649.

¹⁹WC Vol. 26, p. 634, CE 3063.

²⁰WC Vol. 26, p. 650, CE 3066.

²¹Summers, p. 437.

²²WC Vol. 26, p. 639.

²³WC Vol. 26, p. 639.

²⁴WC Vol. 26, p. 640.

²⁵Jim Marrs, *Crossfire* (Carroll & Graf, 1989), p. 284.

²⁶Marrs, p. 392.

²⁷Don Eduardo was a well known alias of E. Howard Hunt. But James McCord also used the name Don Eduardo. Jim Hougan, *Secret Agenda* (Random House, 1984), p. 80. Blaney Mack Johnson said Don Edward Browder was sometimes called "Don Eduardo." WC Vol. 26, p. 642.

**"On balance,
the entire effort would be
justified solely by the
strong indication of
conspiracy at the Plaza."**

Canning's Letter to Blakey

by Kathleen Cunningham

The "not altogether complimentary letter" may prove to outline the reasons that the HSCA failed so miserably in their investigation of the John F. Kennedy assassination.

Following his shocking revelation that the photo evidence and the conclusions of the Warren Commission are not mutually supportive, Thomas Canning, author of the HSCA's trajectory analysis, offers us a brilliant outline of why the HSCA's investigation was doomed to fail. His allegations of evidence left compartmentalized, accusations of staff infighting, along with his assertion that the medical panel gave him conflicting data, confirm what many in our research community have suspected all along. For these reasons many have proposed that a special prosecutor someday be appointed to explore the assassination. ♦

January 5, 1978

Professor Robert Blakely [sic]
Chief Counsel,
House Select Committee on Assassinations
U.S. House of Representatives
House Office Bldg.
Annex No. 2
Washington D.C. 20515

Dear Professor Blakely: [sic]

When I was asked to participate in analysis of the physical evidence regarding the assassination of John Kennedy, I welcomed the opportunity to help set the record straight. I did not anticipate that study of the photographic record of itself would reveal major discrepancies in the Warren Commission findings. Such has turned out to be the case.

I have not set out to write this note to comment on results; my report does that. What I do wish to convey is my judgement [sic] of how the parts of the overall investigation which I could observe were conducted. The compartmentalization which you either fostered or permitted to develop in the technical investigations made it nearly impossible to do good work in reasonable time and at reasonable cost.

The staff lawyers clearly were working in the tradition of adversaries; this would be acceptable if the adversary were ignorance or deception. The adversaries I perceive were the staff lawyers themselves. Each seemed to "protect" his own assigned group at the expense of getting to the heart of the matter by encouraging — or even demanding cooperation with the other participants. The most frustrating problem for me was to get quantitative data — and even consistent descriptions — from the forensic pathologists.

Of somewhat less importance in gaining overall acceptance of what I consider to be a quite impressive improvement in understanding, was the manner in which the results of the investigation were conveyed in hearings. I don't propose to alter the trial-like atmosphere, but when long-winded engineers and Congressmen are allowed to waste literally hours on utter trivia, I do object.

I needn't remind you of the importance of managing time when many expensive people are participating and particularly when millions are watching. To allow staff and witnesses to overrun their planned allotments to the detriment of the whole planned presentation indicates that either the plan or its execution has been weak.

Clearly the participation of the Congressmen in subsequent questioning, though necessary, uses time somewhat inefficiently; even here enough experience must have accumulated to anticipate the problem and lead you and Chairman Stokes to deal with it.

Much of this rather negative reaction to the hearings themselves stems from my being strongly persuaded to rush through a difficult analysis at the last minute, abandon my regular pursuits for two days, try to boil down forty-five minutes of testimony to thirty, and then listen and watch while two hours' excellent testimony is allowed to dribble out over most of a day.

Permit me to end my not altogether complimentary letter by saying that it was for the most part an interesting and enjoyable experience. On balance, the entire effort would be justified solely by the strong indication of conspiracy at the Plaza. I particularly enjoyed working with Jane Downey and Mickey Goldsmith. Their help in piercing some of the partitions and their remarkably quick, intelligent response to my needs was exemplary. They also proved to be good critics in helping me make my results clear.

Sincerely,

Thomas N. Canning

Time of Renewal...

Most of your **PROBE** subscriptions are expiring soon. This is our next to last issue in this year's volume. Time to send in renewals to keep track of all our great new features:

1. Most complete coverage of the Review Board of any newsletter in the community
2. Sources and reports from New Orleans, Washington, the West Coast, as well as inside the ARRB and COPA
3. Exclusive access to books and manuscripts by new authors like Haslam, Morrissey, and Bill Davy
4. More exciting discoveries and analysis of evidence by Millicent Cranor, Kathy Cunningham, Bill Davy and more of the newest talent on the scene
5. An expanding catalog of the latest discoveries in the National Archives, back issues, audio and video tapes, and soon, "The Lost Garrison Manuscripts" will be announced and available.

Don't miss an issue. The battle is now shaping up between the ARRB on the one hand and the Washington intelligence community-led by the CIA and FBI-on the other. We will cover it blow by blow, like no one else and it's the most important story out there. We're doing it for you.

FBI Fibbed About Testing Carcano

By Millicent Granor

FBI firearms expert Robert Frazier, testifying before the Warren Commission, described the results of tests by FBI marksmen with Oswald's Mannlicher Carcano at 15, 25 and 100 yards. Their shots consistently landed close to each other, within an area "the size of a dime," but not close to the target, demonstrating the rifle's precision, but lack of accuracy due to the misalignment of the telescopic sight. (Accuracy and precision have separate meanings in ballistics.) Their results:

At 15 yards:

2.5 to 4 inches too high;
1 inch too far to the right

At 25 yards:

4 to 5 inches too high;
1 to 2 inches too far to the right

At 100 yards:

2.5 to 5 inches too high;
2 to 5 inches too far to the right

If the sight was 2.5 - 4 inches too high at 15 yards, how could it be a mere 2.5 to 5 inches too high at 100 yards?

Deviation is in direct proportion to the distance of the gun from the target. Earlier in his testimony, in a very different context, Frazier made an offhand remark that illustrates this principle: He said he fired three shots at 25 yards with "approximately a 3-inch spread...the equivalent of a 12-inch spread at a hundred yards." Twelve inches, not 5 inches?

Would bullet drop (effect of gravity) compensate for the rifle's poor vertical alignment at 100 yards? I got a precise answer from the editor of a leading ballistics publication who, because of the "sensitive" subject matter, wishes to remain anonymous. Using Barnes' Ballistics computer program, he determined that, at 120 yards, a 6.5mm, 160-grain bullet, muzzle velocity of 2,200 feet per second, would have dropped only 0.7 inches below "flat firing" level. (In a different context, Frazier claimed more bullet drop than my expert, 1.2 inches at 100 yards. Not enough to explain the results obtained.) So much for gravity explaining the disproportionately small degree of deviation at 100 yards.

I then posed another question for his computer: if the telescopic sight of the rifle

places the same bullet 3 inches above the target at 25 yards, how far above the target would the bullet strike if the rifle was zeroed in at 100 yards? He came up with 14 inches. If the bullet is 4 inches off at 25 yards, it would be 18 inches off at 100 yards. (These figures are conservative; even at 15 yards, when firing for accuracy and not speed, two of the FBI marksmen were off

When John Lattimer bought four Carcanos—"a favorite among European riflemen"—and four telescopic sights identical to Oswald's, he found that all four needed shims, and hinted that Oswald had used one.

by 4 inches.)

How did the FBI manage to fire "only" 5 inches too high at 100 yards (assuming they were telling the truth)? It is reasonable to conclude that, having become familiar with the gun by the time of the last series of tests, they compensated for the misalignment of the telescopic sight—and did not say so. Commissioner Eisenberg appears to have guessed it:

"Mr. Frazier, when you were running, let's say, the last test, could you have compensated for this defect?"

"Yes; you could take an aiming point low and to the left and have the shots strike a predetermined point..."

Or, was it his point that Oswald compensated for the defect? Eisenberg also appears to have known, in advance, what might solve the problem, as acknowledged:

"[I]f the elevation crosshair was defective at the time of the assassination...and no compensation was made for this defect, how would this have interacted with the amount of lead which needed to be given to the target?"

Frazier answered, perhaps as predicted, that no lead would have been necessary: The misaligned scope "accomplished the lead" for him. Earlier, Frazier had testified that Oswald would have had to lead (aim ahead of the target because it would have

moved by the time the bullet arrived) the target by 4 to 6 inches. (If Oswald were as good a shot as claimed, would he not have aimed ahead of the target, assuming he didn't know the sight was off?)

The sight was well stabilized when received in Dallas, as shown by the shots landing so close together, but it was misaligned. Why? Frazier could not answer, but suggested it had been bumped, as evidenced by a "severe scrape on the scope tube" that occurred at some unknown time. And he said "It may be the that the mount has been bent or the crosshair ring shifted." (Wouldn't it be have been clear

whether, if not when, the mount was bent?) Did the FBI or the Commission inquire if the scrape had been on the gun when found in the Depository? If the scrape was "severe," wouldn't it have been seen in Dallas? If not, the Commission could have claimed the gun was damaged in transit, and was fine at the time of the assassination. Was this basic, obvious question ever asked?

Frazier minized the problem, claiming it wasn't really defective, that "only the adjusting mechanism does not have enough tolerance to bring the crosshair to the point of impact of the bullet," simple to fix by slipping a "shim" under the sight. But, the defect is apparently inherent with that brand, and was there before the hypothetical bump. When, for his experiments, John Lattimer bought four Carcanos—"a favorite among European riflemen"—and four telescopic sights identical to Oswald's, he found that all four needed shims, and hinted that Oswald had used one. No shim was ever found on or near Oswald's gun.

We may never know the truth about that gun. But we do know the FBI told what amounts to a lie. When they made the statement that, at 100 yards, the rifle's aim was off by only 5 inches, they knew it would be understood to mean that the last series of tests was performed under the conditions of the first two tests, that is, without compensating for the misalignment of the sight. How would the public have responded to the information that, when firing the last shot, the bullet would have gone at least 14 inches above the point of aim on Kennedy's head? The gun seems to have been more of a threat to the pigeons above. How would the public have responded to the information that the FBI rigged the last test? ♦

Notebook

Rio Conference

Claudia Furiati, author of *ZR Rifle: The Plot to Kill Kennedy and Castro* has gotten together with the government of Brazil's Ministry of Culture and arranged a three day conference on the Kennedy assassination to be held in Rio de Janeiro on August 29th, 30th, and 31st. To be co-promoted with the Court of Justice of Rio de Janeiro the conference will be entitled "Seminar JFK: International Meeting of J. F. Kennedy Assassination Investigators". The invitations were tendered in July from Helena Severo, Secretary of the Ministry of Culture for Rio de Janeiro. The original invitation list included Jim Lesar, Cyril Wecht, Wayne Smith, Gaeton Fonzi, Gordon Winslow, John Newman, Bill Turner, Edwin Lopez Soto, and Jim DiEugenio.

Dave Park Books

To those looking to spread their horizons on the JFK case to include more than assassination research, Dave Park (nicknamed Captain Cranky) has just issued his most current book list on John Kennedy. The list runs nearly 50 pages and includes over 200 titles and descriptions. To say that some of these books are rare is an understatement. It is difficult to get books like Brad Ayers *The War that Never Was*, Kerry Thornley's *Oswald*, and Herb Philbrick's *I Led 3 Lives* (FBI infiltrator Philbrick was the young Oswald's role model). Sometimes they are not even available in libraries. But has anyone ever heard of *Steel and the Presidency*, or *Kennedy and Big Business*? Were you aware there was a record album by Lawrence Schiller and Richard Warren Lewis to accompany their book *The Scavengers and Critics of the Warren Report*? Finally, did you know that David Phillips wrote a foreword for a book called *The Mystique of Conspiracy* published in 1978 and that the book's author had help from Paul Hoch?

All this in addition to many of the standbys like Meagher, Lane and Weisberg. Dave caters to collectors so there is a lot in the way of offbeat memorabilia but there's rare gold too. The catalog itself makes for a fascinating read. To get it send ten dollars to Dave Park Books, 3456 17th St., San Francisco CA 94110.

~ Perry Raymond Russo ~

1941-1995

Just as we went to press, we were told by New Orleans sources that Perry Russo had passed away of a reported heart attack on August 16th.

Russo, of course, was the witness at the Shaw trial who stated that Ferrie, "Leon" Oswald, and a man he later identified as Clay Shaw, discussed the assassination of President Kennedy at Ferrie's apartment in New Orleans in September of 1963. Russo surfaced after Ferrie's death (Ferrie had threatened his life previously) and became a witness for Garrison at the preliminary hearing of Clay Shaw in March, 1967. Perry was brutally maligned by local Shaw allies like Rosemary James, and national media reporters who

ended up having government ties e.g. Walter Sheridan, Hugh Aynesworth, and James Phelan (see p. 7, col. 1). Because he would not turn on Garrison he underwent a four year onslaught that altered his life permanently. He later became a taxi driver, working 80 hour weeks. He would always give researchers access to him and was a font of information on Ferrie, anti-Castro Cubans, and the New Orleans scene in general. In the summer of 1994, Perry got researchers Jeff Caufield and Romney Stubbs into Ferrie's apartment and reconstructed the scene at Ferrie's apartment that he testified to at the Shaw trial.

Jennifer Harbury Coalition

Before the Oklahoma City bombing blew her off the front pages, Jennifer Harbury was making headway in finding out who killed her husband and Michael Devine in Guatemala. Now, post-Oklahoma City, few people read about her. Jennifer, an incredibly courageous woman, went down to Guatemala City in July to investigate the case herself. She demanded the exhumation of her late husband, who was reportedly murdered by a Guatemalan army officer in the employ of the CIA. The military has stonewalled on this demand and the CIA has attempted a damage control operation through the media. The special prosecutor on the case in Guatemala has received threatening phone calls, has been the object of surveillance, and had a shot fired through the window of his office.

The following is an excerpt from a letter sent by Jennifer to her friends in July:

The situation in the City is really grim. Karen Fisher's sister was shot at (Karen is the daughter-in-law of Carpio Nicolle—the President's cousin, assassinated by the army in 1993—she is still pushing that case full blast). A young fiscal (state prosecutor) was just shot to death. A gringo photographer (Sky Callahan) from Dallas was just beaten twice in one week—the second time by men who spoke English and accused him of being a political troublemaker. I'm told he will need testicular surgery in the U.S.

It's a spooky pattern. Karen is in the international spotlight—so her sister was attacked. Arango is in the spotlight—a colleague is dead. I am in the spotlight. Another U.S. citizen is beaten twice for no reason. Was this a warning to me?

As Chris Sharrett wrote so eloquently in a recent issue of "The Fourth Decade" one of the shortcomings of the Kennedy research community has been the failure to see causes that we should be making coalitions (real and rhetorical) with. This is one that, to us at CTKA, is clear-cut. The methods of terror installed abroad by the CIA and its allies are alive and kicking today. The question is: If the American public won't demand that its government come clean on who killed its president, can Jennifer Harbury force it to prosecute those who killed her husband?

Those interested in more information on this case can call 213-852-9808.

Wecht Responds to Boswell: 1995 to 1969

MEMORANDUM FOR ADMIRAL DAVIS

3 Feb 1969

Subj: Call received from Dr. Boswell (Suburban Hospital, tele: 830-8066) re problem concerning trial going on in New Orleans by Mr Garrison re Mr Shaw

A member of the Justice Department has been in contact with Doctor Boswell and has questions re custody of patient records. Specifically, Doctor Boswell needs to talk with you sometime today (ASAP) re rules and regulations within the Navy Department relative to who has responsibility of custody of President Kennedy's records - autopsy report, x-rays and photographs. There is a question of some material which no one seems to know where it is or where it can be obtained (Doctor Boswell suspects it may be held by Kennedy Family but is not certain). Doctor Boswell said Justice is not trying to retrieve the material but they need to know what the rules and regulations re custody are. A member of that Department will question Dr. Boswell later today. A forensic pathologist, Dr. Wecht, who is not considered too reputable will testify at the trial. Dr. Boswell needs to discuss this and the custody matter with you.

Very respectfully,

BETTY

July 31, 1995

J. Thornton Boswell, M.D.
11134 Stephalee Lane
Rockville, Maryland 20852

Dear Dr. Boswell:

Enclosed is a copy of a memorandum typed by your secretary on February 3, 1969. It was recently obtained from the JFK files by one of the researchers.

Inasmuch as your secretary, Betty, and I have never met, and presumably, she was not a physician, attorney, forensic scientist, or active politician, I must infer that her statement that "A forensic pathologist, Dr. Wecht (sic), who is not considered too reputable will testify at the trial" emanated from you. Certainly, I have always assumed ultimate and full responsibility for actions and statements made by my personal secretary. One need not be a lawyer to appreciate the universal logic of respondent superior and vicarious responsibility.

I would be interested in learning how you had ascertained as of February, 1969, that I was not reputable. Inasmuch as the memorandum related to the JFK autopsy materials, I assume that this characterization referred to me in my capacity as a physician and forensic pathologist.

From whom had you received such information, and from whom had you elicited opinions regarding my competence, integrity, and honesty?

Had you submitted an inquiry to the American Academy of Forensic Sciences, which organization was to elect me as President-Elect later that same month at their Annual Meeting at the Drake Hotel in Chicago?

Had you made an inquiry of government and political officials in Allegheny County, where I was endorsed by the Democratic Party later that month for the position of Allegheny County Coroner, and then nominated in the Primary and elected to that job in November, 1969?

Had you made an inquiry of Dr. Thomas Noguchi, Chief Medical Examiner-Coroner of Los Angeles County, who had officially consulted me in the Robert F. Kennedy and Sharon Tate-LaBianca murders?

Had you submitted inquiries to the University of Pittsburgh and Duquesne Uni-

versity, where I had been appointed to the faculties of the University of Pittsburgh School of Medicine and Duquesne University Schools of Law and Pharmacy?

Had you read the transcript of my testimony before Federal Judge Charles Halleck, Jr., in Washington, D.C., in August, 1968, regarding the need to examine all the JFK autopsy materials as a consultant to District Attorney Jim Garrison in the Clay Shaw trial? (Judge Halleck was apparently sufficiently impressed and granted the DA's motion immediately from the bench. Of course, as expected, the government attorneys protested vehemently and appealed his decision. I had to wait another four years before I had the opportunity to review these materials at the National Archives and see the results of your skilled handiwork.)

By what God-given right did you have to malign and defame me in this fashion when you obviously knew nothing whatsoever about me? (Of course, it is certainly possible that somebody had made negative comments about me. If so, you should have had the decency to have named those individuals and discussed with some specificity in your memorandum what the basis was for such negative comments.)

It is a matter of record that the FBI and other governmental agencies embarked upon a special campaign to undermine, ridicule, embarrass, defame, and vilify anybody who had the audacity to challenge the conclusions of the Warren Commission Report. Their actions were utterly despicable and morally reprehensible. Evidently, as a career military person, you felt that you had the same right to follow a similar tack, and you believed that you also enjoyed legal immunity in making defamatory comments.

Without getting into a discussion or review of the JFK assassination and whether the WCR's conclusions vis-a-vis Oswald are correct, one fact is unequivocally clear and universally acceptable among all forensic pathologists, including the other eight members of the House Select Committee on Assassinations Forensic Pathology Panel who disagreed with me on a few key points, namely, that you and Dr. Humes had no business whatsoever in performing the autopsy on President Kennedy. Neither of you had ever done one official medical-legal autopsy, nor had you ever spent one day in a forensic pathology training program or seminar. Your incompetence and inexperience set into motion a horrible chain of events that has continued for 32 years, and which has cost this country and thousands of people immeasurable amounts of time, effort, money, and emotional anguish.

Tell me, Dr. Boswell, do you think you were a "reputable" person in undertak-

ing this post-mortem examination? In what way did you make a contribution to law and justice? Or were you, like Adolf Eichman and other militarists in the past, simply "following orders"?

Although more than three decades have passed since your abysmal performance, and despite the fact that your defamatory statement about me is no longer legally actionable, I would very much welcome the opportunity to debate the JFK assassination with you anywhere at any time. I feel confident that we could charge a substantial amount for audience tickets, and all the money could be donated to a charity of your choice. Why don't you come out of your self-imposed obscurity and quasi-seclusion and contend with the real world? You and your colleagues created this incredible mess with one of the most tragically botched medical-legal autopsies I have ever encountered. Do you not feel that you owe enough to yourself, your family, your profession, and your country to mandate participation in a public forum pertaining to the JFK assassination?

Or do you believe that you fulfilled all your moral and ethical obligations by simply meeting privately with your old military pathologist comrade-in-arms, Dr. George Lundberg, and enjoying the intellectual luxury of telling the same old story from your perspective without being challenged or criticized by anyone? You have been whitewashed in JAMA, and you have managed to escape grueling interrogation by a skilled adversarial attorney in an open court of law. Such immunity and protection are usually available only to absolute monarchs and governmental dictators. However, there are other assessments in life that are meaningful. I would be absolutely mortified and horribly humiliated if 85 to 90% of my countrymen consistently and repeatedly rejected my professional conclusion in the most significant endeavor I had ever engaged in during my lifetime. That is some legacy to leave your children and grandchildren.

Very truly yours,

Cyril H. Wecht, M.D., J.D.

cc: James J. Humes
Pierre Finck, M.D.
George D. Lundberg, M.D.

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