

Mr. Roger Feinman  
Lansone & Kramer  
26 Broadway  
New York, N.Y. 10004

9/14/88

Dear Roger,

Walking to our mailbox and back is about my limit and it always hurts on the way back if not before then. This morning there was more than the considerable amount of junk mail and as I skimmed the envelopes on the way back, which, with a straight paved lane I can do safely, I wondered about the envelope of a firm of which I'd never heard and its thickness. I assumed it was a law firm and not knowing any reason why one should write me I thought almost immediately it was you. And I was pleased, very pleased, on getting back into the house to find I was correct. And as sorry to hear that Sylvia's health is not good. I hope whatever it is can be treated. Please tell her that one who has been on borrowed time more than a decade - I had the first of many thromboses before we met - hopes she is at least as fortunate.

Before I forget, I've mislaid the Dallas doctors' press conference that you got from the LBJ library and would appreciate a copy if it is not too much trouble. I may have a good use for it soon.

I've forgotten what I wrote Sylvia, except in general terms. I can recall meeting Richter only twice, once at the Archives when I drove him and NYTimes' Apple back to their offices and once when he visited us at our unfinished home at Hyattstown, where we had the chicken farm. We left there 21 years ago the first of next month. Neither meeting was in any way unfriendly. So, I was quite surprised to hear from Jim Cesar that when Richter had told him that he was doing this thing for Nova and was most interested in the scientific evidence and Jim told him he should see me, as Jim told me Richter's response was to say that he would not. Richter then asked him where he could get a copy of Post Mortem, Jim told him the same thing and got the same response. It means nothing to me personally but I had to wonder about this and how to account for it. It is not, to say the least, a journalist's attitude.

Couple of days ago Ted Gandolfo phoned me. Among other things he told me that Richter had asked him for some of his tapes. I took this to mean videotapes of some of Ted's cable shows but it could have meant other tapes. Whatever it meant, the obvious, whether or not justified and correct conclusion, is that Richter intends using Gandolfo as a sample of critics. I hope I'm wrong.

Dave Wrons tried to speak to the production staff at Nova on this and was on several occasions rebuffed. I wrote the woman whose name he gave me and I got not even an acknowledgement. My letter was a caution against Nova and PBS making serious errors that could embarrass them.

Let me confess my own attitude first. I have these some 60 file cabinets of stuff I got under FOIA, about 2/3 of the total, and all the other work I've done, all the records of all the FOIA litigation, much of which related to the things Richter says interest him most, and neither he nor anyone on the show wants access to any of it. Separately I assure you that there is what is quite significant that has never been used in this material, excellent for a show of that description. My books can be obtained only from me, unless borrowed, and such a show doesn't want to see them?

How can I account for Richter's attitude and its utter unprofessionalism? Lifton or someone like him, if there is such, is obvious. And, from what I learned, not an unreasonable suspicion. Lifton told someone I know and trust that as of some time ago Richter had spent three hours with him.

As you may or may not have known. Lifton and Hoch are close and Hoch swallowed Lifton's garbage and exclaimed "Mamma!" Now it happens that when Guinn testified before HUAC I was able to plant a question to be asked outside the hearing room and it was

asked and Lifton was there with a tape recorder and monopolizing the whole thing to try to advance his own agenda, and got my question and the answer on tape. Hoch sent me a dub some years ago. I loaned it to Henry Kurtz, who claims it is mislaid. I told him Hoch could provide a dub and he then told me that Hoch says he doesn't have that tape. "This is the first time I've known Hoch not to be truthful. I wrote him, several months ago, and he's not responded. The only explanation I find reasonable is that Lifton has asked him not to let me have it.

I have a dependable source on these next two things. One is that when Richter interviewed Dr. Shaw in Dallas he was almost exclusively interested in "the second casket theory," Shaw's words second-hand to me. Another is that when, as I recall, Richter was out there to see Lifton (and it may have been at another time) he spent quite some time with Guinn.

I have Guinn's report to HUAC and it is high-quality prostitution of science. Knowing that he could not validate the specimens he was given and knowing that they did not fit their official descriptions, he went ahead and tested them and proceeded on the unscientific and unprofessional assumption that they were authentic.

I can make out a case I think you might enjoy using in what isn't, a courtroom, that the specimens all came from the base of 399. (And this is in the court records Richter doesn't want to see here, by the way, under oath yet and by the FBI.) Remember, I did not say "prove. I said make out a case.

Anyway, do I need more to suspect that Richter is up to something and to believe that it is not good and include's Lifton's fabrications as basic in whatever he is doing? Or without this to suspect him?

Most of the people who have, as all do, unsupervised access to my files, are those I disagree with. Even some I regard as awful, like Spotlight and Carto's fascists. Today some of the several shows working on the mafia did it nonsense are coming and I've mailed stuff to another such cabal. I am and have been diligently surrogate for the people on this. I don't think anyone ever told Richter anything else. Hell, the National Enquirer is coming next week. Oddly, they may wind up being more responsible than the Jack Anderson Hollywood gang and Jonathan Kwitny's people, the two mafia-bound above. Perhaps also, Nova, and what a switch that would be!

The WxPost finally did use an edited version of the AP story you sent me. The Post edited the understated Kevin Walsh stuff out but the Moonie paper left it in! And the truth is, as Kevin should have known, that it was not a mere oversight that the report wasn't sent to Rodino. It was deliberate. DJ was always in touch with critics and did not forget the thing at all. They kept promising, including as of the approximate date of their Rodino letter, that it would be, within a few weeks. The FOIA request ~~was~~ compelled the lying letter to Rodino. I've been intending to write him for the record and soon will. Gandolfo, for example, was regularly in touch with Jeffry whose last name I've forgotten on this and Ted kept me informed.

Of what I know is coming for the anniversary, two things ought be good. I've seen the thesis-documentary by a Univ. Md. master's candidate and it is good. I think that Nigel Turner's for British ITV will be good, too. I've given him some good things and put him on to others he was quite pleased with.

Kwitny seems to be quite taken with Scheim's book. I've not looked at it in the belief that it is impossible. So why waste money on it?

We finally got an inexpensive VCR, with incomprehensible instructions. Before the anniversary I'm sure that someone who can go past the instructions will be here and set the four UHF channels for me so I'll be able to tape that Nova. If not I can get friends to do the taping for me on their sets. I'd also like to see a transcript as soon as possible. If you know anyone who will get a promo copy I'd appreciate it. I may or may not be asked but I'd like to be in a position to respond if I am asked.

If in advance I might be able to generate some interest if criticism is warranted.

Did your computer service provide the Houston Chronicle story of about two weeks ago, picked up by the wire services, on the Zapruder commercialization of the film? Reporter was Jerry Urban. Henry Zapruder told the graduate student that he'd sue if the kid didn't cough up \$30,000. He and I are going to sue Zapruder as soon as Jim can get the time. Please keep this confidential until it happens, except for telling Sylvia. I've been supposed to get authorization in writing from him to make slides from the original and for years he has been stalling. This was agreed to in my C.A. 78-~~233~~ 0322. as of when we spoke last, Jim's thinking was not to use FOIA. Boy can I file an affidavit on the public need and the record to now! In simplest terms, the Z film, used properly rather than misused as propaganda to buttress an untenable theory, destroys that theory. And, incidentally, a book that is due soon.

Gandolfo told me also that Garrison has a book recently retitled to "Coup d'Etat" with something about the CIA in its subtitle, due soon. Says he's getting a couple of advance copies and will send me one.

In retrospect, I'm not unhappy a bit that Richter is such a stinker because I'd have trusted him and given him whatever he wanted, might even have volunteered what he didn't ask for because it is for Nova, which has done some fine things.

By the way, if you recall, when you saw Richter's memos on his interview of critics was there anything in that to explain his current unprofessionalism? *About me?*

I hope your work is satisfying and challenging and interesting.

Thanks and best wishes,

*Hardb*

142-10 Hoover Avenue  
Apartment 404  
Jamaica, New York 11435  
September 9, 1988

Harold Weisberg  
7627 Old Receiver Road  
Frederick, Md 21701

Dear Harold,

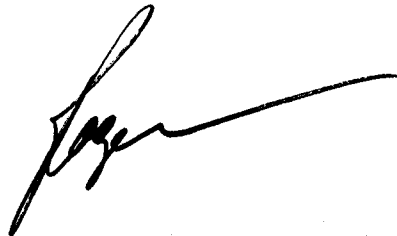
Sylvia is not in the best of health and has asked me to write in response to the letter you recently sent her. She asked me to say that she's heard nothing from Bob Richter in at least 20 years.

I hope that this letter finds you reasonably well and still feisty. I have a reminiscence of my own about Richter, since I interviewed him extensively twelve years ago about his involvement in the 1967 CBS four-part documentary. Bob gave me full access to his CBS files at that time. I remember that, even then, he wanted to do a film about the case but had no idea where to find the money for one. I suppose PBS has now answered his prayers.

I would be quite surprised if Richter has put any stock in Lifton's Best Evidence theories, because I know that, twenty years ago, he took somewhat of a dim view of Lifton when he was interviewing the critics. But it's difficult to figure Richter because he strikes me as something of an opportunist. I recall that he wrote to CBS denying making statements that he was quoted as making, even though he repeated the same substance of those quotations to me. I think that he always had it in mind not to "burn his bridges behind him" in the event CBS might wish to rehire him one day.

I'm really sorry that I haven't kept in touch lately. Since the beginning of August 1987, I've been involved in a massive litigation which just came to a conclusion, and it's kept me quite busy. As you can see from the enclosed letter, however, I'm still keeping an eye on the case.

Best to you and Lil for the New Year!

A handwritten signature in black ink, appearing to be 'Lil', with a long horizontal flourish extending to the right.

142-10 Hoover Avenue  
Apartment 404  
Jamaica, New York 11435  
September 9, 1988

Mr. Max Frankel  
Executive Editor  
The New York Times  
229 West 43rd Street  
New York, New York 10036

Re: Associated Press story on  
the Kennedy Assassination

Dear Mr. Frankel:

I'm a lawyer. Before I got smart and went to law school, I used to work in the news business (WPIX-TV, CBS News Division's radio network assignment desk). I don't know as much about the news business as you folks at The Times, but I think I know a little.

I know, for example, that the Labor Day weekend is traditionally slow for hard news. I also know that the assassination of President Kennedy was one of the major news stories of your lifetime and mine. I even know that people -- including those who were born after the assassination -- still wonder about it. The senior partner of the firm in which I work doesn't really care about the assassination, nevertheless he is in the middle of reading a recently published novel on the subject by Don DeLillo called "Libra", to which your paper and others have devoted prominent attention. Moreover, I know that this year will mark the twenty-fifth anniversary of the event.

I subscribe to the Compuserve Information Service, and to its Executive News Service feature which affords access to the Associated Press "A" wire and the Washington Post, among other news sources. Over the past weekend, my computer and I picked up the enclosed story dated September 3, 1988 which ran on the AP (I've reprinted it without excisions). It says that the Justice Department has officially declared the assassination a closed case. I thought it was an interesting story. I thought many other people would consider it to be interesting too, but unless they also subscribe to Compuserve, they probably wouldn't have known about it. Your paper didn't print the story. The Washington Post didn't print the story. Not even USA Today said anything about it, and I consider USA Today to be a more readable newspaper ever since you put your news index on the

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second page of The Times. I didn't hear anything about the assassination on television either.

Aside from the general public's lingering interest in this subject, there are at least five more reasons I can think of for printing -- and even attempting to further develop -- this story:

1. The case was never, until now, officially declared closed.
2. It took ten years for the Justice Department to respond to the very specific recommendations of the House Committee on Assassinations for further investigation of the case. Even the Department, according to the story, admitted its response was long overdue.
3. Notwithstanding this inordinate delay, the Department failed entirely to pursue one of the key requests made by the Committee, namely that it obtain and scientifically analyze the so-called "Bronson film" taken by an amateur photographer at the scene of the assassination. This film allegedly shows the gunman's window on the sixth floor of the Texas School Book Depository at or about the time of the shooting.
4. The Department's excuses for this lackluster performance border on the outrageous:
  - a) It claims an inability to obtain the film from its owner.
  - b) The quoted statement made by a Justice official to House Judiciary Chairman Peter Rodino defies intelligent comment:

"One of the interesting features of employment with a large governmental organization is that matters occasionally come bubbling to the surface from the depths of the bureaucracy."
5. Finally, the question remains why this story has come to light some five or six months after the fact, i.e., why didn't Mr. Rodino make public the letter he received from the Department of Justice at the time he presumably received it at the end of March?

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The press has a great responsibility in matters relating to the frustration of the democratic process, such as the violent transfer of power. To borrow a metaphor from the insurance industry, the government is the risk and the press is the underwriter charged with monitoring and evaluating that risk. If you refuse to do it, who will? I think you ought to feel embarrassed and ashamed. I think it's time your paper recognized that the Government of the United States is incapable of fully addressing its own past conduct in this matter and called for a release of all non-classified data from both the House Committee's and the Justice Department's files.

Very truly yours,

Roger Bruce Feinman

APn 09/03 1127 Kennedy-King Assassinations

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By CHRISTOPHER CALLAHAN Associated Press Writer

WASHINGTON (AP) -- The Justice Department has officially ended its inquiry into the assassinations of John F. Kennedy and Martin Luther King Jr., finding "no persuasive evidence" to support conspiracy theories, according to department documents.

A Justice Department memo, obtained by a California ophthalmologist through the Freedom of Information Act, was the department's admittedly long-overdue response to the House Select Committee on Assassinations' recommendation 10 years ago for further investigation.

William F. Weld, who was head of the department's criminal division until he quit at the end of March, told Rep. Peter Rodino, D-N.J., chairman of the House Judiciary Committee, that all known leads have been checked.

"The Department of Justice has concluded that no persuasive evidence can be identified to support the theory of a conspiracy in either the assassination of President Kennedy or the assassination of Dr. King," Weld wrote in the undated memo.

"No further investigation appears to be warranted in either matter unless new information which is sufficient to



support additional investigative activity becomes available," he added.

The Justice Department's response to the conspiracy theories comes as no surprise. It is, however, the first time the department has made a formal conclusion on the assassinations, said Justice spokesman Dean St. Dennis.

The House Assassinations Committee concluded in 1978 that Kennedy was "probably" assassinated as the result of a conspiracy involving a second gunman, a finding that broke from the Warren Commission's belief that Lee Harvey Oswald acted alone in Dallas on Nov. 22, 1963. The House panel also said there was a "likelihood" that King's slaying in 1968 was part of a conspiracy.

The committee urged the Justice Department to investigate several areas of the assassinations, and one year later the department agreed to conduct a limited inquiry focusing on an acoustical study presented to the committee by independent experts.

The acoustical experts had concluded after studying a Dictaphone recording of a Dallas policeman's open radio transmissions that there was a second gunman on the infamous grassy knoll who fired a fourth shot. That evidence was the key to the committee's second-gunman conclusion.

Justice officials instructed the National Academy of Sciences to review that study and the Dictaphone recording,

and academy scientists concluded in 1982 that the independent experts were wrong.

Weld said the Justice Department had completed "virtually all" of its inquiry by the end of 1983, but delayed its response to the House Judiciary Committee "pending a complete review of all public comment" on the National Academy study.

"We have considered the review of all correspondence to be potentially productive," he said. But he said there was no "persuasive criticism" of the academy report, so the Justice Department has accepted its conclusions.

Others, including Rep. Louis Stokes, D-Ohio, chairman of the defunct assassinations committee, have stood by the committee's conclusions and the acoustical evidence presented by the independent team.

Stokes could not be reached for comment Friday, but a former select committee aide who has fought to have the panel's records opened to the public blasted the department's response.

"All these years later we find out they've been doing nothing," said Kevin Walsh. "Members themselves had faith that the Justice Department was going to pursue this, and now we see all these years later that their faith was misplaced."

Walsh noted that the department did not follow through on several parts of the select committee's recommendations.

The "most egregious sin," according to Walsh, was the department's failure to obtain and analyze a bystander's film shot just minutes before the Kennedy assassination. The film by Charles L. Bronson scans the sixth-floor window of the Texas School Book Depository, where Oswald was positioned.

"If you have film footage that bears on a murder case, you subpoena it," Walsh said. "They didn't even consider it."

Weld wrote that the department was unable to obtain the film from the owner. The Justice Department conceded that the report to Rodino's committee was "long overdue."

"One of the interesting features of employment with a large governmental organization is that matters occasionally come bubbling to the surface from the depths of the bureaucracy," Acting Assistant Attorney General Thomas M. Boyd wrote in a letter to Rodino accompanying the Weld memo. "An example of this phenomenon is the enclosed report which relates back to the activities of the Select Committee on Assassinations."

Boyd's letter to Rodino was dated March 28 and accompanied the memo from Weld.

The documents were sent to Dr. Louis P. Kartsonis, a San Diego ophthalmologist, on a Freedom of Information Act request he made through Sen. Alan Cranston, D-Calif., and Rep. Bill Lowery, R-Calif.

Kartsonis said he has conducted research and delivered lectures on the Kennedy assassination for more than 15 years. He, too, criticized the Justice Department's inquiry, saying investigators failed to answer the select committee's questions.