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Interview with Bernhard Fensterwald
by Charlie Boone and Roger Erickson
on "Boone and Erickson Show" - May 23, 1977

- Boone: Bernard Fensterwald heads the Committee to Investigate Assassinations, a private, non-partisan organization dedicated to providing the public with only unbiased investigative reports about the facts behind the assassination of JFK. He's locked horns with Bobby Kennedy way back in '65, when he was general counsel of the Senate subcommittee investigating the abuses of government and invasions of privacy. He also represented James Earl Ray, now serving a 99 year prison term for Martin Luther King's assassination. He's been in Washington for many years. Asked to head up the committee---I believe--to investigate assassinations.
- Fensterwald: That's right.
- Boone: And welcome to our program and welcome to the Twin Cities.
- Fensterwald: Nice to be here. I didn't expect mid summer though.
- Boone: Boy, I don't think any of us did.
- Fensterwald: Prettiest weather I've seen since last summer.
- Boone: And not as humid as Washington, D. C., I'll bet.
- Fensterwald: Wasn't quite as humid as New Orleans a couple days ago when it was 85 but the humidity was 99.
- Boone: Right. 73, right here. Say the Committee to Investigate Assassinations--interesting that the initials of that committee is CIA. Has it got anything to do with the CIA?
- Fensterwald: It has nothing to do with it. We are frequently known as the poor man's CIA. Uh--We certainly have nothing to do with the CIA and they take a rather dim view of our activities, we've found out.
- Boone: You've never been associated with the CIA?
- Fensterwald: I have not. I have tried a number of law suits on the other side, but I've never really ever had much to do with them.
- Boone: You were asked to head that--uh-- House Assassinations Committee, asked to be chief counsel, and you did not accept. With your background I would think you would have been a marvelous choice.
- Fensterwald: Well, it wouldn't have done much good because the same man that did in Richard Sprague finally blackballed me in advance. So, I didn't have to suffer through what he suffered through. I got mine before it started.
- Boone: He said the House has a need to hold sensational public hearings--Richard Sprague did. Do you agree with that?

Fensterwald: Well, I think there's an easier and quicker and less traumatic way to do this and that is to have President Carter, who could have no part in the murder or the cover-up, you know just absolutely nothing to do with it, demand from the CIA to know what happened to John Kennedy. Who shot him? Why? Why it was covered up? And then publish this in a white paper or whatever you want to call it and let the American people know because one way or the other, it's going to get done and I think doing it in a Watergate style fashion on living color in you know television in four hours a night in your living room can do a great deal of damage to this country. So, I've been trying to promote a sort of a postcard approach to people writing to President Carter asking him to just get it over with. And I think maybe if enough people write in, he just might do that and then we'd know once and for all and not have to suffer through this long investigation.

Boone: Do you think we'll ever arrive at the truth?

Fensterwald: I have no question about that with-with one sort of uh- reservation. I'm not sure we're going to know all of the details. You know a lot of people have died. But, we certainly will know 95% or 98% of whatever it is. And I really think that's more than sufficient. I don't think we need to know the name and number of all the players-you know-right down to who did the actual shooting. That doesn't really make any difference.

Boone: How do you feel about the Warren Commission? There's so much controversy about that report.

Fensterwald: Well, it's my own feeling that the Warren Commission, probably on orders of President Johnson, never set about finding out the truth. They set about calming down the American people. And there may have been very good reasons for doing that in 1963 and 1964. I don't know 'cause we don't know what happened. But, certainly after a number of other rather sensational murders of our political leaders since then and just the passage of years and the demand on the part of the public--80% of the public does not believe the Warren Report--uh, whatever the reason for the cover-up and it was a cover-up, I think it's now time to break open the archives and the CIA files and so forth in order to get at the truth.

Boone: Been a lot of people associated with that investigation that have been in physical danger and some of them have died, some of them mysteriously disappeared. Have you ever felt in any kind of danger from any source?

Fensterwald: I have not. Uh, I know because I've seen a small part of my own CIA file--I got it under the Freedom of Information--that I've been subject to a lot of surveillance and probably still am as far as that goes, but I've never felt any insecurity or anything of that type mainly because I'm not a witness and the way our committee operates is to never keep a single copy of any important piece of information. We have used the xerox machine rather liberally and if anything of any importance comes along, we see a number of people know it including the House and Senate committees.

Boone: That surveillance you mentioned. Does that still go on under a new administration? Is that still operating?

Fensterwald: I don't think anything has changed at all.

Boone: Really?

Fensterwald: Uh--conceivably the FBI has cut down the amount of surveillance that they do, mainly because they've been under a great deal of pressure and a lot of heat. But, uh--when surveillance is done properly, it's very difficult to ever detect. Uh, I worked in this field for about three years and learned a lot about the technical aspects of it. And a good wiretap is almost impossible to ever ferret it out. If its put on right you'll just never know. So, there's no particular reason to think that the surveillance has been cut down to any considerable degree.

Boone: You refer to your book, uh--Assassination of JFK: By Coincidence or Conspiracy? which is in paperback right now published by Zebra. Uh--you refer to it as a score card.

Fensterwald: Well, it's a uh--really the book was put together for two reasons. One for the new House Committee--to give them sort of a road map or score card or name and number of the players. There are about 250 biographies in the book. We try to tell you, the people, whose names will crop up in the investigation and a little bit about how they fit into it--whether they might be a witness or somebody that dealt with a prior investigation or might be a suspect in the case--it comes in all different categories. But, uh--it also is to help the public. Hopefully, because I noticed during the Watergate, and I was deeply involved in that, that one thing that was very disconcerting was that people would pop up all the time that you'd never heard about. And uh, maybe ~~three~~ days later you'd see a squib in the newspaper about who they were. We've attempted here to take all the important people we think are going to show up in this investigation and give you a little bit as to who they are and where they fit in, and it's indexed so, uh--you can not have to leaf through the 600 pages to find them.

Boone: Tremendous amount of work. Wow!

Erickson: There was the recent thing with Hunt in Texas.

Fensterwald: Yes.

Erickson: Uh, what do you know about that--or had you heard about that before yourself?

Fensterwald: I've heard that before and its one of about maybe a thousand or two thousand leads that have come along, and you have to treat those very, very cautiously, because all sorts of false leads have been thrown out in this case constantly. They're being thrown at the new House Committee--I know of one in the last two or three days--and I'm not sure that the Hunt lead is a ringer.

Erickson: Now, that was the letter from Oswald to Hunt.

Fensterwald: It was a letter from Oswald to a Mr. Hunt. It was automatically assumed that it was H. L. Hunt in Dallas, Texas. There are some other Hunts that show up in this case that it also could have been written to.

Erickson: Is there any determination as to the reliability of the letter? Is the signature O. K.? How do you check such things?

Fensterwald: Uh, the FBI and some independent experts have checked the handwriting and they say it is Lee Harvey Oswald's handwriting, which is interesting. But, there's no explanation of where the letter was for 15 years or 14 years and how it arrived from Mexico City just mysteriously through the mail. And I tend to be rather cautious--uh--when I get people that are sort of climbing out of the woodwork after all this time and nobody has ever heard of them before. That doesn't mean that this might not be a legitimate lead. But, there are literally hundreds of solid leads and solid witnesses who could be subpoenaed--uh--where we know the background and what questions to ask and where they come from. So, I would put this in the category of some of the more far out.

Boone: After you've ferreted out all this information that you have, do you have any conclusions?

Fensterwald: Uh, I do not have any conclusions and even if I did, I would be reluctant to speculate on them for one simple reason. That one thing that has slowed this whole investigation down for years is there has been a massive amount of speculation--people will come up with the idea, "Well Lyndon Johnson did it" and then they'll go out and hunt up a bunch of facts or leads that fit that and they'll ignore the other 98% of the evidence. What our committee has attempted to do and do in this book is to take what we can find in the way of hard, solid fact which is documented or for which we have very reliable witnesses--and try to put that into some usable hole--without saying, "Well, the CIA did it or the Mafia did it or a combination of the two did it." Now, obviously anybody who works in this field this length of time has to have some suspicions as to what happened. But, really, it's up to the House Committee to get down and subpoena these witnesses and ask them the right questions.

Boone: What are some of the facts? Interesting ones.

Fensterwald: Well, I think uh--probably the most interesting central fact, uh--series of facts, is the question exactly who Lee Harvey Oswald was. Uh, and that may--I'm not being facetious. But, there obviously were at least two Lee Harvey Oswalds operating at the same time or two people using that identity. For example, Lee Harvey Oswald went to Russia for 2½ years. But, while he was in Russia, someone in this country in the anti-Castro Cuban movement was using his identity trying to buy jeeps and guns and things to send them to use in Cuba, and the FBI knew about that, and the FBI sent a message to the embassy in Moscow--"Said be careful of this Oswald fellow because someone's using his identity in the United States." We also know that just before the murder of John Kennedy, Oswald was supposed to have gone

to Mexico City. But, there's just a whole raft of evidence that our Lee Harvey Oswald never went to Mexico City, and its somebody else-- and we have pictures of the man, and at one time we had voice prints of him. Uh, someone entirely different--had nothing to do with him that we know of--was using that identity going to the Soviet and Cuban embassies in Mexico City. We don't know where all this fits in, but we have grave doubts as to exactly who Lee Harvey Oswald was. The State Department at one time very seriously thought uh--that he was a CIA agent. I don't know if that's true or not. But, I certainly think we'll get to the bottom of that sort of central mystery very early on.

Boone: There's a lot of speculation of Castro's involvement in the assassination of JFK, because of the Bay of Pigs, because of the attempted assassination on Castro's life. Uh--Do you believe there's some kind of connection between Castro and the assassination?

Fensterwald: Well, I certainly would not rule that out at this stage and that is the line that the CIA is pumping at the moment. CIA has selectively declassified material in the last year or two and its all designed to point toward Castro. And, I think almost anybody has to admit that the Castro brothers would have had a perfectly good motive for doing it because the Kennedy brothers for many years had been out to assassinate both of them. So, if it was a revenge murder, it would seem perfectly logical. The evidence does not point in that direction though.

Boone: But for the CIA, it would be a good scapegoat, though, to have it out of the country.

Fensterwald: It certainly would. And as I said, they are pumping that line very hard today.

Boone: Fascinating. More in just a moment.

COMMERCIAL

Boone: Talking with Washington based lawyer Bud Fensterwald, who heads the Committee to Investigate Assassinations, has a book called Assassination of JFK: By Coincidence or Conspiracy?, and he calls it a kind of a score card and it does have bios of some 200 people associated with the assassination in some way. And, most interesting, fascinating case. Why has it taken so long to get at the facts in this case?

Fensterwald: I think mainly because of the dogged resistance of the U. S. government. Uh, we came a lot closer to getting at the facts in the case in 1967 and '68, when Jim Garrison tried to do something about it in New Orleans, than most people realize. He failed utterly, as you know, and has been excoriated by the press and everyone since. I had dinner with him a few nights ago, and the more I look at his case, the more I think he was on the right track. But, uh--he had everything happen to him that could and this new House committee is going to get a lot of the same. He had people planted on his staff, uh--he had false leads thrown at him--uh--day after day. He couldn't get any witnesses from any out of state out of Louisiana. Uh, it was just impossible for him to prosecute that case.

Boone: Most of all of us remember exactly where we were at that time we heard the first announcement that the President was assassinated in Dallas, Texas. Where were you?

Fensterwald: I was standing in front of the House of Representatives. I'd been having lunch and was walking back across the plaza in front of the Capitol. And, there was sort of a stir going on and a policeman was talking to another fellow and I heard him say the President's been shot. And I didn't think that I heard him correctly, so I went up and asked him and he had a walkie-talkie with him and it was that----I can put within ten feet where I was at that time, literally.

Boone: I imagine there was just shock at that point in Washington.

Fensterwald: It was---

Boone: Disbelief.

Fensterwald: Disbelief, shock, grief. The whole city almost flew apart. Actually, the whole telephone system went out--because there was so many people trying to call friends or relatives or something else--that it was like the power failure in Miami this morning. They overloaded the telephone system and had a lot of rather serious consequences. For example, neither Bob Kennedy nor Ted Kennedy were able to get through a telephone line to anybody. And, they were going from house to house--you know--trying to find a telephone that worked. And, it was a terrible situation.

Boone: November 22, 1963. A day no one will forget. Assassination of JFK: By Coincidence or Conspiracy? That's the book by Bernard Fensterwald, Jr. Most fascinating case. Thank you so much for being with us.

Fensterwald: Pleasure to be here.