

"All the News That's UNFIT to Print"

Joachim Joesten's

" TRUTH LETTER "

An Antidote to Official Mendacity and Newsfaking in the Press

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Editorial: Come on, Teddy boy, show a little spunk for a change!

The Garrison Môle

A battle royal is shaping up in New Orleans between the garrison forces and the henchmen of a federal government determined to see that justice is done so that the mightiest voice among the Kennedy assassination critics can be silenced.

To begin with, what exactly did Garrison have in mind when he took the unusual step of requesting his own indictment by a Special Orleans Parish grand jury? According to the New Orleans States-Item (Nov. 16, 1971) - which, along with its sister publication, the Times Picayune, has been a relentless and thoroughly biased foe of the DA ever since his unorthodox inquiry into the Kennedy assassination - "there was speculation the state prosecution would preclude the federal one on grounds of double jeopardy."

"Sources close to (U.S. Attorney Gerald) Callinghouse", the paper went on to say, "have speculated privately that Garrison is seeking to create a double jeopardy situation. Under the US Constitution a person may not be tried twice for the same offense. The double jeopardy theory holds that Garrison would prefer to be tried on the public bribery and gambling charges in state court by a special prosecutor than in federal court by Callinghouse..."

That may be so, but then the question arises: Why didn't Callinghouse press the charges he had filed against Garrison, allegedly after a year-long investigation, and which had led to the arrest and indictment of the DA on June 30? Why didn't he act promptly to bring Garrison and his co-defendants to trial? "Callinghouse has refused to make any public statement," the States-Item reported. The question, then, remains unanswered, leading to the further question whether the federal government, by its procrastination, had deliberately sought to entrap Garrison in a false move. There are solid grounds for this assumption, as we shall shortly see.

After Garrison had been indicted, at his own request, by the Orleans Parish Grand Jury, on Nov. 16, 1971, the case was assigned to Criminal District Judge Malcolm F. O'Hara, a long-time political foe of Garrison who in 1965 had won against the latter, when Garrison was seeking his second four-year term as DA. O'Hara lost by a wide margin.

When Garrison, quite properly, filed with the Court a written motion asking that his office be removed from the prosecution of the case, Judge O'Hara named attorney Benjamin E. Smith as public prosecutor in the case. Now, according to a story headlined "TRIAL EN-SIGH IS CARRIED TO DA," the States-Item, on Nov. 24, reported that District attorney Jim MacLennan was charged today with malfeasance in office on grounds that he sought to block his federal court prosecution by having state charges filed

against him. The unexpected action came when Benjamin E. Smith... filed a bill of information with... O'Hara charging the DA with malfeasance. The bill alleges that Garrison 'did unlawfully and intentionally perform the duties of District Attorney in an unlawful manner' in that he had himself indicted on state charges 'in order to unlawfully and by guile establish a defense to a pending federal charge.' There is a 'real danger', Smith said... that either acquittal or conviction on the state charges would protect Garrison from prosecution on similar federal charges of bribery, gambling and conspiracy. He said the constitutional ban on double jeopardy for the same charges may apply." The paper, in the same context, referred to the malfeasance charge brought by the special prosecutor as a "bombsnell" - which it is indeed.

Smith is clearly playing the federal government's game, a fact that is further underlined by subsequent developments. To cite the States-Item (Nov. 27) again: "Benjamin E. Smith who was named to prosecute the district attorney said he would not press the public bribery and gambling charges because the federal government has not made the necessary evidence available to his office. (emphasis added -J.J.) Smith said he was going ahead with the malfeasance case because the district attorney had acted in bad faith in trying to evade federal prosecution. A challenge of the right of Smith to file the malfeasance charge in the first place has already been lodged with the court... attorneys for Garrison contend that Smith exceeded his authority in filing the malfeasance charges since it exceeded the scope of the indictments he was appointed to prosecute..."

So now Garrison is on the hook both in state court - on a malfeasance charge obviously and perfidiously concocted ad hoc - and in federal court. By withholding the evidence prepared by federal officials from the special prosecutor - a totally unlawful move to which Smith, it seems, readily acquiesced - the US Government in effect quashed the state indictment and opened the way anew for federal prosecution of Garrison. And so, on Dec. 5, 1971, Garrison and his co-defendants were at last formally indicted in the U.S. District Court in New Orleans by the federal grand jury which had been sitting on the charges for more than five months. Significantly, Attorney General John Mitchell - a far worthier candidate for a charge of malfeasance in office than Garrison - again took it upon himself to announce this latest development. At the same time, the US Government threw the usual haymaker: a separate, three-count indictment charging Garrison with filing false federal income tax returns in 1965, 1966 and 1967, were Garrison to be convicted of all these charges - even excluding the malfeasance count still pending in the state court - he could be sentenced to 29 years in prison and \$ 85,000 in fines - and wouldn't the Nixon Maladministration just love that!

That Washington is just trying to get rid of Garrison for good so the embarrassing truth about the assassination of President Kennedy will stay underfoot is also apparent from this paragraph contained in the UPI dispatch of Dec. 5: "Mr. Garrison was the prosecutor in the Clay Shaw conspiracy trial, which failed to prove that the assassination of President John F. Kennedy was the work of more than one man," a typical piece of bare-faced newsfaking, tailor-made to suit the evil purposes of a pseudo-government born of murder and usurpation. For, as readers of TRUTH LETTER know only too well, the exact opposite is true: it was proved to the hilt, at the Clay Shaw trial, that President Kennedy was killed in a crossfire, hence as the result of a conspiracy. The only point Garrison failed to prove to the satisfaction of the jury was that Clay Shaw was involved in that conspiracy.

There is an ironic footnote to all this: One of Garrison's defense attorneys is none other than F. Irvin Dymond, who had been chief defense counsel for Clay Shaw and in this capacity had, by a skilled and daring defense, defeated the prosecution, thereby setting in motion the chain of events in which Garrison now finds himself entrapped.

Note: The start of the serial "How Garrison was Framed" is postponed to the next issue.

New Light on the Robert Kennedy Murder Fraud (ctd. from TL IV/6)

- No. 4 - Bullet entered Senator Kennedy's right rear back approximately one inch to the right of bullet No. 3. This bullet traveled upward and forward and exited the victim's body in the right front chest. The bullet passed through the ceiling tile, striking the second plastered ceiling and was lost somewhere in the ~~existing~~ ceiling interspace.
- No. 5 - Bullet struck victim Goldstein in the left rear buttock. This bullet was recovered from the victim and booked as evidence.
- No. 6 - Bullet passed through victim Goldstein's left pants leg (never entering his body) and struck the cement floor and entered victim Stroll's left leg. The bullet was later recovered and booked as evidence.
- No. 7 - Bullet struck victim Weisel in the left abdomen and was recovered and booked.
- No. 8 - Bullet struck the plaster ceiling and then struck victim Evans in the head. This bullet was recovered from the victim's head and booked as evidence.

A Walker's H-acid test was conducted on Senator Kennedy's suit coat in the area of the entrance wounds. This test indicated that the muzzle of the weapon was held at a distance of between one to six inches from the coat at the time of all firings."

A neat, solid job of investigating - seemingly. In fact, it is as misleading and deceptive an account as any rotten police agency could concoct.

Note that, according to this report, eight bullets were fired, corresponding exactly to the number of expended shell casings in Sirhan's revolver, with the exception of one that was allegedly "lost" in the ceiling - why didn't the police make a thorough search for it? - they all were supposed to be available for identification. By repeating seven times the uniformly worded statement that the bullet in question had been "recovered and booked as evidence" the police cunningly tried to create the impression, and implanted in the jurors' mind the misleading suggestion that, as long as it could be proved that any one of them had been fired from Sirhan's gun, it was a foregone conclusion that all of them had been thus fired.

The bullet selected by the police for the ballistics test was the one Dr. Noguchi had extracted from Kennedy's right shoulder (No. 3), which had suffered comparatively little damage. In his testimony to the Grand Jury (Transcript, p. 22) Noguchi was shown an envelope, marked Exhibit 5-A, containing a bullet and was asked if it was the same as the one he had retrieved from the Senator's back. He answered "Yes" and then explained why he was sure: "Well, I placed my identifying mark, T.N., my initials, and last number of a Medical Examiner-Coroner's Case Number 62-5731; so I placed 'T.N.' -- it is very clearly visible on the base of this bullet."

"Exhibit 5-A," then, was formally identified by the Coroner as the non-fatal bullet he had recovered from the paracervical or shoulder region, and it was this same bullet DeWayne Solfer used for identification purposes. His testimony to the Grand Jury (Transcript, p. 256) is quite explicit on this point. Having been shown Grand Jury Exhibit Number 7 (Sirhan's revolver), Solfer was asked:

- Q. "Did you take some test shots from Grand Jury Exhibit Number 7?"
 A. "I did."
 Q. "Do you have the test shots with you?"
 A. "I have some of the test shots, but not all of the test shots."

(to be continued in the next issue)

Having disposed of all major aspects of the massive evidence that shows the war in Vietnam - or rather the determination of the Establishment hawks to continue and escalate it at all costs - to have been the primary reason for the next-to-the-top-level decision to kill President Kennedy, we now must turn to Cuba as a secondary factor of only slightly less compelling importance.

Ever since the Bay of Pigs fiasco, which opened Kennedy's eyes about the poor quality of the advice he was getting from the military and the CIA, there was a deep rift between the chief executive and the central Intelligence agency he was supposed to control but never was able to.

In the spring of 1966, the New York Times published a remarkable study of the CIA and its inner workings which, in the issue of April 29, contained these passages:

"At the Bay of Pigs, just after President Kennedy took office in 1961, the worst finally happened; all the fears expressed through the years came true.

"The Bay of Pigs must take its place in history as a classic example of the disaster that can result when a major international operation is undertaken in deepest secrecy, is politically approved on the basis of 'facts' provided by those who most fervently advocated it, is carried out by the same advocates, and ultimately takes on a momentum of its own beyond anything contemplated either by the advocates or those who supposedly 'controlled' it.

"Responsible officials of the Eisenhower administration report, for instance, that the invasion plan was not even in existence, as such, when they went out of office on Jan. 19, 1961; there was nothing but a Cuban refugee force, available for whatever incoming administration might ultimately decide to do with it.

"Yet the testimony of Kennedy administration officials - Theodore C. Sorensen and Arthur W. Schlesinger Jr., for instance - is that the matter was presented to President Kennedy by the C.I.A. advocates as if he were already committed to it and would have to cancel it rather than approve it. Mr. Sorensen even wrote in his book 'Kennedy' that President Kennedy had been subtly pushed to be no less 'hard' in his anti-Castroism than President Eisenhower supposedly had been.

"The ultimate disaster and its various causes need no retelling. Their effect was graphically described by an official who saw the shaken President Kennedy immediately afterward. The President, he said, 'wanted to splinter the C.I.A. in a thousand pieces and scatter it to the winds.'..." (emphasis added) - J.J.)

And in the standard work about the CIA, "The Invisible Government," authors David Wise and Thomas B. Ross report on the same subject: "He (Kennedy) vowed to shake the intelligence community from top to bottom. He was determined that the Bay of Pigs would not happen again. 'One more,' he stated resolutely, 'will sink me!'"

It is too bad that Kennedy never followed up this resolve in the proper manner. Had he done so, he would have lived to serve out his first term and would almost certainly have been re-elected in 1964. As it was, the criminal agency took the President's threat seriously and responded to it with an offensive of its own. The head that had dared conceive a thought of splintering the CIA in a thousand pieces was scattered instead by a thousand fragments from dumdum bullets fired by CIA snipers at Dallas.

"Cuba sticks in the eye of the CIA," I wrote in my first book on the assassination ("Oswald - Assassin or Fall Guy?", published in June 1964 in New York), in which I already contended that President Kennedy had been executed by the CIA as a "traitor" because of his reluctance to wage all-out war on Castro's Cuba. It still does - more than ten years after the Bay of Pigs. Even as I write this, there comes a belated news report over the radio: two more CIA-equipped and manned vessels (camouflaged as Romanian trawlers) have been called by the Cuban Navy as they tried to land men and supplies on the island. The CIA's other war also goes on and on, literally over Kennedy's dead body. (to be continued)