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FOREWORD

I was in the press bus following President Kennedy's car when he was shot to death in Dallas on November 22, 1963. But we were far back in the motorcade—not the best place to learn what had happened. Most reporters on the scene that day had to piece things together from sketchy reports, hasty medical briefings, and what little they might have seen for themselves.

But even in such uncertain circumstances, from the moment the president's car sped out of Dealey Plaza through the Triple Underpass to Parkland Hospital, the possibility of conspiracy arose in every mind. The new president, Lyndon B. Johnson, was said to have insisted on being sworn in while still in Dallas, on the chance that the assassination might have been the work of a foreign nation intent on launching war during the resulting confusion.

Two days later, Jack Ruby—a man with underworld connections—silenced Lee Harvey Oswald forever, and conspiracy theories bloomed like evil flowers. Until it was learned that Oswald had a vaguely leftist background, the most frequent assumption was that Kennedy had been murdered by the "right wing," of which Dallas, at the time, was the acknowledged capital.

Adlai Stevenson, only shortly before, had received rough treatment from a Dallas crowd; Johnson and his wife had been pushed around and spit on during a campaign appearance there in 1960. Kennedy had been urged by some of his associates not to visit Dallas, but he took the attitude that an American president could not refuse to go to any American city for fear of violence.

Oswald's political coloration shifted most speculation toward some kind of "Communist conspiracy." European reporters, arriving in Dallas in droves, brought with them all kinds of historically conditioned assumptions that the murder must have had political origins. Nor was it hard

to detect an undercurrent of suspicion that Lyndon Johnson himself, or maybe the Texas millionaires who were assumed to control him, had been responsible. The deed had been done in Dallas, after all, and who stood to gain the most from it?

It was to lay such doubts to rest and get the true story (or, some said then and still think, *any* plausible explanation that exonerated him) published before the 1964 elections, if possible, that Johnson created the Warren Commission and personally bluffed and browbeat a reluctant Chief Justice Earl Warren into heading it.

The Warren Commission's thesis that Oswald had acted alone—hence, no conspiracy—was widely greeted with relief and praise. But it did not for a moment silence the conspiracy theorists, who almost immediately began pointing to discrepancies in the Commission's evidence and conclusion. The Commission had scarcely taken itself out of existence before hot-eyed assassination buffs began to consider *it* part of the conspiracy, or at least part of the cover-up of the conspiracy.

Over the ensuing years, conspiracy theories have continued to flourish, supported by investigators ranging from the bizarre to the scholarly. Perhaps the most persistent suggestions have been that Castro ordered "the hit"—or else that anti-Castro Cubans did. Others believe the CIA was involved. The Mafia, the FBI, Vietnamese avenging the death of Ngo Dinh Diem—all have come under suspicion. Recent poll figures show that an astonishing 80 percent of the American people believe some form of conspiracy was responsible for Kennedy's murder.

Even I found myself at one point considered a conspirator. Writing in *Times Talk*, the house organ of the *New York Times*, about the experience of covering the assassination, I recalled that the first thing amiss I had personally noticed on November 22, 1963, was a policeman riding his motorcycle up an embankment near the Triple Underpass. But in writing my account of the day's events for the *Times* of November 23, I had not included this minor detail—as I considered it. I was astonished to find this omission later cited as evidence that I had tried that day to conceal the truth from the public!

This unpleasant experience may have tinged my view; but even before that, virtually from the hour of Oswald's arrest, I had been among those who rejected the idea of conspiracy. So I have remained through the years, enduring a good deal of scorn from the most persistent theorists,

a breed all too likely to believe that anyone who disagrees with them must be a conspirator himself.

So I was dismayed in 1978 when the House Select Committee on Assassinations said in a preliminary report that John Kennedy was "probably assassinated as a result of a conspiracy." Acoustical evidence from a police motorcycle radio tape, long available but newly analyzed, had convinced a majority of the committee that a second gunman had fired at, although he had not hit, the president; and a second gunman almost certainly meant a conspiracy.

It was less surprising that the committee also found "a likelihood" that a conspiracy had existed in its second area of investigation—the killing in 1968 of the Reverend Dr. Martin Luther King. In that case it concluded that James Earl Ray, acting alone, had committed the murder, as found by the original FBI investigation, but had probably been in touch with people who wanted King dead.

The Kennedy finding obviously is the more sensational, contravening the Warren Commission as it does. My first reaction was that the House committee's acoustical evidence was flimsy stuff that would set off a whole new round of conspiracy theories and witchhunts.

Now that I have the full report in hand and have had a chance to study—if only briefly—its evidence and conclusions on the Kennedy murder, I consider the report reassuring as well as troubling. I am no more persuaded by its central conclusion—the existence of a second gunman—than conspiracy theorists were by the Warren Commission Report; nor was the committee itself anywhere near unanimous on this point. But its painstaking review of the evidence, including some the Warren Commission never saw or discounted if it did, actually puts to rest most of the wilder speculations of the years since 1963.

Thus, the committee reports that, "on the basis of the evidence available to it," the Soviet Union was not involved in the assassination of President Kennedy. On the same basis, neither was the government of Fidel Castro, neither were "anti-Castro Cuban groups, as groups," and neither was "the national syndicate of organized crime, as a group." And there is no hedge at all in the committee's flat declaration that the Secret Service, the FBI, and the CIA "were not involved" in the Kennedy assassination.

That blows away virtually every conspiracy theory of any real consequence, although the committee carefully

HOW, IF YOU DON'T KNOW WHO THE SECOND GUNMAN IS, CAN YOU PROVE MYERS?

left open the possibility that evidence not now available to it might someday emerge. The committee also refused to rule out the possibility that *individual* anti-Castro Cubans or participants in organized crime might have been involved. The latter seem to be the preferred, but not proven, culprits, in the majority of view—although in the fine print, they include a discussion of the possibility, again not ruled out, that the conspiracy may have been among Oswald and only one or two left-wing acquaintances. That, the committee concludes, “would not have been fundamentally different from an assassination by Oswald alone.”

So what the House select committee gives us with one hand—a second gunman and a conspiracy—it tends to take away with the other. And its report makes a rather convincing case that even if there was a conspiracy, it was almost certainly among small-timers who happened to pull off the biggest hit of all.

All that of course, only focuses more attention on the real question raised by the committee report. *Did* a second gunman fire at Kennedy on that sunlit day in Dallas when for so many Americans their world of certainties began to come apart?

Aside from a certain distaste for persons who try to persuade me that, say, two such different men as Richard Russell of Georgia and Earl Warren were part of a conspiracy to cover up the murder of a president, I have had two strongly held reasons for believing the Warren Commission's theory about John Kennedy's death.

I took the first from a well-known attorney. Shortly after the Commission report appeared, he explained to me that in any criminal case, both the prosecutor and the defense counsel might try to present to the jury a theory of what happened. They weave evidence and testimony into a coherent account they hope a jury will believe. If the prosecutor presents the more believable theory, backed by the most impressive evidence, he is likely to get a conviction. If the defense counsel convinces the jury—or in his case some members of it—that his version is more plausible, the defendant probably wins acquittal.

The Warren Commission, the attorney said, had presented what he considered a highly plausible theory of what happened in Dallas on November 22, 1963. Then, in volume after volume, it had presented credible and overwhelming evidence to support its theory. The Commission,

THE DEFENSE ATTORNEY DOES NOT HAVE TO PRESENT ANY THEORY. HE ATTACKS THE PROSECUTION CASE - UNLIKE PERRY MASON.

NICE TOUCH!

SWIFT!

BUT ONE IS ENOUGH!
in short, had explained what happened and backed up its explanation.

This did not mean, he continued, that the Warren Commission's case was airtight. There were holes in it, discrepancies here and there, a few implausibilities (John Connally, then governor of Texas, still cannot believe that a bullet that struck him had already passed through Kennedy's body), and the more the evidence was studied, the more the experts might be able to raise questions here, doubts there. But overall, the Warren Commission had presented the only believable explanation of what had happened on the day of the murder, and of why it had happened.

For his part, the attorney said, as one among the vast jury of the American public, he accepted the Commission's explanation and would until someone gave him *a more believable account*, supported with equally or more impressive evidence. It would not be enough for someone to cite discrepancies in the Commission's case, unless they conclusively destroyed that case; and even then he would require a plausible alternative explanation of what had happened.

GARBAGE! *
Such a plausible alternative has never been supplied—certainly not by the zealots, and not in my judgment by the reputable scholars and journalists who have pored so purposefully over ballistics tests, the Zapruder film, the medical reports, and all the other arcana of the Kennedy assassination.

Now the House committee, despite 2½ years of Herculean effort and \$5.4 million expended, fails also to offer what I consider the necessary alternative to the Warren Commission thesis. Its evidence suggested to the majority of the committee a "high probability" of a second gunman—of course, a vital difference from the Commission's findings—and therefore a conspiracy. But that evidence could not enable the majority to take the next, crucial, step; it could not "identify the other gunman or the extent of the conspiracy." It could not tell us what happened that day in Dallas, and why, if there was indeed a second gunman.

Even the "evidence" suggesting that gunman's presence—as I read it—rests rather dubiously on an admittedly ingenious series of acoustical reconstructions, the results of which are highly problematical. I do not suggest that these tests were not soundly conceived and honestly performed and evaluated; but they seem to me too heavily dependent on assumptions and interpretations, any one of

* YOU HAVE TO IN SHORT NAME WHO DID IT. THE PLOY OF ALLAN DULLAS!

which, if wrong, might have thrown off the whole. Indeed, Rep. Robert W. Edgar of Pennsylvania, writing in dissent, quotes legal and scientific experts who rejected the acoustical findings *as evidence*, without questioning their value as experiments.

Rep. Richardson Preyer of North Carolina, one of the most respected men in the House and chairman of the committee's Kennedy assassination subcommittee, defended the acoustical evidence at a news conference; he said it was "convincing as a new set of fingerprints on a second rifle." He originally had been skeptical, he said, but in the course of the investigation he concluded that there was "no way to dismiss" the acoustical findings. But Rep. Harold Sawyer of Michigan, another dissenter, said that if the evidence on which the conspiracy finding rests were presented to him for prosecution, "I'd file it in the circular file." He termed the acoustical information "the ultimate in bootstrap evidence."

The acoustical tests were based on a police motorcycle radio tape fifteen years old, the source of which the committee never did finally establish. In order for the tape to have any validity, the report concedes, it would have to have been taken from the radio of a motorcycle that was in Dealey Plaza when the shots rang out. Other sounds on the tape—of sirens and chimes—can hardly be reconciled with that location. Rep. Sawyer said the full committee had never met to resolve the conflicts presented by the sounds of sirens and chimes on the tape.

The testimony of Dallas police officer H. B. McLain, from whose motorcycle radio the committee believed the tape had been taken, contradicted that belief on a crucial point concerning the sound of sirens. The report resolves this contradiction by saying that "the committee believed McLain was in error"—just the sort of thing for which, elsewhere it properly criticizes the Warren Commission.

The committee also attempted to support its acoustical findings by photographic and testimonial evidence. But no photographs of the "grassy knoll" sustain or preclude the idea of a second gunman there. And of 178 persons interviewed who were in Dealey Plaza at the time of the assassination, *only four* claimed to have heard shots from both the grassy knoll and the School Book Depository; yet it is the House committee majority's thesis that three shots were fired from the depository and one from the knoll. Only 11.8 percent of these people believed the shots came from the knoll; 27.5 percent said they came from the de-

pository—testimony, again, that hardly proves anything either way.

In fact, on December 13, 1978, a first draft of the committee report stated that "the available scientific evidence is insufficient to find that there was a conspiracy to assassinate President Kennedy." That was after the committee's first acoustical expert had testified that the evidence of the radio tape offered only a 50 percent chance that a second gunman had fired a shot from the grassy knoll. By December 29, a second team of experts, after further acoustical sleuthing, had told the committee that there was a 95 percent probability that a second gunman had fired his shot and missed.

As a consequence, the 12-member committee switched to the second-gunman and conspiracy theses, only a few days before the committee went out of existence, and with four members—Edgar, Sawyer, Rep. Samuel L. Devine of Ohio, and Rep. Charles Thone of Nebraska—dissenting from these important conclusions. (Rep. Christopher J. Dodd dissented too, but not from the second-gunman thesis.) Both the last-minute turnabout and the divided committee, I think, argue that these major conclusions, however honestly reached, were both hasty and risky. The acoustical evidence might better have been presented as a possibility worth further investigation, without putting the committee's imprimatur on a conspiracy theory, and a unanimous committee would have been a more credible committee.

The House committee had found, moreover, that most of the Warren Commission's major conclusions were unassailable. Perhaps the most consistently disputed by conspiracy theorists has been the Commission finding that a single bullet fired by Oswald struck Kennedy in the back, exited through his throat, passed through John Connally's torso, hit his wrist, and lodged in his thigh. This bullet later was found on a stretcher on which Connally was carried into Parkland Hospital.

The House committee's panel of pathologists, who between them had conducted more than 100,000 autopsies, concluded with only one dissenting voice that this much-disputed "single-bullet theory" was correct. Altogether, the Warren Commission reported three shots were fired—the one that hit both men, one that missed both, and one that struck Kennedy in the back of his skull and killed him. The House committee's pathologists agreed again and corroborated also the Commission's other crucial finding—that all three shots were fired from *behind*.

It may well be wondered then, why the House committee was willing to assert so confidently, on the basis of acoustical speculations alone, that a fourth shot, missing both men, was fired from the grassy knoll by a second gunman—particularly when the committee concedes that there is no physical evidence (such as a spent shell) that such a shot was fired. Nor does the committee profess to know who fired that fourth shot, from what kind of weapon, for what purpose, in collusion with whom—much less what happened to him or her after allegedly firing.

One underpinning the committee sought to give its theory was the assertion that Oswald and Jack Ruby had connections with underworld characters, particularly in New Orleans, who could have masterminded the murder. A considerable web of allegations to that effect is woven. I will leave the reader to weigh these allegations, together with the frequent use of "might have" and "could have" in the text describing them; but I would be willing to take them much more seriously as a cause if more and better evidence had been adduced as to the supposed effect—two gunmen in a conspiracy to murder John Kennedy.

The House committee is severe, and properly so, with the Warren Commission, the FBI, the Secret Service, and the CIA for the original flawed investigations of the Kennedy and King murders. But it cannot be merely assumed that if these agencies had been more effective, they would have discovered a conspiracy; they might have, but they might just as easily have eliminated many of the loopholes and inconsistencies that over the years have fed the conspiracy theorists and shaken public confidence—particularly in the Kennedy case.

As to Martin Luther King, the House committee is less sensational and appears to me to be on sounder ground (although, again, some members dissented from the finding of conspiracy). In particular, the committee makes a devastating case that the FBI, in its reprehensible COINTELPRO campaign to discredit King, may have helped create a climate of hatred that brought about his murder. As Rep. Dodd put it, in a partial dissent from the King conspiracy findings, "The FBI's conduct toward Dr. King not only dishonors that agency, but dishonors each and every one of us."

The most avid public attention, however, will inevitably be centered on the House committee's startling contention that a second gunman was in Dealey Plaza, indicating a

conspiracy to kill President Kennedy. In the absence of any explanation whatever of his or her supposed presence and actions, or of what the committee majority believes happened in Dallas, on November 22, 1963, and owing to the considerable doubts I have about the acoustical findings, I decline to accept this latest of so many conspiracy theories.

I do so not least because of the second reason I have always thought that Oswald acted alone when he killed Kennedy (call it a stubborn refusal to face facts, if you insist); its obverse, I believe, is why so many Americans seem to *want* a conspiracy to have been responsible. A lonely, unstable young man, fiercely desiring recognition, bitterly angry at a world that denied it to him; a sudden opportunity to strike at that world by striking at another young man unfairly (as Oswald thought) granted immense recognition, immense power—I believe that is the way things happen. Ours is a world not so much of plans and conspiracies but of chance, circumstance, and individuality, against which not even presidents can be always immune.

HIKE WATERGATE!

But most Americans, it has seemed to me after discussing the Kennedy assassination with many an audience, do not want to believe that. They want John Kennedy to have died for some *reason* of state or politics. They want an explanation that gives more than ordinary meaning to his murder, that equates it somehow with the office he held and the power he dispensed. For many Americans, it is simply not sufficient to the case to be told that a disgruntled loser like Lee Harvey Oswald could strike at a president, particularly at one so shining as John Kennedy.

Presidents, we want to think, are spared such mean deaths, such common fate. But no one can be, when chance and circumstance—more deadly by far than leaders and planners—conspire against them.

Tom Wicker
July 1979