

Mr. Philip Shenon
New York Times
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Dear Mr. Shenon,

I've just received a copy of your "Who Killed Kennedy" article of 11/18 and I write despite feeling that this was a one-shot assignment because you've quite innocently fallen into the trap laid by virtually all the "critics" of the official investigations and by 100% of all involved in the federal government.

Please excuse my typing. I'm 75, have to type sideways because of circulatory ailments and for the immediate future am limited to the use of my poorer eye because of surgery on the better eye.

I am senior of the "critics" in all respects. Mine was the first book on the Warren Commission, I've brought to light most of what is known about the JFK assassination in my six books on it and through many FOIA lawsuits as a result of which I have about a third of a million pages of once-withheld records. I was also a critic of the House assassins committee, the most used Times source, including by Wendell Rawls and I helped other Times reporters. Harrison Salisbury read my first two books in manuscript, Tom Wicker tried to help get my first published (ultimately I had to do it myself), the manuscript of the second Salisbury mailed back to me never reached me, but after reading it he launched a Times inquiry that, according to a dear friend, the late Martin (Mo) Waldron, perhaps before your time at the Times, was aborted from within.

Permit me to accredit myself. I am a former investigative reporter, Senate investigator and editor, and I was an analyst in intelligence during and for a short time after World War II. (055)

You make the common mistake of confusing whether or not there was a conspiracy with theories about who conspired. There is a vast and quite significant difference, between fact and fiction. I am not aware of any theory that I have not undertaken to rebut and I think I've rebutted them all. They deceive and mislead and they certainly confuse, laymen, officials and reporters.

It may be difficult for you to believe but the crime itself was never investigated and there never was any official interest in investigating it. If you'd like I can send you copies of records that I think leave this beyond reasonable question.

Conspiracy is a combination to do what the law says is wrong ^{plus} an act in pursuance of the conspiracy. If the JFK assassination was beyond the capability of any one man then there was a conspiracy. Who conspired is something else entirely and all of what you write is limited to this.

It is beyond question that in even the Warren Commission's theory, and it was only an untenable theory, that nobody has been able to duplicate the shooting attributed to Oswald. The Commission got the best shots it could from the ~~NRA~~, NRA, the rifle was overhauled as best it could be, the conditions were simplified and improved, and still nobody could come close to the shooting attributed to Oswald. He was officially evaluated by the Marine Corp as "a rather poor shot" anyway.

Belin is so sick he lies without being aware that he is lying. He is also pathetic in what I think is the goading of his conscience. He lies as you quote him in saying that every attempt against the official mythology can be refuted. Not only is this false, he tried and couldn't when we debated at Vanderbilt in 1975. A day and a half after we parted he came out for a new investigation and he has never murmured a word to me or to anyone that has come back to me about my specific criticisms of his record on the Commission. He can't. He even altered sworn testi-

mony to make it consistent with his own and the Commission's preconceptions. He also restricts himself to what he knows of the dated Commission work and what little he knows of the House committee's. He has never, for example, asked to see any of my records, to which anyone at all has access, a greater volume than his Commission had and much that is significant it never had in any form. If he has no interest in disclosed records he never saw it is because he knows he can't coexist with them. If you for a minute think I do not send them in quantity and without any kind of censorship to those with whom I disagree, ask John H. Davis, who is at 20 East 10 as I recall, author of Mafia Kingfish. I got a college senior, he told her what he wanted, and she spent much of her free time for a semester making and sending him copies I didn't see. I don't know what he has and I never do unless asked. (I don't think I won our history and I do think that FOIA makes me surrogate for the people. I recently filed suit against Henry Zapruder so that there could be free access to the film his father made, as the Times did report.)

While I agree with your statement that analysis of this film shows the impossibility of the single-bullet theory indispensable to the Commission's conclusions, it is controversial. I am with the FBI and the Secret Service in considering it impossible. Did Belin tell you this? My first knowledge of it came from his own Commission's records. I now have records of both agencies sneering at the Commission's most basic conclusion. They do both agree that the first bullet hit JFK alone, the second Connally alone and the third was fatal. They both also ignore a known and reported missed shot. It is when the Commission no longer could that it hoked up the single-bullet theory to pretend there had not been any conspiracy. For the FBI and Secret Service to have taken any other position meant a fourth shot and nobody could duplicate what was dumped on Oswald within three shots.

I regret very much that after 25 years there still is no official willingness to confess and apologize for this terrible error which in itself caused much of the alienation I've encountered since then and that the press is unwilling both to confront fact and make an independent effort to report unquestionable fact, again after 25 years. I just say this, as I say also that I regard the assassination of any president as the most subversive of crimes. I know you do not control Times policy, interests or assignments of stories.

You obviously tried to do a fair and honest story. I'm not complaining about that because you did this. But reporters ^{now} today really can't do much, without special efforts usually impossible for them, to tell the people the truth about that terrible crime that turned the world around or the other subversion, official dishonesty about it.

P.S. I'm not a conspiracy theorist and he was a dear friend.

Sincerely,



Harold Weisberg

Who Killed John Kennedy? After 25 Years, More Theories Than Certainty

By PHILIP SHENON
Special to the New York Times

WASHINGTON, Nov. 17 — A quarter-century after gunshots echoed across Dealey Plaza in Dallas and left the President mortally wounded, investigators, scientists and the public seem no closer to a consensus about the circumstances of John F. Kennedy's assassination.

For many students of the events of Nov. 22, 1963, all that really seems clear is their ignorance. They know they may never understand exactly what happened that day, or why.

They may never have conclusive evidence that President Kennedy was the victim of a single, unstable gunman, Lee Harvey Oswald, or the target of a conspiracy that, depending on the theorist, may have involved the Mafia, the Governments of Cuba and the Soviet Union, radical right-wing groups or perhaps even elements of the American intelligence community.

"It does not seem likely that these mysteries will ever be solved," said Representative Louis Stokes, an Ohio Democrat who a decade ago led a House inquiry into the assassination. "I think it's more likely than not that we'll never know."

As a group, Federal investigators have yet to settle on a single theory. The Presidential commission led by Chief Justice Earl Warren, that included some of the nation's most prominent lawyers and public servants, concluded in 1964 that there was no evidence to prove a conspiracy.

Fifteen years later, the Congressional panel headed by Mr. Stokes contradicted the commission, finding that Mr. Oswald had probably not acted alone and that the conspiracy might have included organized crime figures.

And the Justice Department said last year that it had closed its own inquiry into the Kennedy assassination by siding with the Warren panel. The department found "no persuasive evidence" to support arguments for a conspiracy.

Backing for Commission, And Opposition Too

The public at first seemed receptive to the conclusions of the Warren Com-

mission, and many still accept them.

In an article to appear Sunday in The New York Times Magazine, David W. Belin, a Des Moines lawyer who served as counsel to the panel, writes, "Any American who takes the time to examine the overall record will agree that the Warren Commission was right."

"Each and every attempt to prove otherwise can be refuted," he says. "The truth has a long fuse, and ultimately it prevails."

But almost immediately after its release, the commission's report came under attack by critics, some of them reputable scientists and criminal investigators, who said the panel had been seriously misled or had overlooked compelling evidence of a broad conspiracy.

Perhaps most vexing, the critics said, were the questions about Mr. Oswald that had been left unanswered by the Warren Commission, particularly those involving his connections to the Mafia and to Cuba.

Was It a Conspiracy? The Public Thinks So

One thing that the public as a whole has come to believe about him is that he did not act alone: for the last two decades, opinion polls have found rejection of the Warren Commission's findings.

According to a recent New York Times/CBS News Poll, 66 percent of Americans believe there was a conspiracy to kill President Kennedy, as against 13 percent who believe Mr. Oswald was alone responsible and 21 percent who express no opinion. Sixty-one



Shortly after the assassination of President Kennedy, reporters stood at the spot in the Texas School Book Depository Building from which Lee Harvey Oswald's rifle was fired.

House Panel Dismissed A Castro Connection

Mr. Oswald, one of the most curious assassins in the annals of crime, was a 24-year-old former marine who had traveled to the Soviet Union in 1959 and did not return home for more than two years. He was a fervent supporter of Fidel Castro, the Cuban leader, who, it was later learned, had been made a target for assassination by the Central Intelligence Agency. Shortly before the

official report that there has been an "official coverup to keep the public from learning the truth about the Kennedy assassination." And nearly half, 46 percent, believe it would now be impossible to establish the full truth about the President's death. Partly for this reason, 59 percent oppose further investigations into the killing.

The poll, in which 1,518 adults were interviewed by telephone Oct. 8-10, had a margin of sampling error of plus or minus three percentage points.

Associated Press

Kennedy shooting, he had visited Mexico in an effort to secure a visa from the Cuban Embassy for travel to Cuba.

The public's belief that he had accomplices was bolstered in 1979 by Mr. Stokes's panel, the House Select Committee on Assassinations, which concluded after a two-year inquiry that President Kennedy was "probably assassinated as the result of a conspiracy." The finding was based largely on the results of an acoustical examination of the assassination site that indicated a second gunman.

But the panel found no strong evidence to link Mr. Castro to the shooting. Many conspiracy theorists agree that although the Cuban leader knew he was a CIA target and may have wanted to strike back against the President, he would not have used an unstable assassin like Mr. Oswald. And the timing seemed wrong: the relationship between Cuba and the United States had appeared to be warming.

Mr. Stokes traveled to Cuba as part of his panel's investigation and met with Mr. Castro. "I asked him directly whether he was involved in the assassination," the Congressman said in a recent interview. "And he told me, 'Listen, I would have to be crazy to kill the President of the United States. They would wipe my little country off the face of the earth.'"

"I believed him," Mr. Stokes said. "Castro is too intelligent to be involved."

For many of the same sorts of reasons, the committee also ruled out involvement by the Soviet Union and other foreign governments. And it discounted rumors that the Federal Bureau of Investigation might have been involved.

The Arguments For a Mafia Conspiracy

The panel instead suggested that the culprits might have — but had not necessarily — included organized crime figures like Carlos Marcello, the boss of the New Orleans mob, and James R. Hoffa, who at the time was president of the International Brotherhood of Teamsters, had associated with Mafia leaders and was a particularly bitter foe of Attorney General Robert F. Kennedy, the President's brother.

The finding was passed in part on evidence that tied both Mr. Oswald and Jack Ruby, the Texas nightclub owner who gunned down Mr. Oswald two days after the Kennedy assassination, to organized crime.

Mr. Oswald was the nephew of a New Orleans bookmaker associated with the New Orleans crime network run by Mr. Marcello, and was close to another man connected to the Marcello organization, David Ferré. Mr. Ruby had been involved with the Mafia since his childhood in Chicago and had been linked to Mr. Marcello and another underworld leader, Santo Trafficante of Tampa, Fla.

Mr. Marcello, who is still alive and has denied involvement in the Kennedy assassination, had a long-running feud with the Justice Department and with Robert Kennedy, who had vowed to crush the American Mafia and had singled out Mr. Marcello.

By eliminating President Kennedy, the theory goes, the Mafia could remove his brother, its real nemesis, from power at the Justice Department. The theory holds that John Kennedy was a more inviting target for assassination than Robert Kennedy since the President, if he remained alive, would be likely to appoint a new Attorney General with a comparable distaste for the Mafia. And Mr. Ruby was ordered to silence Mr. Oswald, according to the theory, because of concerns that Mr. Oswald was unstable and might disclose the conspiracy to investigators.

A New Orleans Address And a Cuban Link

Others have suggested that the President was the target of reactionary groups and anti-Castro Cubans dismayed in part by his last-minute decision to withhold American air support from Cuban exiles in the Bay of Pigs invasion a year and a half earlier.

These theorists note that while living in New Orleans in the months before the assassination, Mr. Oswald handed out leaflets for a pro-Castro group, the Fair Play for Cuba Committee.

The leaflets identified the group's local address as 544 Camp Street. The conspiracy theorists point out that the

building at that address also housed the offices of a former F. B. I. agent, Guy Banister, who was active in radical right-wing causes and who has been closely tied in published reports to anti-Castro exiles and the CIA.

The theory that anti-Castro forces and elements of the CIA were behind the killing seems hard to reconcile, however, with Mr. Oswald's oft-stated support for the Cuban Government.

Conflicting Assessments Of Various Tests

The House panel's assertion of a conspiracy was bolstered by testimony from acoustics experts who said an audiotape from the site of the assassination strongly indicated that there had been at least two gunmen.

That assessment has since been disputed, however. In 1982, a panel of the National Academy of Sciences found that the tape did not support findings of earlier identified as gunshots had actually been made about a minute after the President was slain. The chairman of the academy panel said these noises were probably nothing more than police radio static.

That Mr. Oswald was at least a key figure in the assassination is beyond dispute for most scholars.

Ballistic tests showed that cartridge cases found after the assassination on the sixth floor of the Texas School Book Depository, where Mr. Oswald worked and where the President's motorcade passed just a moment before he was shot, had been fired by the rifle that Mr. Oswald had purchased from a Chicago weapons company under an alias.

But many scholars say the Warren Commission went too far when it argued that Mr. Oswald's rifle was responsible for all the shots fired into Dealey Plaza.

A number of conspiracy theorists say that evidence of a second gunman can be found in a film of the assassination made by Abraham Zapruder, a

dress manufacturer who captured the scene on his home movie camera.

Analysis of the film indicated that it would have been impossible for President Kennedy and Gov. John B. Connally of Texas, who was traveling in the President's limousine and was wounded in the shooting, to have been hit by separate bullets fired from the book depository. Mr. Oswald could not have fired the rifle fast enough.

After making its own scientific analysis, the Warren Commission therefore concluded that one of the two bullets that hit the President — the one that struck him in the neck before he was hit fatally in the back of the head — must also have hit the Governor.

But for some scientists, it was impossible to believe that the two men were hit by the same bullet. According to their analysis, the path of that round through the President's neck meant that it could not have hit Mr. Connally.

Mr. Connally agrees; he has said repeatedly that he was hit by a separate bullet — a conclusion that, if true, would indicate that Mr. Oswald probably received assistance from another gunman.

G. Robert Blakely, a law professor at the University of Notre Dame who was chief counsel to the House assassinations panel, said that while he accepted the Warren Commission's single-bullet theory, he still leaned toward believing that a second gunman was at the scene.

In his theory, the second gunman may have fired at the President from what reports on the Kennedy assassination commonly refer to as "the grassy knoll," an area ahead and to the right of the President's motorcade on Elm Street; the book depository was also on the right, but behind the motorcade.

"There were 20 people who said they heard shots from the grassy knoll," Mr. Blakely said.

But as Mr. Blakely acknowledged, proving that there were two gunmen in Dealey Plaza on Nov. 22 would only raise another question that will probably never be answered conclusively. Even if there was proof of shots from the two locations, he said, "we couldn't confirm who the two shooters were."