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Author's Note

The response to the hardcover publication of this book surprised both me and my publisher, Random House. We were initially worried that the book might be lost in the publicity surrounding the publication of other books espousing convoluted theories. But we had underestimated the extent to which, after thirty years of virtually unchallenged conspiracy conjecture, the conclusion that Oswald acted alone in assassinating JFK had evolved, ironically, into the most controversial position. While the media's response was overwhelmingly positive, the reaction from the conspiracy community was the opposite—not simply negative, but often vitriolic. There was little effort to study my overall evidence and conclusions with anything that approached an open mind. Indeed, there was a concerted counterattack to discredit both the book and its author.

There were panel discussions at conspiracy conventions in Boston and Dallas and special publications focused solely on contesting the book. A conspiracy-based "research center" in Washington, D.C., issued a "media alert" about *Case Closed*. The release consisted of five pages alleging the book was misleading and flawed, but the alert misstated my arguments and distorted the evidence in the case. Harold Weisberg, one of the deans of the conspiracy press, found his first publisher (he had previously self-published six conspiracy books) to bring out a book

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titled *Case Open*, a broadside attack attempting to diminish the impact of my work.

Other conspiracy buffs launched personal attacks. It was, as one journalist commented, as if overnight I had become the Salmon Rushdie of the assassination world. I was accused of treason by a buff who ran a Dallas "research center," and my wife and I were subjected to several months of harassing telephone calls and letters. At an author's luncheon, pickets protested that I was a dupe of the CIA. Faxes and letters to the media also charged I was a CIA agent, or that the CIA had written my book, or that I was part of a conscious effort to deceive the public and hide the truth. (Some critics even expanded the accusations to my first book about Nazi doctor Josef Mengele, contending that I whitewashed the Mengele investigation, when actually that book was the first to detail Mengele's entire life on the run, including his time in U.S. captivity and the Israeli and German bungling of his capture.) Television and radio producers were harassed by callers attempting to have my appearances cancelled. Some reviewers who wrote favorably about the book received intimidating calls or letters. My publisher was subjected to the same treatment, and even my editor, Bob Loomis, was publicly accused of being a CIA agent.

Although I had expected that individuals who had invested their adult lives into investigating JFK conspiracies might react angrily to a book that exposed the fallacies in their arguments, the vehemence of these personal attacks surprised me. I had mistakenly expected a debate on the issues. It took little time to discover, however, the extent to which many people who believe in a JFK conspiracy do so with almost a religious fervor and are not dissuaded by the facts.

Case Closed was probably subjected to greater scrutiny by more "critics" than any other book published in recent years. Several emendations in this book are the result of what some charged as fraudulent omissions in my discussion of various aspects of the case. Because *Case Closed* attempted to deal with all the major issues in the assassination, plus countless arguments raised by conspiracy critics in the three decades following the Warren Commission, many of these, especially those addressed in footnotes, were condensed. To fit all of my research

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“What Happened to the Truth?”

As the extent of Garrison's folly in New Orleans became known, the conspiracy press, which had gained tremendous public acceptance during 1966 and 1967, began to falter. Garrison's excesses reflected poorly on other theorists, especially since the leading critics were an integral part of his early efforts. Anthony Summers later wrote, “What angers investigators about . . . Jim Garrison is that his cockeyed caper in 1967 was more than an abuse of the justice system. It was an abuse of history, and—more than any other single factor—[responsible] in discrediting . . . genuine researchers for a full decade, a decade in which witnesses died, and evidence was further obscured.”¹

During the late 1960s and early 1970s, some buffs, including Penn Jones,² Harold Weisberg,³ and even Garrison himself,⁴ published books, but they had dismal sales. The most popular works on the assassination were now those that exposed the New Orleans fiasco, most notably James Kirkwood's *American Grotesque*⁵ and *Counterplot*, by Edward Jay Epstein, who had turned on Garrison.^{6*}

“Although a dedicated group of people kept researching the case, it wasn't until 1974 that several things took place that

* Epstein has increasingly become a gadfly among the conspiracy critics, writing national magazine articles in 1992 and 1993 attacking both Garrison's failed efforts and Oliver Stone's excesses in *JFK*.

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The first issue is the timing. In 1964, the FBI's test-firing of Oswald's Carcano determined that a minimum of 2.25 to 2.3 seconds was necessary between shots to operate the bolt and re-aim.¹ Since the first bullet was already in the rifle's chamber and ready to fire, that meant Oswald had to operate the bolt action twice (just as Harold Norman heard on the fifth floor). According to the Warren Commission, the fastest he could have fired all three shots was 4.5 seconds. However, that minimum time is now out of date. CBS reconstructed the shooting for a 1975 documentary. Eleven volunteer marksmen took turns firing clips of three bullets at a moving target. None of them had dry practice runs with the Carcano's bolt action, as Oswald had had almost daily while in New Orleans. Yet the times ranged from 4.1 sec-

The Failure Analysis work was an extensive undertaking for an American Bar Association (ABA) mock trial of Lee Harvey Oswald (resulting in a hung jury), held at the ABA's 1992 convention. The Failure Analysis project involved 3-D scale generations of Dealey Plaza, physical mock-ups of the presidential car, and stand-in models for the President and Governor, all to determine trajectory angles and the feasibility of one bullet causing both sets of wounds. Failure Analysis also re-created experiments with the 6.5mm ammunition, using more updated information than was available to the Warren Commission, to further test the "single-bullet theory" and the condition of the missile.

At the ABA trial, Failure Analysis presented scientific evidence for both the prosecution and defense of Oswald. The only technical breakthroughs were on the prosecution work, and they are presented in this chapter. The defense presentation was fundamentally flawed and centered on two primary arguments. The first was why Oswald did not take a supposedly better straight shot as JFK's car approached the Depository on Houston Street. Failure Analysis tried illustrating its contention by creating computer animation of Oswald's view of the car. Since Connally was sitting in front of Kennedy in the car, he would have blocked part of the assassin's view along Houston Street, and therefore the computer animation was not an accurate representation of what Oswald saw. Moreover, the Failure Analysis presentation did not take into account that ballistics experts conclude that a target coming toward and below a shooter is a more difficult shot with a telescopic sight, and that Oswald was better hidden from the view of neighboring buildings by choosing a line of fire along Elm Street. The second Failure Analysis defense argument was that a glycerin bullet could have been fired from the grassy knoll and not have exited on the left side of JFK's head. To illustrate the contention, Failure Analysis shot glycerin bullets into full, plastic, water bottles. Yet, the mock jury was never told that glycerin bullets are almost completely unstable at the distance between JFK's car and the grassy knoll. Also, Failure Analysis did not establish whether a glycerin bullet could penetrate a human skull at the Dealey Plaza distance.

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