

Mr. Belin goes to Washington

Washington Times
30 MAR 92

After nearly four months, "JFK," Oliver Stone's conspiratorial film about the Kennedy assassination, is still among us and still excites controversy. Now we have another, similar movie about Jack Ruby. What we have not had is any informed rebuttal of the claims of such films. At least until now.

Last week, speaking at the National Press Club, David Belin, a former counsel to the Warren Commission that originally investigated the Kennedy murder and found that Lee Harvey Oswald acted alone, delivered a devastating critique of Kennedy assassination theories in general and Mr. Stone's version in particular. It is Mr. Belin's strong belief, which he has supported in two books and innumerable other speeches and articles, that the Warren Commission was right — that there was no conspiracy — and the case for his view merits serious consideration.

Unfortunately, the press coverage of Mr. Belin's speech the following day was almost non-existent, which may lend credence to his angry charge that much of the nation's press is more interested in the unfounded sensationalism of conspiracy theory than in the more sober details of real evidence. Whatever the reason for the silence about Mr. Belin and his side, conspiracy advocates need to respond to his arguments.

Mr. Belin points out that "JFK" repeatedly ignores or misrepresents the known facts of the assassination and its investigation. Thus, while the Stone film takes as one of its authorities the findings of the 1978 House Assassinations Committee that supposedly proved the existence of a conspiracy, "JFK" repeatedly distorts what the 1978 report really found as well as its relationship to the findings of the Warren Commission.

Mr. Belin points out that the 1978 report concluded that "Lee Harvey Oswald fired three shots at President John F. Kennedy. Two shots hit, one shot missed," and, says Mr. Belin, "that's exactly what the Warren Commission found. And it's diametrically opposite to Mr. Stone," whose film claims that Oswald killed no one. Moreover, the 1978 report, cited as authoritative in the Stone film, rejects Mr. Stone's claim that three marksmen fired at the president in "triangulation."

Secondly, Mr. Belin points out that the technique of neutron activation analysis was used by the 1978 House committee to show that the bullet fragments

from Kennedy's body came from the round that also struck Gov. John Connally — substantiation of the "single bullet" theory. Mr. Stone's film doesn't mention this inconvenient fact, which contradicts the claim that there were other gunmen firing other bullets.

As for the finding of the 1978 House committee that Mr. Stone does cite — that acoustical evidence from police radios in Dealey Plaza at the time of the assassination shows that other shots were fired — Mr. Belin says that the acoustical evidence was "subsequently disproved" by a 1982 study that showed that sounds believed to come from another shot actually occurred more than a minute after the assassination.

Mr. Belin also notes that "JFK" purports that Oswald did not kill Dallas Police Officer J.D. Tippitt and never mentions the six different witnesses who identified Oswald as Tippitt's killer. He notes that the Stone film makes no mention of Howard Brennan, a witness who actually saw Oswald firing from the Book Depository, and that it makes no mention either of cartridge cases found at the "sniper's nest" nor of postal inspector Harry Holmes in the interrogation of Lee Oswald.

The latter is crucial. Conspiracy advocates say that Ruby was part of the plan to eliminate Oswald so he could be framed for the assassination posthumously, but the Holmes incident contradicts this theory. On the morning that Ruby killed Oswald, Holmes decided spontaneously to drop by police headquarters and assist in the interrogation of Oswald. His questioning delayed the removal of Oswald by half an hour, and had he not unexpectedly shown up to quiz the suspect that morning, Ruby would not have been in the police garage when Oswald was moved and therefore could not have killed Oswald. Only by postulating that Holmes too is part of the conspiracy can the conspiracy theory be salvaged.

Mr. Belin had some irate remarks about Oliver Stone, Warner Bros. and "media conglomerates" in general, and whether his anger is justified or not, his point that "news media" often prefer glitzy speculation to hard fact contains merit. Mr. Belin deserves a hand for his courage in pointing out some uncomfortable facts that turn a lot of the Kennedy conspiracy theories into sliced salami. If the theorists have anything substantial to say in response, they'll have to do better than Oliver Stone and his multimillion-dollar propaganda movie.

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Your recent editorial *Mr. Belin goes to Washington* missed the critical issue intrinsic to any discussion of the murder of John F. Kennedy. There are *only* theories about his death, and this includes the single-gunman theory advanced by the Warren Commission and championed by Mr. Belin. Mr. Belin, to his credit, has artfully defended the single-gunman hypothesis, but one cannot overlook the point that his comments simply represent a concept opposite the multiplicity of conspiracy theories.

The Warren Commission was not a court of law bound by the rules of evidence, nor were its attorneys kept virtuous by the intercessions of a defense counsel and his cross examination. The Warren *Report* itself is saturated with terms such as *presumably*, *probably*, and *likely*. These used because its authors could not prove their theory any more than can the hordes of those who are conspiracy-minded. The simple fact of this matter is that if you care to expend the time, effort, and expense, of researching the *Report*, the attendant 26 volumes of supporting material, and the forty-two rolls of microfilm containing most of the 1553 numbered documents, you too will question the validity and accuracy of the *Report*. Mr. Belin has relied on the belief that individuals have neither the time or the inclination to do so and in that assessment he is correct. However, and unfortunately for Mr. Belin, the *Report* does not withstand scrutiny of its own supporting documentation; peruse it yourself.

The *Times* cites Mr. Belin's discussion of William Brennan, whom he suggests is the prime witness. Mr. Brennan's testimony is to be found in Volume III, pages 140, 184, and 211, and Volume XI, page 206, of the 26 volumes of *Hearings and Testimony*. The *Times* would render a public service by publishing Mr. Brennan's testimony. Your readers could then judge

for themselves the value and veracity of the Commission's prime witness; keeping in mind the absence of cross-examination. Mr. Belin and the *Times* cite Harry Holmes presence at Lee Harvey Oswald's last interrogation as proof that Jack Ruby did not kill Oswald as part of a conspiracy. I suggest Mr. Belin re-read Mr. Holmes' testimony and memorandums of record, and Dallas Police Captain Will Fritz's memorandums regarding that interrogation. Nowhere is there mention of Mr. Belin's theory that Holmes presence lengthened the interrogation. In point of fact, Mr. Holmes was not the last person to speak to Oswald prior to Captain Fritz beginning his movement to the county jail; Secret Service Inspector Thomas Kelly was the last to speak with Oswald. Additionally, there exists no record of fact, of which I have knowledge, which would indicate that there was ever a firm schedule regarding Oswald's transfer against which Mr. Belin's theory can be measured.

That the assassination of John F. Kennedy is one of the enduring tragedies of our time cannot be overstated. The Warren Commission's failure to adequately investigate and determine precisely who was involved and why John F. Kennedy was murdered has left a virtual *sword of Damocles* suspended above the head of every succeeding President. John F. Kennedy was removed from office by bullets rather than ballots, and to this day we have no motive and much more than *reasonable doubt* about the government's theory regarding his murder. The legacy of his death is that our government, by not determining the absolute truth about the events in and around Dealey Plaza on that horrible day in November 1963, broke its bond with those who empowered it. Is it any wonder that Mr. Stone makes films or that others televise documentaries that differ from the *Report*? Since the truth was never determined the field of fiction is open to all.