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JUNE 2, 1975

U.S. News & WORLD REPORT®

ASSASSINATION— Behind Moves to Reopen JFK Case

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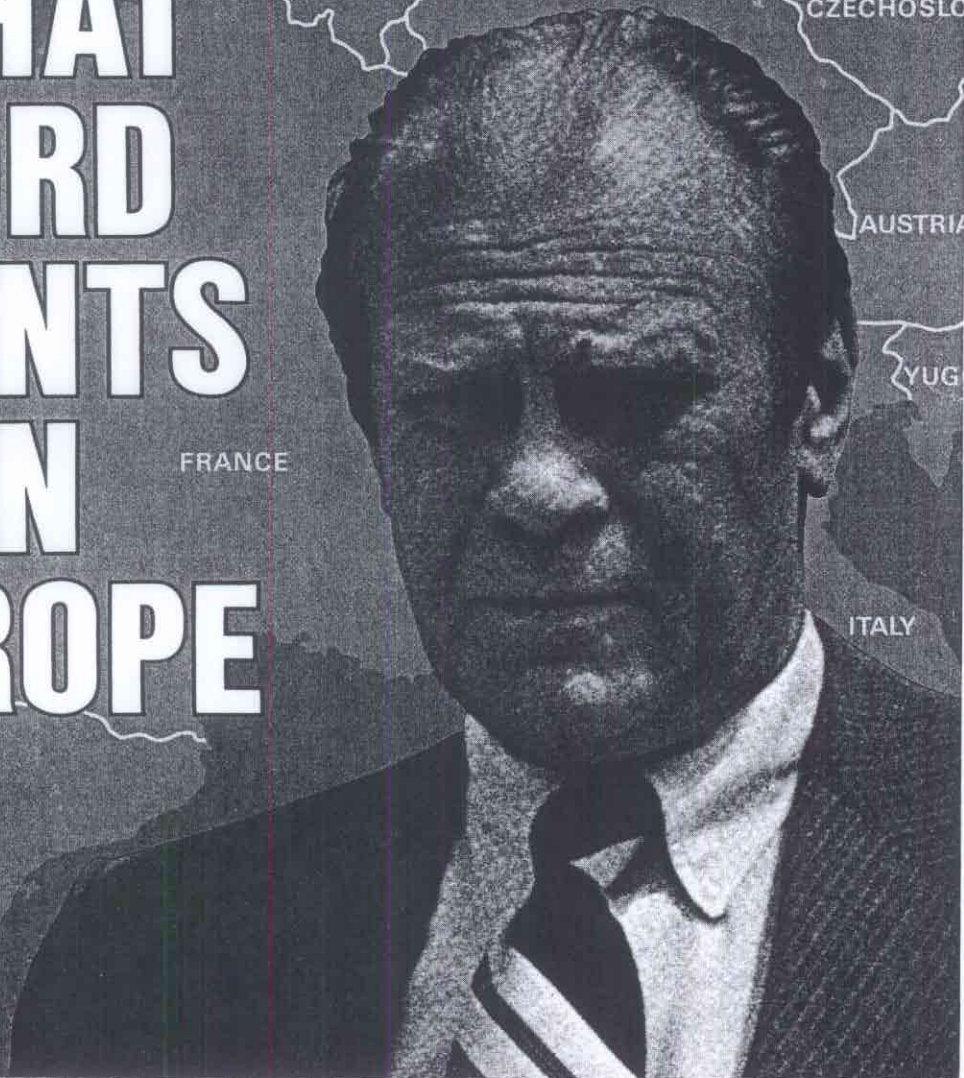
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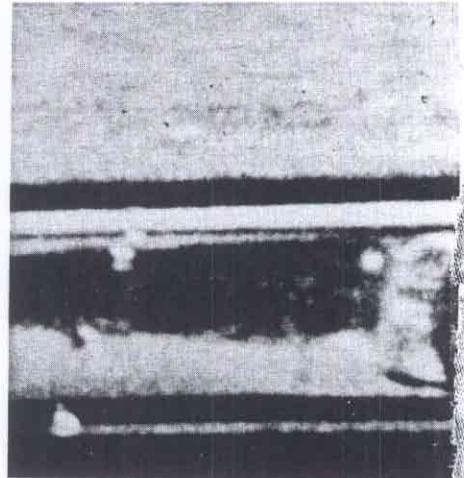
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President, Mrs. Kennedy and Connally at Dallas Nov. 22, 1963.

DALLAS MORNING NEWS



Two assassins? A film shows Mr. Kennedy falling backward after being shot in the head. Some say this means the President was shot from the front, not just from the rear as the Warren Commission found.

ASSASSINATION—

Behind Moves to Reopen JFK Case

WAS LEE HARVEY OSWALD the man who actually killed President John F. Kennedy? If so, did he act alone, or was he part of a conspiracy involving other persons?

These questions, which have been asked but officially ignored for years, are suddenly getting new attention, in Washington and across the country.

More than 40 members of Congress have joined in demands for a "full and complete" reinvestigation of the 1963 assassination. A presidential commission investigating the Central Intelligence Agency has looked into some new questions being raised. And two select committees of Congress are preparing to do likewise if their studies of intelligence operations turn up anything to justify it.

All this is puzzling many Americans. Why, they ask, is there so much belated concern about questions that were supposed to have been settled 11 years ago?

In 1964, a presidential commission headed by the late Chief Justice Earl Warren made a 10-month investigation of the assassination. It concluded not only that Oswald shot Mr. Kennedy but also that there was no evidence of any conspiracy involving other persons.

What has happened to stir fresh doubt about that official finding?

New evidence? For one thing, critics of the Warren report claim to have come up with new evidence that Oswald could not have committed the crime alone.

Films of the death scene are used to suggest that Mr. Kennedy was caught in a crossfire between at least two gunmen, instead of being shot by a single gun-

man—Oswald—from the rear, as the Warren Commission concluded.

A conspiracy? The theory of a conspiracy took on added plausibility when several news reporters disclosed recently that the late President Lyndon Johnson had told them confidentially that he believed Cuba's Communist Premier, Fidel Castro, might have been involved in the Kennedy slaying.

CIA involvement? Recent allegations have been published that the CIA has carried out assassinations or attempted assassinations of foreign leaders. In a news conference on May 7, Mr. Castro said he knew of such plots on his life. This is used to support a theory that President Kennedy may have been slain in retaliation for the CIA plots.

It has even been suggested that CIA agents had links with Oswald, and were somehow involved in curious events connected with the Kennedy case.

A cover-up? Long-secret transcripts, recently made public, have produced charges that the Warren Commission suppressed evidence indicating that Oswald may have been an undercover agent or informer for the Federal Bureau of Investigation.

Oswald did not lie? A new kind of lie detector has been used to demonstrate a theory that Oswald was telling the truth when he told a reporter in Dallas that he did not shoot anybody.

What does all this add up to? Not enough to change the conclusions of the Warren Commission, in the view of most of those who took part in that Commission's investigation.

"The hard evidence is unchanged,"

insists Arlen Specter of Philadelphia, an attorney for that Commission.

"I think a new investigation would be an enormous waste of time and money," says Melvin A. Eisenberg, another Commission attorney, who is now a law professor at the University of California at Berkeley.

President Ford, himself a member of the Warren Commission while serving

THE WARREN COMMISSION FINDINGS

From the final report of the Warren Commission, issued on Sept. 24, 1964—

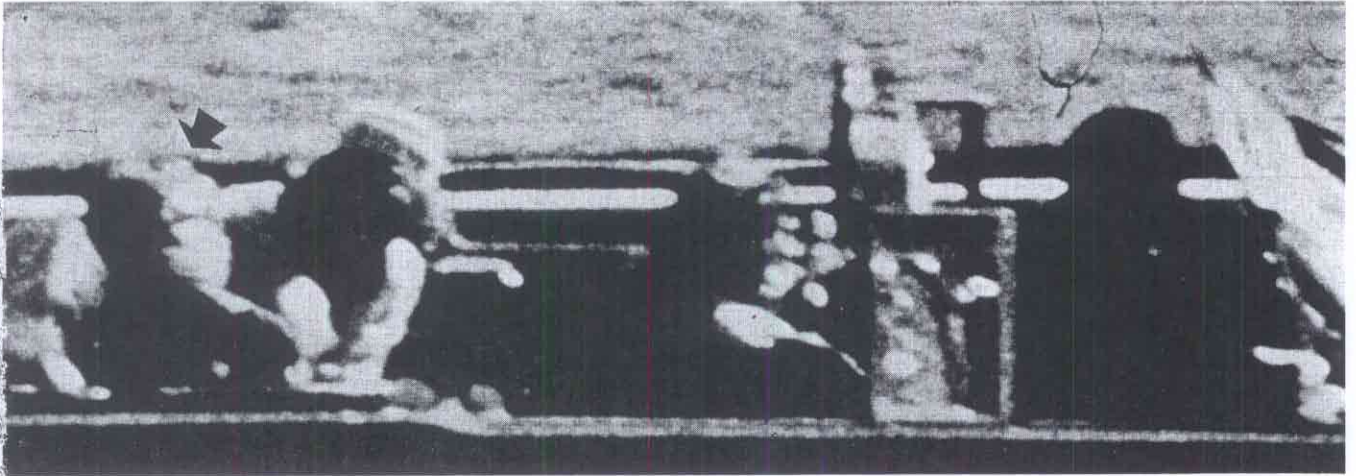
- "The shots which killed President Kennedy and wounded Governor Connally were fired by Lee Harvey Oswald."

- "The Commission has found no evidence that Oswald was involved with any person or group in a conspiracy to assassinate the President."

- "The Commission has found no evidence to show that Oswald was employed, persuaded, or encouraged by any foreign government to assassinate President Kennedy."

- "All of the evidence before the Commission established that there was nothing to support the speculation that Oswald was an agent, employee, or informant of the FBI, the CIA, or any other governmental agency."

- "On the basis of the evidence before the Commission, it concludes that Oswald acted alone."



in Congress, said recently that he still supports its major findings.

A Ford-appointed commission, headed by Vice President Nelson A. Rockefeller, has completed an investigation of charges that the CIA illegally engaged in domestic spying. In that investigation, it looked for possible CIA links with the Kennedy case.

It was disclosed that the Rockefeller commission asked for an FBI check on a photograph of three "tramps" arrested in Dallas the day of the assassination. It has been suggested that they resemble some participants in the Watergate conspiracy. But the Commission's vice chairman, C. Douglas Dillon, said on May 12 the panel's report probably will not shed any light on the Kennedy case. The report is due June 6.

The House and Senate Select Committees on Intelligence Activities, just starting their studies of the CIA and FBI, have stressed that they will pursue the Kennedy case only "should the evidence warrant it."

Yet the drive for reopening the assassination investigation goes on, seeming to gain steam rather than lose it.

Moves in Congress. A resolution introduced in the House on May 22 by Representative Thomas N. Downing (Dem.), of Virginia, with nine cosponsors, called for a congressional investigation of the John Kennedy killing. Mr. Downing said that unless a film he has seen is a fake, "I am convinced Kennedy was shot by more than one person."

Another resolution, introduced last February by Representative Henry B. Gonzalez (Dem.), of Texas, has attracted 33 other House members as cosponsors. It proposes investigating not only the John Kennedy case but also the 1968 assassinations of Senator Robert Kennedy and the Rev. Martin Luther King, Jr., and the 1972 attempt on the life of Alabama Governor George Wallace.

It's not only in Congress, but also among the American public, that the Warren report is being challenged. Groups of citizens in several States are gathering signatures on petitions urging

a reopening of the 1963 case. A newly formed organization, based in Washington, D.C., is mounting a lobbying campaign in Congress.

Critics of the Warren report are out on the lecture circuit, drawing large crowds in many cities.

A skeptical public. It is not really surprising that these critics are finding a ready audience for their views. In 1967, the last time the Gallup Poll sounded public opinion on the question, only one third of the people interviewed felt that Oswald had acted alone in the shooting.

There have been more than a score of books, three motion pictures and many magazine articles about the assassination that helped arouse the public.

In the 1960s, the tendency of many Americans was to regard such attacks on the Warren findings as the ideas of "kooks" or "cranks" or of "profiteers"

seeking to exploit the great public interest in the Kennedy case.

Now, however, cynicism generated by the Watergate affair, the Vietnam War and revelations about CIA operations have made both officials and the American public more inclined to accept a "conspiracy" theory as plausible. As one official trying to explain the revival of the Kennedy case put it, "Americans today are ready to read conspiracy into almost anything."

Mysterious deaths. Another thing whetting interest in the conspiracy theory is that since the assassination, there have been murders, attempted murder, suicides or mysterious deaths of a number of persons connected with the case.

Among the first to die was Jack Ruby, who shot Oswald and thus silenced the man who might have been able to reveal

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WARREN COMMISSION EXHIBIT



CENTRAL INTELLIGENCE AGENCY

At left, the real Oswald. At right, a photo taken in Mexico City of a man the CIA said was Oswald. Questions: Was it a CIA mistake? Or was he a conspirator posing as Oswald?

JFK ASSASSINATION

(continued from preceding page)

the full story. Ruby died of cancer only a few months after that shooting.

The latest death among assassination witnesses was that of Roger Dean Craig on May 15, 1975, from what police said was a self-inflicted shotgun wound. Mr. Craig, a former deputy sheriff, had testified he saw Oswald get into a station wagon driven by another man near the building where the shots were fired. That conflicted with the Warren Commission's finding that Oswald took a bus from the building. A police officer reported that Mr. Craig "a couple of months ago told me someone had taken a shot at him."

There are a number of theories offered by the challengers of the Warren report. Some are conflicting. And the evidence presented is complex.

One piece of evidence that is attracting wide attention is a copy of the 8 mm film made of the assassination by a Dallas dressmaker, Abraham Zapruder. This film was viewed by the Warren Commission. But a different interpretation of it is made by a New York optics technician, Robert Groden.

Mr. Groden spent nine years enlarging and studying each frame of the Zapruder film. He concludes that the film shows Mr. Kennedy was the victim of crossfire, and therefore of a conspiracy.

Such claims have been made before. But none received such wide publicity as Mr. Groden's film presentation, which has been shown twice on nationwide TV, and also to many local groups since he released it January 31.

Three assassins? The Groden theory is based on three principal claims. The film, he says, shows as many as three assassins, other than Oswald, lying in wait for the President not far from the Texas Book Depository in Dallas, from which Oswald is alleged to have fired the fatal shot.

To a casual observer, frame 413 of the Zapruder film does appear to show one man holding what Mr. Groden says is a rifle. Former members of the Warren Commission staff, however, say the figures that Mr. Groden cites as lurking

assassins are too fuzzy to identify even as humans. "Image enhancement" tests of the film are planned.

Also, according to Mr. Groden, the President was hit in the head by two shots, not one as the Warren report said, and one of the shots came from a gunman in front of him. Oswald, according to the Warren report, fired from behind the presidential car.

In support of his theory, Mr. Groden says frames 313, 314, 315 and 321 of the film show Mr. Kennedy's head exploding before he fell violently backward, while a shot from behind should have thrust him forward.

Frames reversed. Interestingly, in the Warren Commission report, frames 314 and 315 were accidentally reversed, so it appeared as if Mr. Kennedy fell forward. Members of the Warren staff say the violent movement backward was a massive neurological reaction.

Another Groden contention challenges the Warren finding that former Texas Governor John Connally, riding in the front seat of the Kennedy car, was hit by the same bullet that pierced the President's neck. Mr. Groden says Mr. Connally's reaction, as timed on the film, came too late to have been caused by the Kennedy bullet.

This last contention, if true, would also appear to necessitate a second gunman.

Here is why: The Warren Commission concluded that the two men were hit less than 2.3 seconds apart. But Oswald's rifle, a single-shot Italian model, was found by the Commission to be incapable of firing faster than one shot every 2.3 seconds. Thus, unless the same bullet went through both the President and the Governor, they had to be shot by two different gunmen.

Former Commission staff members stand by what has become known as the "single-bullet theory" because no new evidence has convinced them otherwise.

David W. Belin, a Warren Commission lawyer who is now executive director of the Rockefeller commission, says he does not agree with Mr. Groden on the timing of Mr. Connally's reaction. And Mr. Belin points out that if two bullets were involved, one thing is hard to explain:

"We estimated the bullet [that pierced the President] was going about 1,700 feet per second when it left his body. At that speed, it had to cause some damage wherever it hit. And it could only have hit the inside of the car or Governor Connally. But the inside of the car was not appreciably damaged."

The new type of lie detector applied to the Kennedy case is known as a "psychological stress evaluator [PSE]." It is said to show by the stress in a person's voice whether he is telling the truth. Using this device, George O'Toole, a former chief of the CIA's problem-analysis branch, analyzed some recordings of Oswald's voice.

In Mr. O'Toole's recently published book, "The Assassination Tapes," he wrote that the tapes showed Oswald was not lying when he said to a reporter in a third-floor corridor of the Dallas police station: "I didn't shoot anybody, no sir."

PSE is used by some law-enforcement agencies, but it has not been accepted by many polygraph experts or the FBI.

Lloyd H. Hitchcock, a respected expert who reviewed the O'Toole tests with PSE, concluded, however, that "assuming that he [Oswald] was not suffering from a psychopathological condition that made him ignorant of his own actions, I can state, beyond a reasonable doubt, that Lee Harvey Oswald did not kill President Kennedy and did not shoot anyone else."

From the transcripts— Freedom-of-information suits, under a recently expanded federal law, have played a very important part in gathering new data on the Kennedy case.

Harold Weisberg, author of several books on the assassination, forced the Federal Government to release two previously "top secret" transcripts of executive sessions of the Warren Commission.

One transcript, of a meeting held on Jan. 22, 1964, shows the Commission's



Lie test. Some say lack of stress signs in Oswald's voice chart means he told truth when he said, "I didn't shoot anybody, no sir."

general counsel, J. Lee Rankin, telling the members that "word [has] come out . . . that Oswald was acting as an FBI undercover agent." Mr. Rankin said that Oswald's reported badge number was 179 and it was rumored he was "paid two hundred a month from September of 1962 up through the time of the assassination."

The transcript shows Allen Dulles, former CIA Director, and Mr. Ford, then a member of Congress, conjecturing as to what mission Oswald might have had for the FBI. An unidentified Commission member points out that it's curious that "the FBI is very explicit that Oswald is the assassin" of Mr. Kennedy.

"In my experience," that member continues, "they [the FBI] don't do that. They claim that they don't evaluate [evidence] and it is [my] uniform prior experience that they don't."

Some Commission members are heard asking why the FBI hasn't run down "all kinds of leads in Mexico or in Russia." Their speculation: The FBI wanted the case closed before any Oswald connection with the Bureau was discovered.

One member points out a problem if the rumor linking Oswald with the FBI were made public: "You would have people think that there was a conspiracy to accomplish this assassination [and] nothing the Commission did . . . could dissipate" that idea.

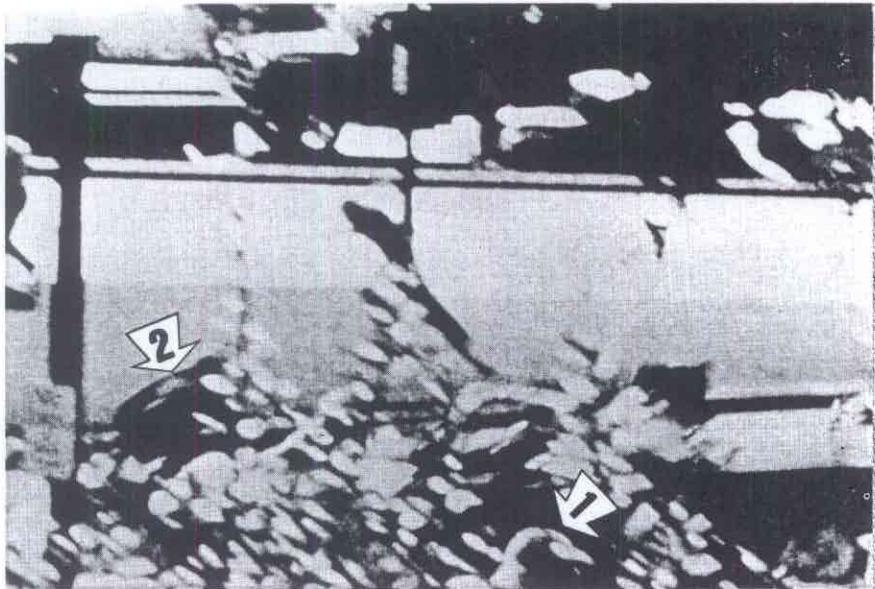
"A dirty rumor." In another long-secret transcript of a Commission session on Jan. 27, 1964, Mr. Rankin says his investigation shows "we do have a dirty rumor that is very bad for the Commission . . . and it is very damaging to the agencies that are involved and it must be wiped out insofar as it is possible by this Commission."

Some critics suggest this indicates Mr. Rankin was advocating a cover-up.

The Commission did ask the FBI about its rumored connection with Oswald. The FBI denied it. Some Commission members expressed skepticism that the FBI would admit it, even if it were true. But a Commission study of Oswald's financial affairs showed no evidence that the FBI was paying him.

Another thing that intrigues investigators is that Oswald's address book contained the name, address and telephone number of an FBI agent, James Hosty. But the page containing that name had been torn out before the FBI turned the book over to the Warren Commission. When asked why, the FBI said it hadn't thought the page "relevant."

Mr. Weisberg also charges the FBI with "deliberate fakery" in a spectrographic analysis of a mark that allegedly was left by an Oswald gunshot which missed its target. Recently obtained evidence, according to Mr. Weisberg,



Hidden gunman? Claim is raised that this enlargement of assassination film reveals a gunman, at arrow No. 1, holding a rifle pointed upward to his left. Arrow No. 2 indicates a Secret Service agent climbing into rear of Kennedy car before President was shot.

shows that the FBI did not do a thorough job in the case.

The FBI's answer: A spokesman said the Bureau stands by its investigation, and declined to comment further.

The Freedom of Information Law was used by a lawyer, Bernard Fensterwald, Jr., of Washington, D.C., to obtain two previously suppressed CIA photos.

Mr. Fensterwald, former staff director and chief counsel of two Senate subcommittees, said the photos suggest someone was using Oswald's identity.

The story Mr. Fensterwald tells is that in late 1963 the CIA teletyped a message to the FBI that "an American male, who identified himself as Lee Oswald, contacted the Soviet Embassy in Mexico City." The man was described as being "approximately 35 years old, with an athletic build, about 6 feet tall, with a receding hairline." But that description and the photo matched to the message do not fit Oswald's likeness, according to attorney Fensterwald.

W. David Slawson, a former Commission lawyer, now a professor at the University of Southern California law school, says the mismatch resulted from a CIA mistake which the Commission learned about before publishing its report. That report, however, said the CIA provided the FBI with the photo of "a man who, it was thought at the time, might have been associated with Oswald." And this, says Mr. Fensterwald, does not jibe with the CIA message.

Killer for hire? Mr. Fensterwald raises another question about that photo. He says he has shown it to friends in intelligence and law-enforcement work, and they identified the man in the photo as a person known to be a "hit man," a killer for hire. Why would a "hit man" be using Oswald's name? "That's what

I'd like to know," says Mr. Fensterwald. "It may be that the CIA just made a mistake. But I'd like to see a congressional investigation to clear this matter up."

Both Mr. Weisberg and Mr. Fensterwald say they think the Kennedy-assassination case is close to being broken wide open. Says Mr. Fensterwald: "If I were a betting man, I'd bet the full story will be known in a year. I have the same feeling I had about Watergate, the feeling that the game is up."

That feeling is not shared by those close to the Warren investigation.

Yet, even some of those who express confidence in its findings say they would not oppose reopening the case.

Burt W. Griffin, a Warren Commission lawyer who is now a State trial judge in Ohio, says he is still convinced that Oswald acted alone, but would like to see a public forum answer all the questions that critics are raising.

Mr. Belin, with the background of serving on both the Warren and Rockefeller commissions, insists that what the critics call "new" evidence is not really new at all. But, he says: "Maybe it would be best if they did reopen the case, because they would reach the same conclusions as the Warren Commission. Then we'd see how foolish some of these people would look."

Would a new investigation really satisfy everyone—whatever it found?

Former Warren Commission attorney Eisenberg doubts it would. He says:

"I think the Kennedy assassination ranks with the UFO's [unidentified flying objects] and the Bermuda Triangle. No matter what kind of evidence you present, people are still going to believe that there are UFO's and like phenomena. And there may be." (END)