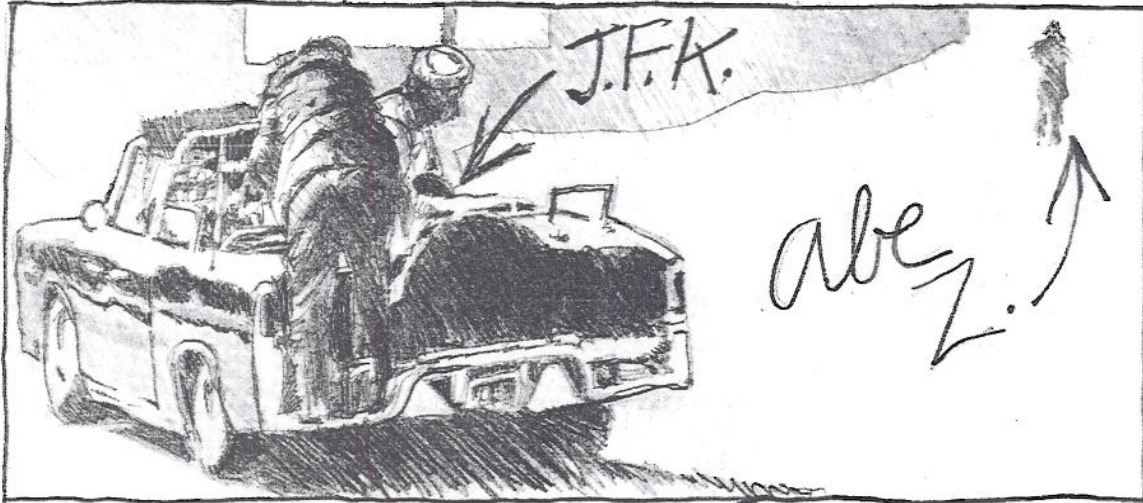


# Abraham Zapruder Shot John Kennedy



## And His Home Movie Has Been Raking in the Bucks Ever Since

**A**braham Zapruder peered through the lens of his Bell & Howell 8mm movie camera, and as the gleaming Lincoln Continental convertible carrying President John F. Kennedy and his entourage slowly turned onto Elm Street, he set his camera in motion. The Dallas dressmaker lowered the camera from his ashen face 18 seconds later, and nobody would ever ask him, "Where were you when Kennedy was shot?"

The Zapruder film has become the sacred text of the assassinationologists, a document believed to unlock the unholy mysteries of JFK's death.

"If you go to Dallas, it's really quite remarkable," says Josiah Thompson, author of *Six Seconds in Dallas: A Microstudy of the Kennedy Assassination* (1967), considered one of the seminal JFK assassination books. "You stand down in Dealey Plaza and you see people bending over to pick up a twig or a leaf. You see them wandering about, looking around as if this brightly lit public square contains some sort of secret that you can find if you look long enough."

And as with all scripture, there are nearly as many interpretations of the film as there are believers. Zapruder's humble home movie has been slowed down, run backward, enlarged, enhanced, and deconstructed, and still nurtures fresh theories, new belief systems. It's been studied in excruciating detail by a parade of official investiga-

tions including the Warren Commission, the Rockefeller Commission, the Church Committee, Jim Garrison's investigation, the Texas attorney general's investigation, and

**BY TOM  
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MICHAEL REIDY

the House Select Committee on Assassinations. The film was advanced by the Warren Commission as being consistent with its lone gunman theory, was the centerpiece of scores of subsequent books that refuted the official government view, and came full circle last year when *Case Closed* author Gerald Posner relied on a computer-enhanced copy of the Zapruder film to buttress his retro theory that Oswald acted alone. Assassination theorists cling to their views like fundamentalist preachers, quoting chapter and verse of the Zapruder film, their scripture in celluloid. How do I know who killed Kennedy? My Zapruder film tells me so.

And what religion would be complete without the clash of God and Mammon? The Zapruder film may be the repository of the sacred, but if you want to use any portion of the film for commercial purposes, it will cost you. Abe Zapruder died in 1970, and the rights to the film are now controlled by a company set up by Zapruder's widow and two children, including Abe's son, Henry G. Zapruder, a Washington lawyer with offices on 13th Street NW. Inquiries about the Zapruder film are directed to another Washington attorney, James L. Silverberg, a copy-right lawyer who acts as the family's agent.

Silverberg quoted *Washington City Paper* a price of \$2,000 to publish three or fewer frames of the Zapruder film on the cover—a bargain, since national magazines, according to Silverberg, are routinely charged more than four times that amount. And the three-frame limit is negotiable.

"If four frames were needed for an analysis of the angle of entry of a bullet, as opposed

to just using it as a backdrop, that would make a difference," Silverberg noted.

The family is somewhat less mercenary when it comes to private or noncommercial use of the film. Researchers can obtain 35mm slides or a VHS dub of the Zapruder film for a nominal fee, provided they return the material, and in some cases, Silverberg says, the fee is waived for hardship cases.

"I have a letter written in crayon from an 8-year-old in South Africa who wants a copy of the Zapruder film," Silverberg says. Save those pennies, kids, and you can have a head shot of your own.

**T**he most famous home movie of all time almost wasn't made. On the morning of Nov. 22, Zapruder figured that rain would prevent the president's motorcade from passing through downtown Dallas, so he didn't bring his movie camera to work. Fortunately for millions of future JFK assassination buffs Zapruder's secretary, Lillian Rogers, told her boss that he was missing a once-in-a-lifetime chance to film a president (she was right about that) and convinced Zapruder to make a 14-mile round-trip drive from his office on Elm Street, near Jack Ruby's nightclub, to retrieve his pride and joy: Bell & Howell's top-of-the-line 8mm movie camera, the Executive model, which was equipped with a telephoto lens.

Zapruder returned to downtown Dallas in time to stake out a good vantage point to film the motorcade, climbing atop a 4-foot-high concrete block on a grassy knoll in Dealey Plaza. Zapruder wasn't the only one in Dealey Plaza making sure he would have a clear shot at Kennedy. But who else? Where? How many?

With the camera's speed control set on "run" and the lens on "telephoto," Zapruder began filming just as the presidential limousine turned left onto Elm Street and passed the front door of the Texas School Book Depository. The limo slowed to 11 mph as it made the sharp left, and President Kennedy and Jackie are seen smiling and waving to people on their right and left. The limo begins to disappear briefly behind a freeway

sign, the last moment Abe Zapruder and the world would see Kennedy alive and well. When Kennedy emerges from behind the sign, he is already clenching his fists and bringing his arms up toward his throat, like a man strapped into a rowing machine. In the jump seat of the car, Texas Gov. John Connally turns to look over his right shoulder, stops, and then begins looking over his left shoulder. Suddenly, Connally's hair flies up and his mouth opens, clearly in reaction to having been shot. Jackie places her hand on her husband's played elbows and looks at him with a puzzled expression as he slumps towards her.

Several seconds later—at Zapruder frame No. 313—the president's head explodes in a pink-and-white mist of blood and brain matter. Somehow, Zapruder keeps his camera running. Kennedy's body jerks back violently against the seat and slumps toward the floor. Jackie climbs onto the trunk of the limousine, where she is met by Secret Service Agent Clint Hill, who pushes her back into the seat. The limousine accelerates as it travels under a triple underpass. At that point, Abe Zapruder stops filming, lowering the Bell & Howell from his eye and beginning his new life as the Kennedy assassination's chief cinematographer.

Abe's son Henry declined to be interviewed for this article, and according to his secretary never speaks to the media about the film that bears the family name. His reluctance to speak publicly while still turning a handsome profit from the film is consistent with his father's behavior. Minutes after the shooting, Abe Zapruder returned to his office and locked his Bell & Howell in the company safe. A few hours later, Forrest Sorrels of the Secret Service arrived, having discovered that Zapruder was in Dealey Plaza with a movie camera. (So were several other people, but Zapruder's film would turn out to provide the best view of the assassination.) Zapruder's film was developed that day at a local Eastman Kodak plant, and three copies were made—one for the Secret Service, one for the FBI, and one for Zapruder.



# Abraham Zapruder Shot John Kennedy...

The next day, a representative from *Life* magazine arrived at Zapruder's door and negotiated a deal that gave the magazine exclusive worldwide rights to the film. Working around the clock, *Life* managed to publish several black-and-white stills from the Zapruder film in an issue that was on the newsstand four days after the assassination.

No doubt uncomfortable with the blood-money aspect of the deal, Zapruder and *Life* at first refused to disclose any details about the transaction. Several media outlets quoted a figure of \$25,000, and Zapruder himself testified before the Warren Commission:

"I received \$25,000, as you know, and I have given that to the Firemen's and Policemen's Benevolence with a suggestion [to reserve the money] for Mrs. Tippit [the widow of the Dallas policeman Oswald was accused of shooting]."

But most assassination researchers believe that *Life* paid Zapruder closer to \$250,000, or 10 times what Zapruder had testified under oath. In 1975, *Life* sold the film rights back to the Zapruder estate for \$1, having decided that ownership of the film was embarrassing for Time Inc. Since then, the Zapruder family has sold one-time rights to the film to a steady parade of researchers producing books, films, and documentaries on the assassination, sometimes collecting tens of thousands of dollars for a single use.

The Zapruder film may now be the highest-grossing snuff movie of all time.

While commercial use of the Zapruder film is bound by copyright law, merely viewing the film won't cost you a penny. Copies of the Zapruder film are available for public viewing at the National Archives' new film branch in College Park at 8601 Adelphi Road. It's best to get there when the branch opens at 8:45 a.m., or you can call ahead to reserve a copy at (301) 713-6790. Tell them Les sent you.

On F Street NW, just around the corner from Ford's Theater, attorney Jim Lesar sits in a small office, surrounded on all sides by assassins. As president and co-founder of the Assassination Archives and Research Center, Lesar shares an office with the ghosts of some of the most infamous names in American history—Lee Oswald, James Earl Ray, Sirhan Sirhan, John Wilkes Booth. The center was established in 1984 as a clearinghouse for information on political assassinations, with particular emphasis on the JFK killing. A decade after its founding, the center's small office looks like

something out of the movie *Brazil*. More than 2,000 books are perched precariously on shelves stacked to the ceiling. Nearby is a 48,000-card index to the files of the FBI's Dallas field office concerning the JFK assassination, along with 100,000 pages of FBI headquarters files on the killing and two dozen file cabinets overflowing with newspapers, magazines, government documents, unpublished manuscripts, and research

couldn't secure timely permission from the Zapruders, so Lesar assembled a legal case, seeking a ruling from the D.C. District Court that Selby's First Amendment right of access to an historical document such as the Zapruder film overrode the Zapruder family's copyright interest. The case was eventually settled out of court, and Selby was permitted to use Zapruder frames in his film, *Reasonable Doubt*.

the film. I'd be surprised if it weren't more than a million dollars. I know he made a lot last year [the 30th anniversary of the assassination], and during the furor over the Oliver Stone movie [JFK]."

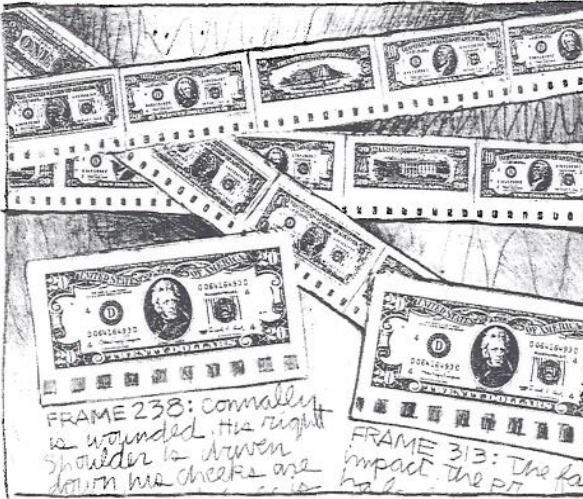
"I don't think anyone should have to pay for the Zapruder film," agrees 81-year-old JFK assassination researcher Harold Weisberg, author of the four-volume book *Whitewash*. "And I practice what I preach. I've gotten a third of a million pages through the Freedom of Information Act, and I give unsupervised access to them and use of a copier at no charge to any researcher."

Bootleg copies of the Zapruder film have been screened and sold openly at assassination lectures and conventions for years. Journalist Glenn Garvin, who worked as a *Time* stringer in 1973, remembers being assigned by the magazine to attend a speech given at Stanford University by an assassination researcher to determine whether the Zapruder film was being used without Time Inc.'s permission.

"It turned out the speaker showed this horrible 10th-generation bootleg of the Zapruder film," recalls Garvin. "It could have shown aliens abducting Kennedy and putting a double in his place for all you could make out. But I still had to report back to my editor that the film was being used without permission."

Usually, a vaguely menacing letter from a copyright lawyer is enough to stop most cases of unauthorized use. Copyright infringers are liable for statutory damages of up to \$20,000, and as much as \$100,000 if the infringement is deemed "willful." Still, that hasn't stopped some researchers from challenging the private ownership of the Zapruder film, risking martyrdom for the cause.

The most celebrated legal challenge was initiated by JFK assassination researcher Josiah Thompson in a suit against Time Inc. in 1968, back when the publishing giant still controlled the rights to the Zapruder film. Prior to the assassination, Thompson was a college professor of philosophy specializing in Kierkegaard, as good a grounding for the labyrinthine search for answers in the Kennedy killing as any. Shortly after the Warren Commission released its report, Thompson began studying ballistics to understand better the intricacies of the case against Oswald. He was hired as a researcher by *Life* in 1966 and charged with leading the magazine's continuing investigation into the assassination. Thompson's dig-



notes. The answer to the question "Who killed Kennedy?" may well be somewhere in the office—it's just that no one can put their hands on it.

Lesar is one of the country's leading attorneys in pursuing assassination-related documents under the Freedom of Information Act. The clutter in his office is, in a sense, a tribute to his persistence. In 1988, Lesar was the attorney in a suit against the Zapruder family estate, filed on behalf of Chip Selby, a University of Maryland grad student who wanted to use portions of the Zapruder film in a documentary he was making. Selby

Like many assassination researchers, Lesar believes the Zapruder family has put private gain ahead of the needs of history. Paying money to use the Zapruder film is like handing over a fee to study the New Testament.

"The Zapruder film should be in the public domain," says Lesar, clearing a space off a desk cluttered with photocopied government documents. "It's an absolutely critical piece of evidence in what may well be one of the most important political questions in U.S. history this century. I think Henry Zapruder's made a hell of a lot of money off of



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ging culminated in a *Life* article published that November titled (what else?) "Grounds for Reasonable Doubt." Although timid by today's standards, the article marked the first time that the establishment press openly dissented from the official view of the Kennedy killing.

Thompson's contract with *Life* expired shortly after the article came out, and he turned to publishing his own analysis of the case. Thompson found that the Zapruder film was the single most important piece of evidence in presenting his case, and he petitioned the board of Time Inc. to allow him to use frames from the film. Time refused, partly due to squeamishness over the graphic depiction of Kennedy's head being blown off, and also because limiting the distribution of the film made it even more sought after.

Unable to publish the real Zapruder frames, Thompson published an artist's rendering of key frames in his book *Six Seconds in Dallas*. Time filed suit for copyright infringement anyway, and in a landmark ruling in September 1968, a U.S. District Court judge ruled that Thompson had made "fair use" of the frames. The court ruled that the First Amendment right of the public to have the fullest information available about the assassination overrode Time's copyright in-

terests, and that Thompson's use of Zapruder film drawings hadn't caused the company any economic harm.

"I'm one of the few people who never made a goddamn penny on the Kennedy assassination," Thompson says with a certain pride. "I got a \$500 advance for the book, and by the time I paid for all the lawyers, the earnings from the book didn't come anywhere near to covering my costs."

Geraldo Rivera, of all people, was the next Zapruder challenger, showing the film without Time's permission on his program *Goodnight America* in 1975, the first complete screening of the film on national TV. Embarrassed and unwilling to become embroiled in a court case with Geraldo, Time sold the rights back to the Zapruder family, where they remain today. Interestingly, the family's brisk business in selling one-time rights to the film for use in hundreds of books, magazines, newspapers, and television shows over the years has bolstered the Zapruders' copyright claim. Unlike Time, which didn't fully exploit the film for commercial gain, the Zapruder family can argue that any unauthorized commercial use of the film nowadays causes it substantial economic harm—say, about \$2,000 for no more than three frames. Only in America can squeezing every last penny out of a grisly murder

## Most assassination

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strengthen your legal position.

In the final analysis, there is no final analysis to the Kennedy assassination. Thirty years of investigation have yielded no shortage of scenarios—at last count, the number of assassination theories was pushing 100. The only problem with 100 assassination theories is that at least 99 of them have to be wrong. And who knows—maybe no one has advanced the true sequence of events yet. (I'm thinking about writing a book myself, titled *Reasonable Doubt: The Target Was Jackie*.) Those who have studied the assassination the longest sound as though they are furthest from an answer.

"The best metaphor for the Kennedy assassination is a puzzle," says Thompson. "Some of the pieces are missing, extra pieces have been added, and some of the pieces have been shaved. As long as that's the case, you're never going to get all of the pieces to fit."

The Zapruder film remains the puzzle piece everyone's trying to work around, a piece whose size and shape are still a matter of debate, but whose importance is never questioned. Long after the last penny is collected by the Zapruder estate, the film that carries the family name will remain the keeper of the sacred mysteries, a holy, inscrutable work. **CP**



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