

Dr. Cyril Wecht
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4/21/87

Dear Cyril,

I'd hardly finished reading your letter of the 16th when Mr. Chernikoff phoned with a couple of questions in response to what he'd asked me to write him. I told him what you'd said about helping if you can and he said thanks for it and will be in touch if he thinks you can be of help. His thinking seems to coincide with mine with regard to what the urologist should have done and did not do and he has gotten the records of the local hospital and has found that I had provided full information.

Jim Lesar stays too busy and I do not hear from him as often but I will not ~~forget~~ to keep after him about sending you the print of the collar and I'll see if he can also provide a good one of the tie with the knot intact. I've forgotten now what I provided then for use in that FOIA suit.

I agree entirely with what you say about the media. It failed us then and to a large degree it continues to fail the nation on major issues. We are by and large the most ~~poorly~~ ^{poorly} informed people of any major power.

Although I never expected to be able to solve the case I was optimistic when I finished my first book and believed that the total destruction of the Report, with attention, would compel a new and a genuine investigation.

If we can compel at least the general acceptance of the fact that the crime was never really investigated and remains unsolved I think that would be about as much as we could now hope for. Because there was no investigation at the time of the crime it is not now likely that the necessary leads exist.

I'm trying to get at this in a different way now in an FOIA lawsuit in which I am perforce my own counsel. The dishonest government people created a conflict of interest between Lesar and me, the ACLU copped out on the first appeal and on remand I represent myself. The DJ and FBI may have made the lawyer's classic mistake, like that one question too much. Oral arguments had been scheduled for before Xmas and there now is only silence.

To stonewall they had demanded discovery, a cheap trick that before a decent judge would have gotten them severe lectures. It was the first discovery demand in any FOIA case. I gave a number of accepted reasons for not complying with the Order, including what is more than undenied, that I had already, voluntarily, provided all that was demanded all over again as discovery. (In fact I have a letter from DJ admitting that nobody had ever provided as much information, in all two full file cabinets of it and in this matter at least two full file drawers.) They attested that the discovery would enable them to prove compliance without the initial searches ever made!-or, in the alternative, my subject-matter knowledge was required for them to locate anything that might be withheld. The major affiant was an SA supervisor in the FOIPA section. While the case was first on appeal the same scoundrel disclosed to Mark Allen abundant and irrefutable proof that he perjured himself. And this has never been responded to in any way, not denied and it can't be denied. I've aided charges of fraud and misrepresentation and it was all ignored by the district court, John Lewis Smith. He flaunted his ignorance of what was before him in a number of ways that I ridiculed effectively in my appeals brief, including not knowing who was sued or what was being sued for. He said it was a King case and isn't and for the New Haven field office records, which it isn't, and he repeated these errors, so they are not careless mistakes. When DJ got my brief and could do nothing with it they decided instead to demand summary affirmance. That took the whole thing out of the well-greased ways of

the "organized appeals court, which also had been entirely indifferent when confront with undeniable proof of official dishonesties. That motion and my Opposition went to the court's counsel and that presented the court's counsel with serious problems. What could it do without danger to itself? If it agrees with me it ^{gets} ~~gets~~ trouble from the other side and perhaps the court and if it does not and one member of the panel reads what I filed and gets interested, then the ~~ex~~ court's counsel has ruined itself. So, I've heard not a word. DJ has not even filed the reply they are entitled to file.

As my own counsel I limited what is before the court's to the means by which the money judgement against me was procured. There is nothing else before it and what I've filed leaves it without question that the judgement was procured by felonies that actually are not even denied and, of course, cannot be.

I've a number of FBI agents charged with perjury, fraud and misrepresentation and their counsel with fraud and misrepresentation, with subornation of perjury inherent.

Assuming that I prevail, and that this gets some attention, I think there will be many questions, including why does the government engage in felonies to withhold nonimmune JFK assassination records. If anything like this happens, there will be little chance of the totality of dishonesty you faced when you tried to help the House assassins. It will just be too risky for any politician who is not in an absolutely secure seat to fink again.

And maybe some good would come of it.

To a real degree we have served history and have not failed. Very few people believe the official story now. More people now have questions about what the government says and does and that is healthy.

I did provide the appeals court with an out that tends to ease the whole thing toward a possible trial, what you mention. I've claimed a constitutional right to be tried, I asked for both trial and an evidentiary hearing and was denied, and I argue on appeal that by cited precedents at the least the court was required to hold a trial and take live testimony. I think the government will cop out if that does happen because they don't dare risk having to face what I've already shown them and they know very well that I have more. Or they'll not dare having to face a trial and the public attention that would get. If they can get away with copping out I'll be looking for a fearless lawyer to sue them for me. Still seeking a trial. And damages. I'm weak and tired all the time but not afraid.

Despite the odds, I think what I've proposed to you will get a decent amount of attention that will be responsible if it is handled carefully and fully. It is because I know the facts best and nobody else has paid any attention to this that I offered to prepare a videotape for you to use if you'd want that. I've since enquired here and it can be done at Hood College. And, of course, it would be first-person with me because I did that investigating and suing and threatened to sue to get the stuff.

Again thanks and best wishes and when I get the slide I'll send it and I'll keep after Jim. I mentioned this to Bud last week and he seemed to like it.

Sincerely,

Harold
Harold Weisberg

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FORENSIC PATHOLOGY
LEGAL MEDICINE

April 16, 1987

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Maryland 21701

Dear Harold:

Thank you for your letter of April 8th.

I wholeheartedly concur with your thoughts regarding the need to come up with a true solution to the JFK assassination and the important public service that would be rendered by such an accomplishment. I realize that this has always been your objective, and I know that probably nobody else has sacrificed so much time, effort, energy, and financial income as you in pursuing this altruistic objective for almost a quarter of a century.

However, what I intended to convey by the rhetorical question that I asked in my previous letter is that the people who are in control will never permit this to happen. It does not make any difference how many more articles are written, how many radio and TV talk show programs are presented with knowledgeable critics blasting the WCR, or how many classroom sessions and independent seminars are conducted. The government authorities, the original WCR crowd of staff sycophants, self-appointed defenders and proponents, and uninvolved, indifferent, and cowardly agencies and officials will just continue to stonewall the entire matter, and most tragically, they will succeed. In the absence of a full-fledged adversarial trial, with the right to call witnesses, obtain documents, present direct testimony, etc., the major news agencies will never give the JFK assassination the exposure it needs to arouse the U.S. public to the point that Congress and the executive branch of government can be made to retreat from their stonewalling position.

Nevertheless, all of us longtime critics and some occasional new ones will continue to write, talk, argue, and lecture. That is good and

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commendable, and I am happy and proud to be a member of that cadre. Accordingly, I shall put in my mind the information you have given me about the necktie and incorporate it into every presentation that I make on the JFK assassination. Regrettably, all of the critics collectively reach a limited audience, an infinitesimal part of the total population.

I would be happy to have a print. There may be one in my files, but perhaps it would be easier simply to receive another copy if it is not too much trouble for you.

I was most pleased to learn that Attorney Chernikoff has responded to your inquiry, and that he may be willing to proceed with your case. Give him my regards and tell him I would be happy to help if I can.

With best wishes.

Sincerely,


Cyril H. Wecht, M.D., J.D.

CHW/mb