

Dear Harry,

12/29/91, 2:35 a.m.

Not wanting to and not able not to I was up at 12:55. As I did yesterday I decided to let things of meaning to me go and get back to your Garrison chapter. For a few pages after what I sent you it was not all that bad but at no point good. But having gotten to the top of 20, and was it a pain and a struggle, I am simply horrified, at what you put out on paper and what this will do to you if published.

In large part it reflects ignorance and ignorance is no basis for responsible writing. You, like all writers, can't know all there is to know about everything and while this gets back, perhaps, to the demand of your publisher, there are some things to which a responsible writer will not agree merely to be published.

I've used a highlighter again and again with brief notes that may be hard to read but that except for what follows is the best I can do and even doing that represents both pain and sacrifice to me. I am sure that what follows I did inform you about and if I am not wrong in this you make yourself both a propagandist rather than a writer and dishonest.

You know very well that writing about the Stone movie was not Lardner's idea nor the Post's. I interested them. I gave Lardner the script and access to any of my Garrison records he wanted. He read every word of his story to me before he submitted and there is not only no ⁱⁿaccuracy or unfairness in it, I think, based on what I gave him and he could have used, it is understated. This is to say that this part of what ends at the top of 20 is just a plain slanderous lie.

The same is true with regard to HSCA. I was Lardner's credited source, I interested him in exposing what HSCA did that was dishonest and wrong, and if you do not understand this without my spelling it out, if you took the hearings in or read the volumes and cannot see this you are hopeless.

I was more than Lardner's source. I was for among others also the Times, and several reporters there, the Post-Dispatch and other papers. All those exposes of Blakey et al were completely accurate and necessary and served then to tell the people the truth and since then serve history.

What HSCA did was monstrous and if you can't see this you ought not be writing about it. Blakey, among other things, set out to destroy the credibility of all critics save the one he ever mentioned and was afraid to - me - at the beginning of each narration with which each hearing began.

Maybe I'll come back to this, maybe I won't. I'm going to try to take a nap now. But I frankly do not see how you can rewrite what I've read so far and make it acceptable, fair, even sensible. It may be the inevitable result of your publisher's demand but you are the one who is responsible for your own writing and, frankly, you do not know enough about what you are writing about to write about it. I think you will have to have ^{it} some other approach and if you do substitute anything for it I'll not even look at it if it includes, even by

indirection or vagueness, anything that can be interpreted as any vestige of defense of that monster of exploitation and commercialization, Oliver Stone, or attacks on Gardner for either his Stone or HSCA stories.

I add that you are 100% wrong in how you say Garrison was led astray or in over his head. Nobody, and I mean nobody at all, led him astray and God knows the effort I made to try to prevent some of his planned even worse atrocities. I am ~~am~~ sure that I told you this.

In order to say what you say you must at least have clippings of ~~Harry~~ Gardner's stories. I defy you to show me a single inaccuracy in anything he wrote about HSCA when I was his source or even any unfairness in it.

I defy you also to show me one credible fact with which you can defend what Stone has done or for that matter, anything constructive that his movie, which will without doubt be powerful, impressive and technically excellent, can do.

Inevitably it will be the Warren Report from the other side. It will excite and motivate people, but show me a single constructive ^{we} result that you rationally expect.

Tell yourself and the ~~me~~ a single worthwhile thing Garrison did. You refer to showing the Zapruder film to the jury. What did that accomplish? It brought nothing new to light and it meant and accomplished nothing but sensation.

What did have effect was its late^v showing on TV and that resulted in an utterly irresponsible committee that set out to destroy the credibility of all criticism of the official mythology.

To the point I've read, and if I am to help you in any way I must be honest and forthright, this is hack writing, unsourced, unreasonable, incorrect, prejudiced, less than honest, and if published would again mislead and misinform people.

Just writing this has roused me so much I know I'll not be able to nap but my nerves and stomach will not permit me to resume reading what you had better, as I suggested ~~marker~~ earlier, start thinking about junking and starting over with something entirely different in mind.

Unless, of course, you don't give a damn and will do anything for publication and getting paid for publication.

I have a long and difficult day ahead and this will make it more difficult for me because I'll be more tired.

I am as blunt as I am in your interest. There is no other way I can serve you, what you have written is that bad in every way, not the least of which is having no source for almost anything you say and no basis for saying it in your own name and right. This, Harry, is the height of professional irresponsibility and self-defamation.

Tired yet not able to sleep and concerned about what for me in my condition and at my age is a rigorous day ahead I decided to finish your chapter.

I did earlier have something in mind as a substitute if you wanted that but that involved me and I now think I want no association with this of any kind.

While I think your personal involvement over Groden may account for it you reflect little understanding of what Stone was really about and really did do.

You pontificate, you ordain, you demand and you do all sorts of other things you have no right to do. Making this worse if that you have some mistakes in it, as I've indicated with highlighting and underscoring.

The amazing thing to me is how little you understand Stone or what he was doing or how he did it and I'm not going to take the time I really do not have and risk arguing with you about it. I'm astounded that bright as you are you were not able to perceive this. And I fear that I'd been too uneasy giving you a draft of it. Besides which, as I say, I do not want any association with this.

After finishing the read^{ing} I sat and thought for a while, wondering how you can salvage what you really have made a mess of, how you can do something despite your ignorance, not intended as an insult but as a simple statement of fact.

One thing that occurs to me is that you can perhaps find a way to be neutral by using dispassionately what others say of the movie, some already published, some in support of Stone in advance by his ass-kissers, some said by him, but I'm not sure with your state or mind that you can handle anything other than comment after seeing the movie.

If you decide to try this, you can begin by saying that you are not impartial about either Stone or Garrison so, to be fair to them and to the reader, you decided to report what others said.

Of course I know nothing at all about the book you've written and right now I do not want to know anything about it. So what I suggest may not fit.

You should have Tom Wicker's long review in Sunday's Times, too difficult to copy on our machine but no problem at the library in Balt. And not stop with the Times. Lardner's piece will be in tomorrow's Post but I fear that because of all his involvement, including justified resentment of what Stone has done to him, he may swamp himself in the trivialities of what can and should be said about the movie. I am sure that much of what Stone denounces as The Establishment will be tempted to pay him back. So if you decided to consider this you should get somehow what other major papers say. I think today's NY news will be critical from a phone call I got yesterday and from the past I think the Chicago Tribune will be. Perhaps the Boston Globe, which spoke to me several days ago. (Sorry, I was not able to and had no need to keep a record of all the papers and reporters' names.) You can ridicule the current Time, owned by the corporation that also owns Warners, movies and books, which republished Garrison's.

after you see the picture, as I'm not going to do, if you have the flair, the perception and the knowledge you could have great fun ridiculing Stone. I know enough about the movie from the questions I've been asked about this to be certain this is possible. And if you do that I suggest a killing-with-kindness approach, not with a meat-ax.

You can do this with his ~~s~~ supposed experts too, but it will be counterproductive if you cannot be dispassionate about it. Beginning not with Groden but with the so-called Dallas Information Center, which Stone hired for \$80,000.

Lardner is the ideal person to ridicule but I think he won't. I hope I'm wrong. Few have more of a talent for this.

I have no reason to believe that the Times will give this more attention, unless as a roundup of what other papers say, but I think you should watch it daily for a while, including, of course, Sunday. Ditto Variety, The Hollywood Reporter and other trade press. Including maybe the gossip columns, which I never see. It is possible that some of those Stone hurt will be seeking some form of revenge.

You can and should be ridiculing Garrison more and if you know enough about the subject matter, as distinguished from the theories, you can have great sport with the Marrs book. These are the basis of the film.

Stay away from Vietnam or you'll play into his hand.

Whatever you do, you must identify more sources. You have virtually none now

I think that perhaps you have been intimidated by the publisher demand, not unreasonable as he sees it, that you are not prepared to meet as you have tried and that this and the fact that you could think of no other way have intimidated you and set your emotions off, particularly apprehension or fear, and that this dominated even your ability to think clearly. This would be normal, not unusual, but you have to understand them be able to control ~~whatever~~ whatever it is.

My belief is that if your publisher sees what you sent me you'll have real problems with him because among other things it can shake his confidence in what he has seen already. He may also see an emotional side ~~of~~ of you you'll be better off if he does not see and he'll have reason to wonder how much you really know.

I hope you can understand that what I'm saying is not to offend you and that instead of as in the past being offended, try and think it through clearly and without resentment or self-defensiveness.

Believe me also I am trying to save your book for you.

To save it I think you have to junk this and do something else. I do not know if you can. But you have to find a way of doing it. I know nothing about your publisher but I am inclined to believe that with this you ought not consult any publishers. It could hurt you too much.

It is too cold for me to do my morning therapy outside so I'll try now to take a nap. after this that may not be possible. I'll do my walking inside the mall and when I finish

I have an medical appoint. Then I have lunch with a reporter and then The Chicago Tribune TV net is going to be here and interview me and this does not consider the phone calls that can continue. So, I do not know when I can get to reading, correcting and mailing this. I will, however, do that as soon as possible.

I wish I did not feel as strongly as I do about not wanting any association with this book. as you may remember, I also avoid any public association with any conspiracy theorizing. In the past couple of weeks I've refused four requests to write a foreword to a British book that is one of theory. It is not personal.

The reason I say this is my belief that I could more than save this part of the book if not the book itself and that this would be both worthwhile and to some, especially critics, be quite attractive and entertaining.

One more comment about what you have written if I did not make it earlier.

You have every right to have very strong emotional feelings about this, not only about Groden, but you are very wrong to permit them to dominate what you write. I think this is probably a general truth, with a few exceptions, such as Zola's Dreyfus writing. He set out to accuse, he gave it that title and my how he did it! But most of us are not Zolas.

It is a little^{le} after 2 a.m. Saturday and I've just finished reading and correcting my typing, much worse than its ~~usual~~ usual bad because my fingertips are split. The time this has taken and all the Stone inquiries have accumulated a real stack of mail I have to start attending to. I've tried to indicate all I can in an effort to help you, as I hope you'll realize. Topical as Stone now is I can understand your publisher's desire to have information on him and his film added. I can understand also that he can consider that anyone writing any book on this subject is an authority on all aspects. This does put you in a bind, an unfair one. I hope you can figure your way out. But I cannot take any more time to try to help you. I am too far behind in what I must do and that does not include in what I want to do for which I cannot find the time. So, all I can now do is wish you good luck, that you can come up with what satisfies both you and the publisher.

Sincerely,

N. A. W.

Brown & White

Kennedys had conducted a secret investigation of the assassination and that it pointed in the direction of the matrix of Hoffa, Marcello, some Texas oil men, and some of those involved with the CIA in the New Orleans and Dallas area. Garrison later accused Sheridan of trying to bribe his star witness, Perry Raymond Russo, and placed criminal charges against him. It was this sort of heavy handed tactic against members of the media, not to speak of someone very close to the Kennedy family, that made great trouble for Garrison. After an investigation, Sheridan told Robert Kennedy that Garrison was a fraud. Robert Kennedy was to die violently not so many months after these unhappy events.

*Minneapolis
the address
the newspaper
the street*

Don't see the same thing

what happened to man?

a blam and simple

Word was leaked of Garrison's investigation and the staff of the New Orleans States-Item, then began a parallel investigation of their own, led by star reporters Rosemary James and Jack Wardlaw. They soon became aware that Life magazine had a team in New Orleans, and the local reporters and their paper were not willing to be scooped by out-of-towners. They broke the story on February 17, 1967, and all hell broke loose in the United States. This was a three ring circus, the Scopes trial, and the Lindberg case all rolled up in one. ^{h?} Hundreds of reporters and photographers descended upon the Big Easy from all over the world and like amoebas crawling across the scum of the pond, absorbed everything they could find.⁶ It was great for

business on Bourbon Street, (well do I remember those sweeps!) which Big Jim had gone to some trouble to clean up, but it was like nothing the Jolly Green Giant's (as Jim Garrison was also known) flair for publicity had contemplated. But Garrison had a lot of local support, and a group of businessmen, calling themselves Truth and Consequences, put up the cash for Garrison's further inquiries. Nobody, but nobody believed the Warren Report.

Garrison did not even have a case, but if asked, he could prove a conspiracy in the assassination, which some other authors and researchers had already done for him. That was a far cry from having a defendant who could be convicted in court of conspiracy--the hardest crime there is to prove. Conspiracy is not the same as Murder One. And there is nothing like having a defendant for conducting a fishing expedition.

He needed a defendant.

On the 17th of February, when the story broke in the local paper, Garrison had no real defendant, though he had been contemplating arresting David Ferrie as a conspirator in the assassination. Going on the offensive, David Ferrie went down to the States-Item and talked to reporters, telling them that he was picked by Garrison as the get-away pilot in the assassination. Five days later Ferrie was dead, and the Coroner at first said that his scientific examination showed that Ferrie had died before midnight of the 21st. But George Lardner, the

ace reporter with the big hands who handles National Security matters for the Washington Post said that Ferrie was still alive when he left his apartment at four in the morning after a four hour interview starting--strangely--at midnight.

Of course, Lardner couldn't have killed him, since he had a job. He has the hands of a butcher, true, with bitten down dirty nails. And there was a suicide note of course, and the finding was that Ferrie died of a berry aneurysm, which is the rupture of a blood vessel. A hard blow on the neck could do it, but they failed to spot any tissue damage that indicated murder. "We waited too long," Garrison told me.

*No source
Probably Garrison
written*

Interestingly enough, another figure in the case was found hacked to death in Florida about the same hour--Eladio Del Valle--whom Garrison's men had located three days before, and who promised help of some kind. We need to take time out here to note that quite a lot of strong arm types died about the time they were talking to the big show investigations in these cases.

All is just coincidental, of course.

*No source
not likely*

Two days after these deaths, Garrison felt the chasm opening at his feet, and he had to do something. He began making statements to the great throng of newspaper people that had flooded back into his town, the Big Easy, New Orleans. Starting to dig a hole for himself with the media, Garrison announced that he had "positively solved the assassination of President John F. Kennedy," and would arrest everybody involved.⁷

He went on, digging a deeper hole. "The only way they (the Kennedy plot suspects are going to get away from us is to kill themselves." Did he want them to die?

As Rosemary James and Jack Wardlaw wrote, "And then came the real jawbreaker for quizzical newsmen chewing up the DA's every word: 'The key to the whole case is through the looking glass. Black is white; white is black. I don't want to be cryptic, but that's the way it is.'" Nobody understood this too well except the gay community, which used the term "through the looking glass" to mean the gay world. That's where Ferrie was from.⁸

"I have no reason to believe that Lee Harvey Oswald killed anybody that day on November 22, 1963." Garrison said, making sure that the political and media establishment which had fallen into line behind the Warren Commission were forced into opposition, since they were committed to the official line. One thing Garrison was good at was antagonizing his potentially greatest enemies. Soon he was threatening and even arresting reporters and charging them with perjury. Soon he had the whole pack of hounds baying after him like a jackrabbit.

Before the story had broke to the press, Garrison had another chief witness, David L. Lewis who did some private investigation work. He was with Guy Banister's secretary-- Delphine Roberts--one day when Cuban exile Carlos Quiroga came in with a Leon Oswald. A few days later he saw Quiroga, Oswald,

*Oswald +
names +
court decision*

Rabbits do not bay

*also a
partner*

*neither is a
dependable
source +
this is not
credible*

and David Ferrie in the office together. When Jim Garrison's investigation came along three years later, Lewis decided that Leon Oswald might be Lee Harvey Oswald.⁹

So far, we have guilt by association.

Harold Weisberg tells me that Earling Carothers Garrison (he named himself Jim) was in the process of issuing arrest warrants for Robert Perrin as a conspirator, husband of Nancy Perrin, who figured in the Warren Commission investigation, when Weisberg pointed out that Perrin had died of arsenic poisoning the year before John Kennedy was assassinated.

Garrison was about to make an arrest, but in a matter of days he had antagonized many people--perhaps without intending to do so, perhaps meaning well. His close friend, David Chandler, a reporter and now correspondent for Life said that he was "outraged by his irresponsible behavior."

Garrison needed to arrest somebody and have a defendant. He had some information from a witness that Lee Harvey Oswald, David Ferrie, and Clay Shaw had been seen together.

That is all that he had, and he didn't really even have that, but he thought he did. Even if it was true, and the alleged conversations about killing Kennedy were proven, it did not prove a conspiracy. It was guilt by association. Conspiracy is the most difficult thing there is in criminal law to prove, and there was no overt act in the evidence Garrison had to show the operation of a conspiracy.

Did not he allege the assassination was the overt act?

or there?

at one time?
same?

not mentioned earlier

CLAY SHAW

On the day that Ferrie died, February 22, 1967, a 26 year old insurance salesman--Perry Raymond Russo--of unstable mental background, long treated by psychiatrists, wrote a letter to Garrison saying he knew Ferrie. Two days later, Russo gave an interview on WDSU-TV in which he said "I never heard of Oswald until the television (sic) of the assassination." The next day Garrison sent Andrew Sciambra to interview Russo, and showed him a photograph of Clay shaw, a prominent New Orleans businessman. Russo said he had seen him at a speech given by President Kennedy, and at David Ferrie's gas station, which Ferrie had bought after Kennedy died.

*Borned
he would
have too
much
not
survived*

But then Russo said that Lee Harvey Oswald had been a past roommate of David Ferrie, which contradicted what he had said on television the day before. They had to draw a beard on the picture of Oswald for him to say that it looked familiar (Oswald has never been known to have worn a beard, but that doesn't mean he didn't indulge in the luxury.) Even then, Russo did not know the name of the roommate of Ferrie, though "the name Leon rings a bell."¹⁰

(Oswald)

The coroner of New Orleans, Nicholas Chetta, who performed the autopsies on a number of the star characters in this drama including David Ferrie and Robert Perrin, promptly administered

"truth serum" (sodium pentothal) two days later. Later, Russo was even hypnotised and left with some post hypnotic suggestions, a session at which Dr. Chetta was also present. Chetta died of a heart attack the following year. His assistant, Dr. Mary Sherman, also died under questionable circumstances, as did his brother in law and sometime assistant, Dr. Henry Delaune, who was murdered on January 26, 1969.

During the truth serum session, Russo was asked if Clem Bertrand had ever appeared at Ferrie's apartment. Life editor Richard Billings, who years later wrote the Report of the House Assassinations Committee, was present when Russo placed a tall, white-haired gentleman named Bertrand in Ferrie's apartment. Russo said that he never heard the name Bertrand before. Clem Bertrand had become Clay Shaw in Garrison's mind by then.

It was then arranged for Russo to have a clandestine look at Clay Shaw on March 1, 1967, and Shaw was arrested on the spot, after an identification by Russo. He was charged with conspiracy to murder President Kennedy. Scott Van Wynesberghe points out that the booking procedure itself was a violation of Shaw's rights, and was otherwise sloppy. The arrest forms were later ruled inadmissable.

From that moment on, it was a debacle. Clay Shaw had friends in high places, and the director of the CIA, Richard Helms, expressed considerable concern about his prosecution, and did numerous others in government. All of the major media which

Source?
descended upon New Orleans to sort through events there, had their connections to intelligence and national security, as well. Garrison, at that point, was considered a renegade and was read out of the association of former FBI persons. Skaw, the former director of the International Trade Mart, had undoubtedly been involved in intelligence operations in World War II and certainly had performed those functions in his capacity as a world traveling businessman, as did many patriotic Americans in those days. The Mob was considered as patriotic as the next guy in the battle against the world wide communist conspiracy, and was used to stifle leftist influence in the unions, at that time a major political force.

For a populist harboring ambitions for a seat in the United States Senate, or to be Governor, one needed the votes of the common man in Louisiana, and Garrison started out on a path that normally would have won him a lot of votes, having a tremendous issue (the assassination of John Kennedy) and a sounding board that would get him in the news everyday in a big way. But it all turned to shit. It all blew up in his face. It was one of the biggest political mistakes of modern times.

When John Kennedy prosecuted the Mob and put in jail Union leaders like Hoffa, he was messing with the fundamental political organization of the nation, a partnership of the intelligence agencies, the military, the Mafia--who did the dirty work--and the establishment. For reasons best known only

basic failings of the critics, in addition, became apparent.

It seems to me to be unnecessary to review in detail what evidence there was in the case. Two years after Shaw was arrested, he was acquitted by a jury after only one ballot and less than an hour of deliberation. Russo was thoroughly discredited as a witness, and there was no other witness except one, and that was too weak and discredited. Shaw lost his house and spent \$200,000 defending himself. He died under strange circumstances, to put it politely, like so many others. Some say they saw the body go into his house on a stretcher before he was taken out. We have heard this in other cases, as well.

*How can
I think in
just any out
makes up
make a
speaking
yourself*

AFTERMATH

HE WAS NOT led or forced him

Garrison was led down the garden path. He spent a vast amount of time, as many of us researchers do, proving a conspiracy in the case, but that did not link it to the men he was arresting, indicting and trying. He may have proved a conspiracy all right, and he perhaps had some worthwhile achievements, at the expense of a lot of people's lives. Scott Van Wynseberghe points out three solid achievements: The Zapruder film was repeatedly shown in the court room, which spoke volumes for what really happened on November 22, 1963; the Clinton witnesses presented solid testimony that they had seen Oswald and Ferrie together, with perhaps Clay shaw or someone

*he did not
push them
& most of
Russo's "proof"
by the witness
never
accepted
from
here
proven*

*in my
to the other
showing
the Zapruder
to the media
Clinton
witnesses
presented
nothing*

*Footnote
incomplete
to me & some
of those
historians*

who looked like him (Guy Banister looked like him) (the Clinton witnesses were examined by the House Assassinations Committee and this matter was confirmed, and Shaw's own testimony placed him in close proximity to two of Ferrie's roommates, whom he knew: Layton Martens and James Lewallen.¹¹ Garrison also obtained the testimony of Dr. Pierre Finck, and other worthwhile testimony that further established evidence of a conspiracy in se.

But that is about it. None of it had anything to do with the prosecution of a man with no real evidence linking him to any conspiracy other than loose talk, probably repeated by thousands of unbalanced and radical people every day. Even then, all he had was hearsay, which in most instances is not admissable.

Of course, the death of David Ferrie didn't help, but it is doubtful that Ferrie would have--even if he was involved--described a plot. He was a hard case. To this day, the more than thirty pages of Regis Kennedy's interview with Ferrie after his arrest November 24, 1963, remain classified top secret by the Warren Commission.

*I do not
believe this
you are
ferrie. How
can you
write this
way + wonder
how it is
responsible?*

Which does not exist *cannot, sloppy or ignorant*
and a both
what you have here is a mixture of glibness; error, prejudice, ignorance
Ordinarily, local jurisdictions can handle homicides, rapes and so on and cover over their incompetence and mistakes, but when you take a bunch of hicks and put them to work looking into the start of World War II, as brilliant and intelligent a man as

*incompetence
now get
if you
think
told you
what this means*

Garrison was, he was over his head. He couldn't control or even know about the actions of all of his staff, either. And he himself was made unstable by the events as they began to unfold. He inspired great passions, just as the film made about him and the assassination of President Kennedy by Oliver Stone inspired great passions. The same thing happened all over again twenty-four years later, with the same people involved, with Jim Garrison playing Chief Justice Earl Warren in the movie, and George Lardner, Jr., playing himself, getting in there with a karate chop to Oliver Stone's throat before he could get off the ground. Lardner had the killer instinct all right, just as he went after the House Assassination's Committee in late 1976 and early 1977.

Lardner, like some of the major critics of the Warren Report, wasn't about to allow the movie to fly without his interference. Maybe in part with good reason, but Lardner's overall viciousness towards any criticism of the Warren Report seems to erase him from the equation of thoughtful, fair and unbiased men. He was not alone. All the major media went after Garrison with a meat ax: The big three networks, the big magazines, the big newspapers, as they did the movie before it ever came out. Everybody knew the Federal government would retaliate and get Garrison, and eventually that happened. They indicted and convicted him on trumped up charges, but he ultimately beat it in court and was exonerated. *This "got" him*

Garrison went on, running for election, losing, winning, ending up a respected Appeals Court judge. He was durable and a survivor, in spite of declining health. The Jolly Green Giant lived to see a movie made about him and his investigation, even act in it, and see all that controversy all over again. Some of us can't get away from it. *What does this mean?*

In those days police and prosecutor's tactics ran fairly roughshod over citizens. In ¹⁹⁶⁷⁻⁹⁷ olden times before the Miranda decision, arrestees weren't read their rights, and confessions were obtained with truncheons whether the suspect did it or not. Witnesses were bribed or threatened as a matter of course. This came to be part of Garrison's problem, because accusations of unnecessary threats, hypnosis, and bribes abounded. *What you have here is inconsistent with what we need.*

There is another issue underlying all this, and that is a sometimes fatal flaw in our judicial system. We have a fundamental tenet which is that citizens are innocent until proven guilty. It doesn't much work that way at times. The flaw is that far too often people are indicted on flimsy evidence, on circumstantial evidence, on perjured or bought testimony, testimony obtained with promises of leniency in other charges. People are indicted when there is reasonable doubt that they did it. If there was an honest examination of the evidence by prosecutors beforehand and they have a reasonable doubt, then they should have an obligation not to arrest or indict, not to torture everybody, because there can be no conviction if the

system is honest. For emotional and social reasons, nobody wants to face that fact.

But they do it, and this major flaw which allows so many to get off in court, is there because too often a case can be rigged if the defendant is unable to obtain a proper defense. The political problem of the prosecutor is solved by convicting somebody--anybody for a crime. After all, there have to be at least some convictions to keep the social lid on.

The standard of reasonable doubt which every jury must apply to a criminal defendant should be applied before anyone is indicted. but it isn't, and Jim Garrison failed to do that. He just bulled ahead. Weisberg writes, "I know what did and did not happen at the Shaw trial and before they started impanelling the jury, I learned with some shock what their alleged case was, I predicted they would lose and deserved to."¹²

Instead, arrest and indictment too often masks a fishing expedition for evidence, and once a person is arrested, he has to raise large sums of money to prove that he did not do the crime he is accused of.

Garrison made the ultimate error. He antagonized the press. Oliver Stone repeated it and compounded it, so we are destined to live the whole business all over again. I have no doubt they did it deliberately. That's Show Biz! After all, Garrison sold his book to Stone, who made a movie called "JFK" that isn't

The selling was not by Garrison. Ellen Day did it.

about JFK at all.

THE OLIVER STONE MOVIE, "JFK"

Harold Weisberg is the grandfather of the research we do in the assassination, and has become respected by the media, which used to ridicule him. It is to him that ^{far from all} the media turns when they have questions about the latest fad or theory put forth by buffs, writers, and others attempting to mine the rich vein of confusion and misinformation surrounding the case, whether the Ricky White affair in Dallas, or the Oliver Stone movie. For it ^{Not really a controversy which existed} is Weisberg who now sits in judgment upon all those would be charlatans and frauds, upon the ^(v) ₍₁₎ earnest but misguided, or those who have made a truly new discovery, if there have been any.

Weisberg worked with Jim Garrison at first, as did a lot of people, until he grew fed up, he turned against him. Garrison had written the forward to Weisberg's book, Oswald in New Orleans, and otherwise thought highly of Weisberg's work, which was the first analytical published criticism in detail of the evidence in the assassination of the President. Oliver Stone ^{NEVER!} talked with Weisberg, and "I told Stone about Garrison some time before he started shooting film. I warned Stone in advance," Weisberg wrote me, a week before the scheduled release of the forty million dollar film, when the hype from Hollywood was reaching a pitch.¹³

The day I received this letter from Mr. Weisberg, there he was on the CBS Evening News with Dan Rather, who saw the assassination that terrible day in Dallas almost three decades before. Rather started off the program with this: "One of Hollywood's best paid film makers mixes fact, fiction, and theory in a new film about the killing of John F. Kennedy. What happens when Hollywood mixes facts, half baked theories and sheer fiction into a big budget film and then tries to sell it as truth and history?"

Mark Phillips, the CBS reporter, narrated, "On a Hollywood sound stage, Oliver Stone, two time Oscar winner, is adjusting history, creating his version of how and why John F. Kennedy was killed. Its a version that defers dramatically from the Warren Commission account of one deranged gunman acting alone." They explain that Stone says the murder was over Vietnam.

Mark Phillips goes on, videotaping in Weisberg's basement where he has scores of file cabinets filled with thousands of FBI documents released to him over the years. "Weisberg says 'Jim Garrison's investigation was a fraud. And Oliver Stone hasn't produced history as he says, but he created another fiction.'"

Weisberg states on camera, "If he (Stone) hadn't said to begin with, it was nonfiction, I wouldn't care what he does. But this is irresponsible. It deceives the people. Its the Warren Report from the other side." It is unfortunate that Harold too

*1963 and you will anyone responsible for it. I don't know if they were the producers
from which they accepted remuneration but I know is what you wanted*

often speaks in such a highly convoluted and conflicting fashion
as this first sentence to be able to sort out what he meant, but
he probably meant that Stone said at the beginning that he was
going to make a documentary, ^{not so} so it wouldn't matter. As with the
news too often, ^{maybe will see but especially not ashamed} the real issues here have been avoided, and I
will discuss this as we go along.

Rather's real purpose, as those of us who have observed him
for a long time, seems to be to turn the public away from any
criticism of the Warren theory. He used Weisberg, twisting and
distorting some key points in this affair. I agree with Harold
that Stone does not have the right to change the history of what
really happened in 1963, just as Stone's original script had a
prosecutor waving an autopsy picture of President Kennedy at the
jury and saying, this is an official, officially released
autopsy picture...." This is a false statement. they have never
been officially released. It is this sort of false statement
that got Stone into trouble with most of the research community,
or at least those of us whom he either couldn't buy or did not
try to deal with. He thereby alienated the very people who might
have kept his movie straight, and instead rounded up the usual
suspects, the disinformation specialists in the research
community, the has-beens.

Was the movie intended to be a vindication of Garrison
somehow? Vindicating what? Why make a movie centered on
Garrison's personal life? As a vehicle to discuss the conspiracy

that murdered Kennedy? But if it doesn't talk about what Garrison's investigation did to a lot of people's lives, in most case if not all completely innocent of anything having to do with the investigation, what good is it? If it does not talk about Kennedy's life and work, what good is it? Does it describe what Kennedy went through that morning to get out of bed and get into his back brace? The pain he lived with? Instead, they hired a nobody to play Kennedy, and a terrible actor to play Garrison, which might be poetic justice.

no big deal,
I was much a braver man than he is!
You'll be a laughing stock in this!

Does this movie have any connection to the realities we have only touched upon in this chapter?

Dan Rather had one final word at the end of his television news broadcast: "And now the public is going to live with the pain and the uncertainty of that dark day in Dallas once more. for much of Stone's audience, this powerful movie by a skilled artist is the only version they'll know. Call it art or call it history, its bound to make an impression." Stone had the last word, saying, "It's only a movie. They can go in and you can either believe it or not."

There are many problems with all of this.

The issue has been raised as to whether or not Oliver Stone has the right to make his film in peace without public discussion beforehand, then inflict that film upon us and subject it to normal criticism.

*I wrote
him
2/25/99
about this
D. A. ...
my ...
...
...*

Stone chose to make various and conflicting public statements beforehand, such as in his Dallas Morning News interview, (April 14, 1991) and more recently an interview in New Orleans. In so doing he may have thought that he was engaging in the normal hype for a film prior to its release, but he initiated the public discussion himself when he reveals basic conflicts in his motives, presentation and intent. By so doing, he agreed to a public discussion beforehand. In addition, this film is everybody's business because of the potential impact upon people all over the world, and when there are fundamental issues of ethics and journalistic responsibility involved.

Harold Weisberg, the leading person in the research into the assassination of President Kennedy described Stone as a "great monster." Stone, in making a film which relies on the research of this man and others among us, must take notice. He is not completely free to do what he wants.

I think as you put it this is not true or fair

In the usual simplistic Hollywood style, the argument has been put forth that Stone has an inalienable First Amendment right to make his film as he sees fit. The implication is that he can do anything he wants to do. Nobody in this life has that right. For Stone, this evidently also includes the usual activities of the usual shark to be found in the Los Angeles waters. He does not have that right. And we do not want our history rewritten and according to Hollywood.

*Why do
you not
say that
clearly it
is not
do
have the
same
rights?
you?*

The First Amendment has certain qualifications, as do all

statutes and laws. We are not completely free to say anything we want, including crying fire in a crowded theatre when there is no fire. We are not at liberty to sow hatred or sedition either. Courts have always said that some speech may be forbidden. "The right of free speech is not absolute at all times and under all circumstances. There are certain well-defined and narrowly limited classes of speech the prevention and punishment of which have never been thought to raise any constitutional problem. These include...words which by their very utterance inflict injury or tend to incite an immediate breach of the peace." This is quoted from a legal decision long ago which has never changed.

There is a doctrine of responsible journalism. Not only do alleged facts have to be corroborated, but journalists have certain unspoken rules of conduct and ethics. This is even more true where crimes are concerned, as in the murder of President Kennedy. When Stone enters the field of journalism, as he has done, he must play by the rules of everyone else. He is not completely free. When he engages in extensive unethical behavior, he must account for it.

At this point probably major assassination researcher is against both Stone and his film. Why? He started out praising these people and tried to buy some of them. He has seriously disrupted our work at a key moment. He has wrecked relationships and is making a cartoon of the most serious affair in American

political history. The very idea of having many famous but weak
like us now?
or silly stars in his film makes a joke of the great tragedy we
have suffered and are still suffering.

To make it worse, he has Robin Hood playing a key role,
dancing with wolves. Both Stone and Garrison were and are
dancing with wolves, from both sides of the fence. And he bit
off more than he can chew or hope to understand.

Stone at first gave the impression that he was going to
make a movie from Jim Garrison's life and from his book, On the
Trail of the Assassins, but then we find that he has bought a
book ostensibly by Jim Marrs, filled with many errors of fact
and verbatim plagiarisms without attribution from my own book,
and it becomes apparent that Stone intends to discuss the most
Name I can't recall
recent developments in this case. But he does not consult with
or work with the researchers that have provided that work.
Instead he hired my partner away, swears him to secrecy, and
ruins many years of work and relationship.

It is not ethical to hire the co-author of a book which you
intend to pirate and not deal with the real author of it. His
scheme is to hire authors in such a way that he doesn't have to
buy the rights to their work, and make day laborers out of them.

Everything he does with regard to the making of a film
which deals with such a great national tragedy must be beyond
reproach. If his actions are typical of Hollywood customs, it is
a terrible commentary.

*Not to be
used
as a
proof*

The Washington Post and George Lardner, Jr. was trying to tell Stone and Hollywood something of great importance. Other signals should have been given when Lardner's byline read, "George Lardner covers national security issues for The Washington Post." A very big signal should have come across when the same article made it clear that the leading researcher into the assassination of President Kennedy had joined forces with the Post and given them Stone's script. In fact, every communication Stone makes was being presented to this research community by the Post for response, by overnight courier.

Stone's lawyers claimed in a form letter to numerous people who opposed his script after it was pirated and published that it was a trade secret. Granted each industry has customs which can govern in a law suit and be interpreted as law, Stone has intervened in our business where the rule is one of total disclosure. I have trade secrets too, and I certainly object to having Stone hiring my co-author, who is privy to the cutting edge of my research and grabbing that, including my discoveries, and not talking to me to this day. *He did long ago with those he trusted* The only person in this research who never shared his work was David Lifton, who allegedly published Stone's script.

In addition, as Time Magazine noted in a highly critical article, Stone seems to be interfering in any other documentaries being prepared in this case. Time owns Warner Brothers, which is making the Stone film, and it is an

extraordinary step for them to print such an article. They are saying that he does not have total license. I'd add that I personally have sustained a terrible loss by having him hire my partner away from a pre-existing film project. Is that ethical? What respect does this man have for "trade secrets?" Why shouldn't his script be published, then? I personally had no part of that and would not engage in that, nor did I distribute his script, but I don't feel that it was necessarily wrong, since it was not sold for money.

Much law is ill defined, and remains for interpretation by the courts. Custom often governs. The custom in our field of research precludes the kind of secretiveness Stone attempted to engage in, and when his wall of security was breached it was found that he was perpetrating numerous false statements and historically inaccurate events. He was fictionalising on a broad scale certain aspects of John Kennedy's murder. Hollywood has a very imperfectly defined set of customs which presumably Stone is attempting to enforce as a precedent for his claim of total "artistic" freedom. This is not a matter of art. Stone has intruded into journalism, documentary film making, and academic research. The customs governing those fields of endeavor govern, and if necessary, can be enforced in a court of law.

Various people including myself had a lot of good will towards Stone and his film. I wanted to see it succeed, and we all hoped to benefit from the publicity. We hoped that his film

could help reopen the case--until we read the script.

The enormous propagandistic value and potential for rewriting history of such a work precludes "artistic freedom" or "freedom of expression." It must be historically perfectly accurate.

He has also claimed that this is just an "entertainment" and should be judged as such. Here is a man who starts out saying that he is going to present Jim Garrison's case, a man whom George Lardner considers a fraud (it took the jury only one hour to acquit Clay Shaw in Garrison's prosecution in the John Kennedy conspiracy murder trial).

Garrison nor any public law enforcement official has the right to bring charges against anyone in this nation without a very solid case, without just cause. Conspiracy is the most difficult crime to prove of all, and charges are almost never brought because of the impossibility of proving a case. There was almost no case against Shaw, other than hearsay. The case was a fraud, as the Post said. And no public official has the right to prosecute someone in order to justify a massive fishing expedition. Granted, we all hope for the subpoena power in order to investigate the case, but I feel that I am doing relatively well without it, as are many others. The subpoena certainly didn't help much before.

Sedition is defined as "communication or agreement which has as its objective the stirring up of treason or certain

lesser commotions, or the defamation of the government....attempts made by meetings or speeches, or by publications to disturb the tranquility of the state." (Black's Law Dictionary) There are some fine lines in our society, and both journalism and film making are subject to those fine lines of the law. No film maker or journalist has the right to say or do anything as they see fit if it wrongly undermines in a fundamental way this country. It seems to me that to make a film based on the research of myself and the people I am associated with which makes a joke of that work and basically defames institutions of government without reason is wrong and perhaps illegal.

Stone seems to think that if his lawyers say there is not law governing some point or action of his, that he can do it, notwithstanding ethics or custom. I'm sorry but that doesn't work and it never has, even though America, almost alone among nations, has always given more latitude to robber barons and Robin Hoods than Europe, and so the custom in Hollywood seems to give more latitude than is allowed in journalism or academic research. Well, I am herein redefining the limits wherein Hollywood dare not tread, or go at their peril, as Stone is learning.

Stone has a double standard. He publicly promotes his notion of morality, and pontificates upon virtue and truth. Privately, like so many others in Hollywood, he runs all over

little people to get what he wants. Of course, Stone may have plausible deniability and not actually know what his producers and other hatchet men do in his name.

When Garrison and Stone make blanket charges that the CIA or the FBI killed Kennedy, they are basically way over the line on many scores. First of all, no responsible researcher in this case has ever said anything like that, J. Edgar Hoover not excepted. Granted, whatever we say is often distorted to sound like we've said more than we actually said. If we say a few out of control renegades did it, they say we said the Agency did it!

Stone hired a man as a technical advisor for the events which occurred at Parkland Hospital when John Kennedy was brought there mortally wounded November 22, 1963. That man reported to me just after the film crews left that the whole scene was an "abortion." He told me that they insisted on doing some things that were not accurate, and he was told by Stone, "this is just an entertainment. It doesn't have to be perfect." In addition, my witness was appalled by the great amounts of blood and gore that were slung around. "It wasn't nowhere near that way at all," he told me, speaking of Nov 22nd, 1963.

*legal
moral
thriller?*

I'm sorry, but Stone does not have the right to trade and shock and horror in this fashion, to make it even more gory to sell tickets. Granted that murder was a great obscenity and granted we need to ever be aware of just how terrible it was, but we don't need to be deliberately terrorized with gore, as in

the fashion of the Chainsaw or Sorority House murders. What is wrong with making it more gory than it was? It becomes an entertainment to a society conditioned to the acceptance of violence by the visual media.

Stone did not need to recreate these phoney and gory scenes, and the murder itself. He could have used the existing footage, but he has made a charade of it by recreating it. He has a nobody playing John Kennedy and getting shot for it, and that in itself is greatly objectionable. The point is that our country has a fast rising level of violence because of all of the film and TV producers and directors who revel in it, who make life cheap and guns meaningless. This film is not at all about John Kennedy. What can we feel for him when he is shot? What can young people feel who know nothing but slander about John Kennedy when they see him blown away? Great! This is what the power structure wants, someone will say, and Stone is doing their bidding: Making a joke of that terrible murder.

There is something for everybody. Stone has got scenes with whips and chains, and Jim Garrison in the toilet, but does he have John Kennedy sleeping on boards or getting in and out of his back brace, struggling with the great pain the man lived with every day? A man who perhaps had TB of the spine whose doctors and medicines were secretly killing? What can we feel for John Kennedy when he is blown away on the silver screen, or subjected to an autopsy Stone cannot possibly know anything

but what's wrong?

Wrong word in the film

Why should he wild - I possibly had

Wrong he has a consultant

about?

Well, it does have to be perfect. If Stone knew in his own mind what it is he really intended to do, an "entertainment" or a "Docudrama," perhaps there would not be so much trouble. If he had not tried to be so heavily secretive, perhaps he would not have so many people against him. But if he is going to make a docudrama about John Kennedy's murder, he has to be absolutely accurate on every small detail. That murder concerns this nation to its core. We cannot have assassination as a political instrument in this country, and we cannot have anyone making light of it or making a cartoon of it as Stone is doing with Kevin Costner as Robin Hood (Jim Garrison) in this movie. We cannot have Jim Garrison himself playing Chief Justice Earl Warren, or Willem Altmens playing George Demohrenschildts. Or Sex Pistol Sid Vicious, and Kevin Bacon who played a psycho in Criminal Law in this film. Kostner and the rest are associated in viewer's minds with past roles, and their appearance in such an extravaganza creates psychological signals, like the daily assault of violence in the media upon the public.

The bottom line of the Stone affair is an absence of responsibility. When a man or a film company does not act in a responsible way, they make a joke of a great tragedy. Stone makes a joke of everything.

1. See Oswald in New Orleans, Case for Conspiracy With the CIA, by Harold Weisberg, Canyon Books, New York city, 1967. Forward by Jim Garrison

2. Bertrand, 5 H 614; 11 H 330-337, 339; Andrews testimony, 11 H 325-339.
3. 7 H 14, 29-31.
4. Interview with Gary Shaw, December 13, 1991; also in his book Cover-ups,
5. "Dead Suspects, Part VI, Clay Lavergne Shaw," by Scott Van Wynesberghe, The Third Decade, May 1988. This longish article is recommended to researchers as an extended discussion of the Shaw prosecution, the people involved, and Garrison.
6. I am indebted to Mark crouch for this imagery, though he was referring to certain prominent researchers.
7. James & Wardlaw p. 46.
8. Plot or Politics, Rosemary James & Jack Wardlaw, Pelican Publishing House, New Orleans, 1967, p. 47
9. ibid.
10. Phelan, Scandals, Scamps and Scoundrels, pp. 152-3; Kirkwood, American Grotesque, pp. 144-5, 205; G. Robert Blakey and Richard N. Billings, The Plot to Kill the President, (New York: Times Books, 1981) p. 50. Wynesberghe, The Third Decade, May 1988, p. 5.
11. Scott Van Wynesberghe writing in The Third Decade, May 1988, p. 12-13. Sources for the first, second, and third statements are as follows: Mark Lane, Rush to Judgement, p. xxvii; Bernard Fensterwald, Coincidence or Conspiracy? p. 298-9, Clinton witnesses--Report of the HSCA, p. 142-3, 145, 4 HSCA 482, 484, 10 HSCA 4, 114, 132, 203; Kirkwood, American Grotesque, p. 314-315; ibid, p. 370-372, 407.
12. Letter to the author, December 12, 1991.
13. Letter to the author, December 12, 1991.