

Dear Jim,

O'Toole/Penthouse

7/28/75

When O'Toole's book came out I read about a chapter. noted the ripoff of WW IV on the dust jacket, and decided the time to read the crap would be wasted.

When Floyd came up Saturday he gave me a copy of the August Penthouse. It has articles by Sculc (separate note says it is consistent with all my earlier observations about his writing) and a chapter of O'Toole. I read both last night.

O'Toole's lack of factual, detailed knowledge is clear. He improvises and glides over, apparently based on the reading of the work of others partly supplemented, I would guess, but relatively little time in the Archives and probably more in Bud's files. It is the little errors that I think show how much one knows, how much real work he has done, etc. I have marked this copy where there are such things. Like "The first reports of an FBI-Oswald connection had reached the commission five days earlier..." than 1/27/64. (He assumed that the first report was 1/22 and Penthouse made no change and he didn't at this late date.

This whole thing is built around WW IV. It is probably one of the reasons the book was delayed. (They took some junk out or it was even slimmer before this.)

That, uncredited, is bad enough. But what is worse is that, consistent with but more pointed than the dust-jacket deception and misrepresentation is the way the first graf ends:

"Without explanation or fanfare, the government quietly released one of the most highly classified documents held in the vaults of the National Archives, the transcript of the Warren Commission meeting of Monday, January 27, 1964." He is then consistent after a display of ignorance over withholding:

"While the declassification and release of any of the Commission transcripts would have been a historic development, the choice of this particular ~~development~~ executive session was mildly sensational because of the subject discussed."

This has him saying that all the transcripts then were classified and withheld, or has him saying he doesn't know a damned thing about them, or makes the ripoff case a lot stronger. The ignorance flaunted throughout builds it more.

With out history with Penthouse, this becomes plagiarism, I think. Not only did they have our book and try to rip it off but we went into this public-domain jazz and had Cepass' assurances that they would not use this transcript. I am the one who raised the question with him. He was explicit, although he said they already had it. He said he knew it was our work and the whole story, as obviously he did from reading the book.

Remember, this publication is more than a year after we saw Penthouse. And they still have the xerox we have not been able to get back. I think that under these circumstances, this kind of writing, when O'Toole had to know better from the first and without doubt Penthouse did is designed to be hurtful and complicates that by the intent to steal our work. Not saying it is ours when both knew it and pretending that the government just released it when it was the result of a suit and released to me (consistent with no mention of any of the other things he used from my books) represents a clear intent.

The question, of course, is can we do anything.

I think it might be a worthwhile gesture to give Bud a copy of ~~this~~ this first paragraph only, just give it to him. I'd not call his attention to the other virtuoso displays of ignorance.

The theorizing O'Toole does based on this is insane: the FBI contrived to phone LHO on the first-floor/second-floor TSBD phoe at precisely 12:30 11/22/64, just to set up a meeting at the Texas Theater just to give him the money to buy a car! The alleged support of this theory is sillier and crazier. He even theorizes based on this theorizing that out-of-control FBI agents were the assassins. HW