

Garrison Rips Court On Shaw

District Attorney Jim Garrison today criticized a temporary restraining order blocking the conspiracy trial of Clay L. Shaw, calling the order outrageous and unprecedented interference by the federal government.

The order, issued yesterday by Federal District Judge Frederick J. R. Heebe, postpones indefinitely the trial of Shaw, accused of conspiring to kill President John F. Kennedy.

GARRISON, in a lengthy prepared statement, charged that the restraining order is just another example of the federal government's interference with his probe of the Kennedy assassination.

The DA said the federal government has a special interest in the outcome of the case because it does not want "it known that it conducted a fraudulent inquiry, using altered evidence and false evidence to fool the people of this country."

He called the conclusions of the Warren Commission fraudulent and said:

"Another reason that the federal government has a special interest in this case—and should therefore keep its large nose out of it—is the very deep involvement of agents of the Central Intelligence Agency.

"The concealment of the involvement of the CIA was the major objective of the false federal investigation and the false inquiry by the Warren Commission. Many people in this country still do not know that the CIA—which is completely uncontrolled by Congress—has been engaged in the assassination business for some years," Garrison said.

Garrison said that the government has interfered with his probe in every conceivable way and that his office has not mentioned Shaw's name in any critical or derogatory way since his arrest.

HE SAID the federal courts have no jurisdiction whatsoever in the case and are part of a power play to interfere in

See PROBE—Page 4

Complete text, LA Free Press 7 Jun 68.

MAY 29, 1968

Probe--

Continued from Page 1

matters before the state courts.

Shaw had been scheduled to go to trial June 11 on the charge which grew out of Garrison's probe.

Judge Heebe's order, handed down yesterday, restrains Garrison and his staff from prosecuting Shaw pending further orders from the court.

The order was sought in a suit filed Monday by Shaw's attorneys. The suit also asked that preliminary and permanent injunctions against Garrison and his staff be issued.

The suit also asked that the findings of the Warren Commission Report on the Kennedy assassination be declared valid and admissible as evidence to all courts in the country.

JUDGE HEEBE said Shaw's complaint raises "real issues of alleged deprivations of liberty through the actions of the state."

The complaint, read as a whole, Judge Heebe said, "presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner and attempts to raise the actions of the defendants, prior to and during the criminal proceedings, to the level of a concerted pattern of persecution of the petitioner and the wholesale and willful disregard of the petitioner's constitutional rights."

Judge Heebe said that because there is a likelihood that Shaw "may prevail on the merits" and because Shaw's complaint attacks the constitutionality of various "pertinent Louisiana statutes, a three-judge

court is required in this matter . . ."

THE JUDGE said it would not be possible for such a court to be convened and a hearing concluded before the scheduled trial date.

Under federal procedure, Judge Heebe will now ask Chief Judge John R. Brown of the U.S. Fifth Circuit Court of Appeals to designate two other judges to sit with him to hear the Shaw suit.

In his statement Garrison also said:

"After President Kennedy began removing troops from Vietnam, executed the nuclear test ban treaty, began reaching an understanding with Russia, began reaching an understanding with Cuba—all in the interests of ending the Cold War—and began to institute controls on the previously uncontrolled CIA, he was killed in an ambush by men connected with the Department of Convert Activity.

"THIS MAY BE hard to believe—we found it hard to believe at first—but the evidence is unavoidable once you get behind the fake investigation.

"It should be added that the top command of the CIA did not know this was going to happen—but this has not kept the rest of the government from concealing the truth.

"Just where is their 'reign of terror' which is supposed to justify this federal intervention?"

"IF THE CASE of the State of Louisiana is as fraudulent as Shaw's attorneys pretend, why not let him go to trial

and be acquitted? Why is there suddenly such loss of faith in trial by jury?"

"The reasons given by the federal district judge for restraining us from going to trial as scheduled are plainly and merely excuses to support an unauthorized federal intervention in the judicial process of Louisiana.

"Although the words used by the federal court purport to indicate deep concern for the protection of the defendant's rights from persecution by the prosecutor, the fact is that it's well known that my office has never had a case reversed for improper methods.

"EVEN SO, the law of the State of Louisiana has many remedies to protect the defendant.

"We do not need the help of the federal government in leading us from our wicked ways to the paths of righteousness."

Judge Heebe today signed an order allowing attorneys for Shaw to take pre-trial depositions from Assistant District Attorneys Anthony Sciambra and James L. Alcock and Dr. Esmond Fatter, Lynn Loisell, Louis Ivon, Noel Rada and Sandra Moffett McMaines of Des Moines, Iowa.

DR. FATTER was a witness at the preliminary hearing for Shaw. He testified that he placed one of the state's witnesses, Perry Raymond Russo, under hypnosis for questioning.

Loisell and Ivon are investigators for the DA's office. Rada is chairman of the Orleans Parish Jury Commission. Mrs. McMaines, a former girl friend of Russo, has been sought as a witness by the defense and the state. She has refused to come to New Orleans but agreed to give a deposition in Iowa.