

## Where New JFK Evidence Points

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President John F. Kennedy in the motorcade through Dallas shortly before his assassination on Nov. 22, 1963. (Photo credit: Walt Cisco, Dallas Morning News)

*Media specials are on tap for the 50th anniversary of John F. Kennedy's murder, but none will explore the troubling new evidence that has been declassified in recent years – and that undercuts the Official Story of the Lone Gunman.*

In late 1991, film director Oliver Stone released *JFK*, his film about the investigation of the murder of President John F. Kennedy by New Orleans District Attorney Jim Garrison. To say the film was controversial does not begin to describe the furor which surrounded its reception. Six months before the film was in theaters, stories began to appear in large newspapers criticizing a film no one had seen yet.

When the film was finally shown, there was an interesting dichotomy. Whereas most of the film critics liked it, editorials and news stories about the movie attacked it. One critic actually lost her job over a positive review of the film.

But the film did two things relevant to the state of the evidence in the matter of President Kennedy's assassination on Nov. 22, 1963. At the end of his film, Stone had shown a title card saying that the files of the House Select Committee on Assassinations (HSCA) had been classified until the year 2029.

Embarrassed – and faced with public outrage – Congress held hearings. Many people testified including Stone, and the last chief counsel of the HSCA, Robert Blakey. As a result, the Assassination Records Review Board (ARRB) was created, tasked with finding and releasing all documents held by public and private entities in America concerning the murder of President Kennedy. Eventually, two million pages of classified files were open to the public.

The second thing the film did was arouse the curiosity of many people who were not aware of the evidentiary problems that had haunted the Kennedy case for nearly 30 years. Stone's film was the first time in over a decade that millions of Americans had been exposed to things like the Zapruder film, Oswald's odd relationships with the FBI and CIA, his associations with right-wingers in Dallas and New Orleans, the investigative failings of the Warren Commission, the problems with the autopsy of President Kennedy, and much, much more.

These new people who were drawn into the case had fresh perspectives to offer and new insights. Between the newly declassified documents and this new generation of writers, the information base about both Kennedy and his murder grew exponentially in a relatively

short time.

But this week's 50th anniversary of President Kennedy's assassination will be marked almost entirely by television specials that will be silent about this new and plentiful information, which alters the calculus of the Kennedy case. That is because, despite the uproar created by Stone's film, the defenders of the Warren Commission's narrative circled the wagons and protected the Establishment's preferred solution to the assassination – that Lee Harvey Oswald acted alone.

### Why Oswald?

There always was an attractiveness to the Oswald-did-it storyline. It is the simplest explanation, a lone gunman acting out of some personal grievance, ideological fixation or psychological imbalance. No need to explore evidence of a larger conspiracy. No need to integrate Kennedy's murder into the historic developments that his presidency represented.

Thus, many influential people – from officials involved in the original investigation defending their judgments to a later generation of authors burnishing their reputations for probity – have fought fiercely to defend the Oswald-acted-alone narrative. They have done so despite nagging evidentiary problems, such as the “magic bullet theory,” which attributed the multiple wounds to Kennedy's neck and Texas Gov. John Connally's chest, wrist and thigh to a single bullet found almost unscathed on a gurney at Parkland Hospital, and those troubling images from the Zapruder film showing Kennedy's head being knocked backward by the fatal shot, although Oswald was behind him at the Texas Bookstore Depository.

Most importantly, Gerald Posner's book, *Case Closed*, which was published before the ARRB was even set up, was used to close the door on further inquiry by pronouncing Oswald guilty again. Yet, Posner's book did not include any of the intriguing documents the ARRB declassified. Neither did it include the results of the ARRB special investigation into the medical evidence launched by chief counsel Jeremy Gunn.

After Posner's book, there seemed to be something of an informal agreement by the gatekeepers in the media. There would be no programs dedicated to airing the discoveries of the ARRB, despite the fact that the ARRB had unprecedented powers to declassify documents and compel testimony. Because of these combination of factors, the American public was given little exposure to the ARRB material and the revolutionary work of new authors on the Kennedy case, the most infamous American homicide of the Twentieth Century.

Besides the Oswald-acted-alone solution, there have been other proposed narratives that accept the idea of conspiracy but don't directly challenge the institutions of the state. These scenarios acknowledge the likelihood of other conspirators but point the finger at the Mafia or Fidel Castro or some other enemies of America.

But much of the new evidence tends to bolster the narrative advanced by Garrison and by Stone's movie: that the assassination must have involved elements of the U.S. intelligence community working with right-wing operatives who considered Kennedy soft on communism and that a cover-up was put in place by key government figures to prevent an unraveling of these powerful institutions and the erosion of public trust in the authorities.

### Who Was Oswald?

Let us begin with the figure of Lee Harvey Oswald. Oswald had been portrayed by the Warren Commission as a lonely, communist sociopath. Although there was never any clear motive put forth by the Warren Commission as to why the alleged assassin killed JFK, it was intimated that it was the net result of the frustrations in his life caused by financial problems, ideological intent, and marital troubles. This is still what most current defenders of the Commission say today.

But one of the most surprising things that the ARRB disclosed was the volume of files on Oswald held by both the CIA and FBI – after both agencies had long denied that they had much paper on Oswald. But it was not just the volume of documents, but it was the unexpected direction they pointed.

One of the most curious aspects of Oswald's strange and contradictory life was his military service. One of the things that shocked New Orleans DA Jim Garrison was the fact that, while in the Marines, Oswald took a Russian test. As Garrison writes in his book, the Commission tried to explain this away by stating that he got more questions wrong than right.

But it's obvious that Oswald stuck with learning Russian because when a friend of his arranged a meeting with Rosaleen Quinn, she commented afterwards that Oswald spoke excellent Russian. And Quinn had been privately tutored in advance of a State Department exam. (James DiEugenio, *Destiny Betrayed*, Second Edition, p. 131)

After acquiring fluency in Russian, Oswald then applied for a hardship discharge in order to leave the service early. Even though he had just a few months left to serve, his request was granted – and in only 10 days. The HSCA interviewed a person on the board who granted the discharge. Colonel B. J. Kozak testified that it normally took from three to six months to secure such a release. (HSCA interview of Kozak of Aug. 2, 1978)

After Oswald returned from Russia – receiving surprisingly little trouble despite his defection – he became friendly with the White Russian community in the Dallas/Fort Worth area. He then went to New Orleans in the summer of 1963. Numerous witnesses had testified to seeing him with former FBI agent Guy Banister or at Banister's office at 544 Camp Street.

But in the files declassified by the ARRB there is even more evidence in this regard. In the declassified files of the Church Committee, there is testimony by two federal immigration agents that they were following David Ferrie in 1963 because of his association with Cubans in the country illegally. Wendell Roache and Ron Smith of the Immigration and Naturalization Service stated that they traced Ferrie to Banister's office at 544 Camp Street, and Oswald was there. (DiEugenio, p. 113)

Further, at least one of the pro-Castro flyers that Oswald was passing out that summer was stamped with the 544 Camp Street address. According to Banister's secretary Delphine Roberts, Banister was aware that Oswald had committed this faux pas, and he was upset about it. The rightwing zealot complained that, "How is it going to look for him to have the same address as me!" (HSCA interview with Roberts, July 6, 1978)

The natural question arises: What would an alleged communist like Oswald be doing using the conservative Banister's office as an address, and also working out of that office? In that regard, one of the most compelling revelations to emerge from the ARRB is that both the FBI and the CIA were running counter-intelligence operations against the Fair Play for Cuba Committee (FPCC) in 1963. This included using electronic surveillance, penetration agents,

and agents provocateur against the New York-based organization.

### CIA Mystery

In one of the CIA's declassified files on this subject, it was discovered that the men running this counter-intelligence effort at CIA were David Phillips and Jim McCord. (Newman, pgs. 236-41) Phillips's name in this regard is especially fascinating because of his reported meeting with Oswald in August of 1963 at the Southland Center in Dallas by the militant Cuban exile Antonio Veciana.

At that time, according to the Warren Commission, Oswald was about a month away from leaving for Mexico. In addition to not telling the reader about Phillips, McCord and the CIA counter-intelligence program against the FPCC, the Warren Report also did not reveal a memorandum sent from the CIA to the FBI on Sept. 16, 1963, saying the CIA was "giving some consideration to countering the activities" of the FPCC "in foreign countries. ... CIA is also giving some thought to planting deceptive information which might embarrass the Committee in areas where it does have some support."

Oswald had just embarrassed the FPCC by his tactics in New Orleans. First, by getting into a fight with an anti-Castro activist, being arrested, jailed, and then pleading guilty in court. He then took part in a debate where he was exposed as a former Soviet defector. As author Jim Douglass asks: Did this memo refer to Oswald now going to Mexico? (Douglass, *JFK and the Unspeakable*, p. 179)

One of the notable achievements of the ARRB was the fact that it declassified the HSCA's Mexico City Report, which clearly suggests that there was an imposter masquerading as Oswald at both the Cuban consulate and Russian embassy, the places where Oswald was supposed to have visited while he was supposed to be there.

The report states that the CIA could produce no pictures of Oswald either entering or leaving either place, although the Agency had multiple cameras facing each doorway. Further, there is a table in the report which shows that the surveillance tapes the Agency says it had of Oswald in both places could not be of Oswald because the man the CIA had on the tapes spoke broken Russian and fluent Spanish. (*Lopez Report*, p. 130) However, witnesses said Oswald spoke fluent Russian and broken Spanish.

When one of the tapes of Oswald was sent to Dallas after Kennedy's assassination and listened to by the FBI agents interviewing Oswald, the agents said the voice was not Oswald's. When FBI Director J. Edgar Hoover was alerted to this, he relayed the information to President Johnson. (FBI Memorandum from Hoover to James Rowley, Nov. 23, 1963)

### The FBI Mystery

There are two more declassified connections by the FBI to this important episode. First, a FLASH warning that the FBI had put on Oswald's file, after his defection to the Soviet Union, was taken off while Oswald was in Mexico. Further, it was removed at about the time the Bureau got information that Oswald was allegedly meeting a KGB agent named Valery Kostikov.

This is important, because as both authors John Newman and Jim Douglass note, if the FLASH notice had been in place, it is probable that Oswald would have been placed on the

Security Index. That list would have been turned over to the Secret Service, and Oswald would likely have been picked up or surveilled for Kennedy's upcoming trip to Dallas.

Secondly, in a declassified memo discovered by Newman, Hoover had scribbled a handwritten note in the marginalia of a memo. In speaking of cooperation between the CIA and the FBI, the Director wrote that he was doubtful about such endeavors because he could not forget "the false story re Oswald's trip to Mexico" as an example of their double-dealing. Within six weeks of Kennedy's murder, Hoover thought that the CIA was, at the very least, not being forthcoming about Oswald's activities in Mexico City.

Hoover was not alone in this suspicion about a CIA connection to Oswald. At a talk at the Cyril Wecht Symposium in Pittsburgh last month, Dan Hardway, an HSCA investigator who specialized on exploring a possible relationship between Oswald and the CIA, said the House panel prepared two indictments for perjury based on the obstruction of the Mexico City investigation. One was for Phillips; the other was for Anne Goodpasture, who controlled the tape and photo production in Mexico City.

Hardway has revealed that when he and another HSCA investigator were getting very close to exposing the skullduggery in Mexico City and who was responsible for it, the CIA moved a man name George Johannides into position as a liaison man over them.

As journalist Jefferson Morley has revealed, the CIA lied to Robert Blakey about the appointment of Johannides. The Agency told Blakely that his new liaison had no connection to the Kennedy case, when, in 1963, Johannides was the Chief of the Psychological Warfare Branch at JM/WAVE, the CIA's huge Miami station. One of his specific functions was to monitor and supply the anti-Castro Cuban exile group, Cuban Student Directorate, or DRE, which was in contact with Oswald that summer. Carlos Bringuier, the man who got into a physical altercation with Oswald on a city street in New Orleans, was a member of the local branch of the DRE.

### Angleton's Connection

A similar maneuver occurred during the Warren Commission investigation, when the original CIA liaison to the Warren Commission, John Whitten, was replaced by James Angleton, the CIA's counter-intelligence chief whose office handled (or mishandled) the original reporting about Oswald's defection to the Soviet Union.

When reports came in about Oswald entering the American embassy in Moscow and asking to renounce his citizenship, the information went to the various intelligence repositories in Washington. The FBI issued a FLASH warning to be placed on Oswald if he tried to reenter the country under a false name. After all, the possibility existed that the KGB could have turned him into a spy.

However, at the CIA, the information about Oswald was not acted on immediately or with the normal protocol. A routine 201 form, which catalogues anyone of interest to the Agency, was not filled out on Oswald at that time. Nor did the information go to the Soviet Russia division. Instead, the Oswald notice was funneled to James Angleton's super-secret, CI/SIG unit, a protective agency that was supposed to be on guard against penetration agents but has been connected to some of the CIA's most convoluted deep-cover operations, sometimes called "the wilderness of mirrors." (John Newman, *Oswald and the CIA*, p. 27)

Besides Angleton's influence over what CIA files would be made available to the Warren Commission, one of its seven members was former CIA Director Allen Dulles, whom President Kennedy had replaced as director after the Bay of Pigs fiasco in 1961.

So, it is clear today that the idea the CIA had no intelligence interest in Oswald in the months leading up to Kennedy's murder has been disproven. In fact, Newman uncovered a CIA memo in the Soviet Russia division which reads, "It was partly out of curiosity to learn if Oswald's wife would actually accompany him to our country, partly out of interest in Oswald's own experiences in the USSR, that we showed operational intelligence interest in the Harvey [Oswald] Story."

### The Autopsy Mystery

Another one of the myths circulated by the Warren Commission was that they did not have the actual autopsy exhibits because the Kennedy family would not allow them to access the material. This was a pretense exposed by the declassification of the Commission's Jan. 21, 1964 executive session hearing. In that transcript, Commissioner John McCloy asked Chief Counsel Lee Rankin if they had the raw materials of the autopsy, and Rankin replied that they did.

In a transcript from the next session on Jan. 27, Rankin talked about actually *seeing* an autopsy picture and wondering how the bullet could exit Kennedy's throat from an entrance point that low in the back. Rankin's puzzlement about the back wound segues neatly into one piece of information that the ARRB did manage to get into the mainstream U.S. media, namely that Commissioner Gerald Ford changed the draft of the Warren Report to move the location of this back wound that so puzzled Rankin up into Kennedy's neck.

This all too revealing alteration was exposed when Rankin's son donated an earlier draft of the Warren Report to the ARRB. As Commission historian Gerald McKnight notes in his book *Breach of Trust*, this revision brought the back wound into "line with the Commission's no-conspiracy conclusion, repositioning it to make it consistent with what came to be called, the single-bullet theory." (McKnight, pgs. 171-172)

With the knowledge today that the Commission secretly did have the autopsy photos, this act seems even worse. Because, later on, when the photos were finally revealed to the public, it is clear that the wound *was* in the back, and not in Kennedy's neck. Ford appears to have done this simply to make the Commission's official verdict more palatable to the public, because if the shot was fired from over 60 feet up, from the sixth floor of the Texas School Book Depository, how could the bullet hit Kennedy in the back and exit at a higher point if it only went through soft tissue?

We now know that this questionable proposition was not even credible inside the Commission itself. The Commission was presented with evidence of three shells being recovered from the so-called sniper's nest on the sixth floor of the Texas School Book Depository. So, to make Oswald the lone assassin, only three bullets had to be responsible for all the wounds to all the victims in Dealey Plaza.

The Commission said bystander James Tague, standing on Commerce Street, was hit by a missed shot, and one shot fatally wounded Kennedy by striking him in the head. Which left one shot to do the rest of the damage. And it was quite a lot of damage: seven wounds and two smashed bones in Kennedy and Governor Connally who was sitting in the limousine in



front of the President. Those seven wounds with one shot represent the trajectory of what has come to be known as the Magic Bullet.

## Rolling Russell

When the Warren Commission verdict was formally announced in the fall of 1964, one of the reasons it appeared authoritative was that it was presented as being unanimous. Seven storied public figures had agreed on each and every aspect of the case against Oswald. Today we know that this was not true.

The best evidence demonstrating its falsity is the Commission's treatment of Sen. Richard Russell, D-Georgia. For a master's thesis produced under McKnight's guidance in 2002, Dani E. Biancolli went through the Russell archive at the University of Georgia.

Almost from the beginning, Russell had problems with the way the Commission was doing business. For instance, Russell was puzzled that the FBI report did not allow for the single-bullet theory. It stated that two separate shots hit Kennedy and one hit Connally. If that is not confusing enough, when the CIA analyzed the Zapruder film, they decided there were two assassins. (McKnight, p. 6)

Russell was not satisfied by the hastily assembled FBI report. He also objected to the fact that Hoover was leaking its findings to the press, making it difficult for the Commission to maintain its independence in the face of public perceptions. Being an experienced trial lawyer, he also began to notice that the Commission was not notifying him when important witnesses would be testifying, e.g. Oswald's brother, Robert. (Biancolli, p. 46)

Russell also noted that the CIA was giving certain members of the Commission more information than others. Troubled by the overall proceedings, Russell wrote a memo to himself which began with the phrase, "Something strange is happening." He then noted that the Commission was only going to consider Oswald as the assassin. To lawyer Russell, this was "an untenable position." (ibid, p. 47) Russell was so disturbed by the way the Commission was progressing that he actually composed a letter of resignation to President Lyndon Johnson.

Russell took the step of drafting an official dissent to the Warren Report. And he wanted the report to contain his reservations about the Magic Bullet. (ibid, p. 63) Aware of this, the more active members of the Commission - Gerald Ford, Allen Dulles, John McCloy and chief counsel Lee Rankin - tricked Russell. They had discontinued their dealings with their stenography service prior to the final meeting where Russell was to present his dissent. But they did have a secretary in the room to create the pretense that a full transcript was being recorded. (ibid, p. 65) No such thing occurred.

Russell was so effective in his presentation at this meeting that he was joined in the effort by Sen. John Sherman Cooper, R-Kentucky, and to a lesser extent by Rep. Hale Boggs, D-Louisiana. But Russell's eloquent dissent was not recorded in the transcript. In fact, there really is no transcript of this Sept. 18, 1964 meeting. (ibid, pgs. 63-64) With no transcript available, none of Russell's objections made it into the Warren Report. Thus, the false veneer of a unanimous Commission was maintained.

Further showing how compromised the Warren Commission was, it is clear today that the Commission demanded little respect from the intelligence agencies supplying it with

information. For instance, as ARRB employee Doug Horne discovered, Commission counsel Arlen Specter requested the Secret Service produce any tapes of the Nov. 22 press conference by the doctors at Parkland Hospital. Even though they had a recording, the Secret Service failed to turn it over to the Commission. Perhaps because during the interview, Dr. Malcolm Perry said three times that the wound to Kennedy's throat was one of entrance. If that were true, Oswald could not have caused it.

The CIA also sent the Commission very limited information about Oswald's alleged trip to Mexico City. For instance, the CIA did not send any information to the Commission about any of the phone taps they had at the Cuban or Russian embassies. And there is no evidence that the Commission ever knew who did the translation for the intercepts of incoming phone calls.

Further, the Commission never interviewed Silvia Duran, the receptionist at the Cuban consulate, the person who had the most contact with Oswald. Because of these failings, the information in the Warren Report about Oswald in Mexico City, which many people today see as crucial, is so skimpy as to be almost useless.

### Hesitant Investigators

As the Russell incident indicates, it's clear today that the Warren Commission was a reluctant investigative body from the start. This began with the technique President Johnson used to get Earl Warren to serve as chairman, something Warren did not want to do. LBJ told Warren that because of Oswald's visits to the Russian and Cuban consulates, there was a danger of nuclear confrontation with the Soviet Union and Cuba and the possible deaths of 40 million Americans in a matter of minutes.

Johnson later said Warren teared up at this suggestion, and Warren mentioned Johnson's warning at his first staff meeting. The danger of a freewheeling investigation clearly had an impact on many of the investigators who came to see their job as tamping down suspicions of a larger conspiracy, rather than following the facts wherever they might lead. When Wesley Liebeler met with witness Sylvia Odio in Dallas, he told her that they had orders from Warren that if they came across any evidence of conspiracy they were to shove it under the rug. (Odio interview with Church Committee, Jan. 16, 1976)

What makes this so regrettable today is that there is no audio or photographic evidence that Oswald was at either the Russian or Cuban offices in Mexico City. The descriptions of a short, blonde man suggest an imposter. Hoover also felt that the CIA had given him a cover story. This declassified evidence in the *Lopez Report* leaves the question: Was the specter of a nuclear war used as a pretext to stop any real investigation?

Another crucial piece of evidence that was revived by the ARRB was this: There appears to have been an unsuccessful attempt to kill Kennedy in Chicago just three weeks before the successful one in Dallas. In November 1975, journalist Edwin Black wrote a long and detailed [essay](#) on this aborted plot for the *Chicago Independent*, a paper with a small and local circulation. Soon, this milestone essay was more or less forgotten, but the HSCA secured a copy of it.

Because of its recirculation, other writers have done more work on the subject. One of the most disturbing aspects of the Chicago attempt is that the outline of the plot is eerily similar to what happened in Dallas, down to the apparent fall guy. Three men who appeared to be



Cubans were going to kill Kennedy in a rifle ambush as he exited off a freeway ramp in front of a tall building.

The man who was supposed to be accused of the crime was Thomas Vallee. Like Oswald, Valle was a former Marine who was stationed at a U-2 base in Japan. Vallee supposedly was resentful toward Kennedy because of the Bay of Pigs disaster. Curiously, the codename of the FBI informant who tipped off the Secret Service was "Lee." The existence of a prior assassination plot with parallels to Kennedy's killing in Dallas would seem to be relevant if one were exploring a wider conspiracy, but there was not one word about this episode in the Warren Report.

### Medical Evidence

Some of the most startling new evidence in the JFK case from the declassified files relates to the ARRB's medical investigation and from new doctors who have entered the JFK field. For instance, Dr. Gary Aguilar has collated the interviews done by HSCA investigators Andy Purdy and Mark Flanagan about the wounds to President Kennedy as seen by the witnesses at Bethesda Medical Center, the hospital where Kennedy's autopsy was done after his body was returned to Washington.

The HSCA report said there was a discrepancy between what the medical staffers at Parkland Hospital in Dallas saw and what the staffers at Bethesda saw. Witnesses at the former, where Kennedy was rushed after the shooting, said they saw a large, avulsive hole in the rear of Kennedy's skull. This would strongly indicate a shot from the front. Yet the HSCA Report said that the witnesses at Bethesda did not see this wound.

It turns out this was false. When Aguilar went through all the declassified reports from the Bethesda witnesses, they agreed that there was a large avulsive hole in the rear of Kennedy's skull. Aguilar has a table of over 40 witnesses in two locations who are now on the record as saying they saw this wound. The odds of that many trained medical personnel being wrong are, needless to say, very high. Yet, it remains unclear who at the HSCA was responsible for the deception.

As contradictory to the single-gunman theory as the ARRB-revealed medical evidence seems to be, the present state of the ballistics evidence is probably moreso. Broadly speaking, this consists of the ammunition, the rifle, and the crime scene.

Let us begin with new revelations about the so-called Magic Bullet. When Gary Aguilar was going through the declassified FBI files pertaining to the identification of that exhibit – formally called CE 399 – he was puzzled by the lack of actual FBI field reports in the file, so-called "302" reports on witness interviews.

What initially spurred his interest in this matter was the 1967 interview that author Josiah Thompson conducted with O. P. Wright, the security director at Parkland Hospital. When Thompson showed Wright a photo of CE 399, he denied that it was the bullet he gave to the Secret Service. CE 399 is a round-nosed, military jacketed, copper-coated bullet. Wright said he turned over a lead-colored, sharp-nosed, hunting round. (Thompson, *Six Seconds in Dallas*, p. 175)

Yet, in the declassified file, Aguilar could find no 302 where anything like Wright's definitive response to Thompson was recorded. Or a 302 in which Wright said that CE 399 resembled

the bullet he found the day of the assassination. Yet, the FBI was supposed to have shown CE 399 to Wright to confirm the identification of the Magic Bullet as what was turned over at Parkland Hospital. But there was only a summary memorandum confirming that ID.

Though the ARRB told Aguilar that they had exhausted that particular FBI file, there was a clue for further inquiry. In the summary memo, the FBI agent who supposedly showed the exhibit to Wright was identified as Bardwell Odum. In November 2001, Aguilar and Thompson visited the retired agent who told his interviewers that he never took any bullet around to show to any Parkland witnesses – and since he knew Wright well, he would have recalled the interview.

Further, if that event had happened, Odum would have had to file a 302. Aguilar had studied the report file in sequential order and none were missing, indicating that Odum never filed a 302 presumably because he never showed the bullet to Wright.

### The FBI's Fiddling

But why would the FBI have fiddled with the evidence relating to the chain of custody for the Magic Bullet? One obvious answer would be that FBI Director Hoover understood how important it was to remove any doubts that Oswald was the lone gunman.

After the declassification process was complete, researcher John Hunt petitioned the National Archives to examine the FBI's own data in order to determine if CE 399 actually arrived at FBI headquarters when the Bureau said it did and if it was carried there by agent Elmer Lee Todd as Hoover said it was. As basic to an investigation as trail of evidence is, this was not done by either the Warren Commission or the HSCA.

In a handwritten receipt, Todd noted he got the bullet at the White House from James Rowley of the Secret Service at 8:50 p.m. Hunt then reviewed the work of Robert Frazier who was the technician who booked and analyzed firearms evidence on the JFK case that day. In Frazier's chronicle, entitled appropriately enough, "History of Evidence," Frazier wrote that he received the bullet from Todd at 7:30 p.m. In another document entitled "Laboratory Work Sheet," Frazier wrote this again and described the exhibit as "Bullet from Stretcher."

The obvious problem was: How could Todd have given CE 399 to Frazier at the FBI lab before he got it from Rowley at the White House? Assuming the contemporaneous documentary record is correct, either the FBI switched the bullet or there was more than one bullet. Either alternative would vitiate the Commission's conclusion about Oswald as the lone gunman.

In Thompson's book he writes that both Todd and Frazier marked the bullet with their initials; this was based on a two-page FBI document inside a Justice Department Report. The FBI needed Todd's initials on the bullet because the initials of the man who gave the bullet to Rowley, Secret Service agent Richard Johnsen, are not on CE 399. And neither are Rowley's. Todd's initials had to be there to give the chain of possession any validity at all.

Hunt discovered that Todd's initials are not on CE 399, which would mean that the forensic value of the Magic Bullet was worthless. (Hunt's articles can be read here <http://www.jfklancer.com/hunt/mystery.html>, and here <http://www.jfklancer.com/hunt/phantom.htm>).

## Miscarriage of Justice

This essay could be twice as long as it is. And it could touch on many other different fields: the efforts of the FBI and CIA to electronically monitor Jim Garrison's office; the FBI concealment of Guy Banister's address of 544 Camp Street from the Warren Commission; the witnesses who saw Oswald, Clay Shaw and David Ferrie in the hamlets of Clinton and Jackson; the testimony of Victoria Adams that Oswald was *not* running down the Depository stairs from the sixth floor after the shooting; the work by Josiah Thompson and Dave Wimp which demonstrates there is no forward movement by Kennedy at frames 312-313 of the Zapruder film, which shows Kennedy going only one way, back and to the left.

These revelations, based largely on the documentary record released by the ARRB, have revolutionized what the evidence tells us about Kennedy's assassination. Based on these documents and other discoveries, the Warren Commission is revealed as a miscarriage of justice and its report a distortion of history, perhaps justified in the minds of some participants as needed to protect the country from the repercussions of a no-holds-barred investigation.

While President Johnson may have raised the specter of a nuclear conflagration in 1963, the later motives for the continuing cover-up – and the intensity of the attacks on anyone who has questioned the official version – can best be explained by the institutional self-interests of the government agencies that would be implicated in the cover-up or the actual crime.

Along with fierce resistance from the CIA and the FBI, there was the close-minded response to the new evidence from the gatekeepers of the major U.S. news media. Ridiculing authors and investigators who challenged the Warren Commission's findings became something of a litmus test for measuring a journalist's fitness to get a good-paying job in the mainstream press.

But this arrogant behavior by these powerful governmental and media institutions – their contempt for an intellectually unconstrained evaluation of the JFK evidence – has proved costly in terms of public trust. Polls reveal that the decline in America's faith in government began in 1964, the year the Warren Report was issued. As the ARRB's former counsel Jeremy Gunn said in a speech at Stanford, with what the ARRB discovered, he would much rather be defending Oswald than prosecuting him.

Despite this new evidence, there are many programs being broadcast this month about both President Kennedy and his murder, e.g. Bill O'Reilly's *Killing Kennedy*. Not a single one will present anywhere near a representative selection of the new evidentiary discoveries made by the ARRB. Yet, this information is crucial to understanding where the United States finds itself today, a country awash in excessive secrecy and growing public distrust.

Another one of the declassified files – the records of the Sec/Def meeting of May 1963 – revealed that Oliver Stone was correct in another facet of his movie. President Kennedy was planning to withdraw from Vietnam, a decision that – if not reversed by President Johnson – might have dramatically changed the course of U.S. history.

In the face of this continuing denial of a full accounting of Kennedy's assassination on the 50th anniversary, the public should ask two simple questions: What really happened to President Kennedy in Dealey Plaza? And why the unending resistance from the news media to present the new evidence to the American people?

*Jim DiEugenio is a researcher and writer on the assassination of President John F. Kennedy and other mysteries of that era. His most recent book is [Reclaiming Parkland](#).*

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