

The JFK Assassination Conspiracy: Part 2

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Larry Bernstein:

Welcome to What Happens Next. My name is Larry Bernstein. What Happens Next is a podcast which covers economics, politics, and history.

Today's topic is The JFK Assassination Conspiracy Part 2

Our speaker is Gerald Posner who is the author of the book entitled Case Closed: Lee Harvey Oswald and the JFK Assassination. Gerald worked for years researching this book and has investigated the major conspiracy theories related to the murder of JFK. This year is the 60th anniversary of his assassination, and I want to find out who killed JFK and if there was a conspiracy.

In Part 1 of this series, we discussed Lee Harvey Oswald's psychological make-up, his time in the Marines, his decision to move to the Soviet Union and then return with his new wife Marina to Dallas. His work to support Fidel Castro and his attempted assassination of General Walker who was running for governor of Texas. We reviewed all of Oswald's movements on the day that JFK got shot from the moment he woke up and grabbed his rifle from the garage to his arrest after murdering the police officer JD Tibbit.

On this episode, we will discuss the events at Parkland Hospital, JFK's bizarre and unprofessional autopsy, Jack Ruby's murder of Oswald, the KGB file of Oswald, and the Mob's participation in the conspiracy.

Buckle up!

Let us jump right into it.

The Presidential motorcade heads for Parkland Hospital. My brother Ron's father-in-law Larry Klein is a medical resident at the hospital that day. He is told to meet a VIP in the parking lot. And moments later JFK arrives in the Lincoln Continental and the Secret Service hands JFK to him. Larry puts JFK on a stretcher and rushes him to Trauma Room Number 1. He notices that there is brain matter everywhere and lots of blood. He puts in an IV and pages doctors for assistance. Seconds later the trauma room is packed with doctors and nurses.

Larry Klein in 2013 works with a group to make a documentary called Parkland Doctors about the JFK assassination. Larry does not believe in a conspiracy and wanted to put that issue to rest. The documentary was just released a couple of weeks ago, and the film has been edited to be all

about conspiracy. What do you make of the Parkland doctors' comments about what happened and their interpretation of the autopsy?

Gerald Posner:

I'm surprised sometimes at what gets made into a documentary. I am surprised that Parkland Doctors in this edited version made it because I thought that the issues that they raised were resolved decades ago. They all say, those doctors who had any connection to trauma room one, we thought there was an entrance wound in front of the president, right here before the tracheotomy was done. And that's very persuasive testimony until you asked the next question, which I did. The key question for this documentary is, what about the autopsy photo?

When the president went back to Bethesda, this autopsy photo shows a bullet wound up on the neck, rear shoulder area in the back. If it were fired from behind where Oswald would be, the bullet would hit Kennedy come in a straight line out his neck. Did you think that that could be the entrance wound? We never turned him over. You think that is something they might remember if they turned the president over? Yes, he was dead. He had flatlined. They were trying to give some resuscitation of him. Why? Because Mrs. Kennedy was in the room the entire time.

I remember Pepper Jenkins said it was the most uncomfortable moment of his life was having to work on the president with the first lady in this blood-soaked skirt standing just a few feet behind them, and they said a couple of times, Dr. Perry, do you want to go out, Mrs. Kennedy, to wait, "I'm not leaving." And so, they are working on him. They never flipped him over. They never saw this wound and the wound they saw by the way on the throat was a small wound.

Makes sense because the bullet is a military full metal jacketed bullet. It is a heavy bullet. It's used for hunting game. It's a good killing bullet. That bullet, the reason full metal jacketed, that was put into effect by the Geneva Convention being better for warfare because bullets that were not fully metal jacketed fragmented when they hit you and caused horrible wounds.

Bullets that were covered with a full metal jacket pass through the body, so the wound was cleaner and people on the battlefield could be treated better instead of having these mangled wounds. That is exactly what the bullet does. When it hits Kennedy, it travels into him and through his neck without hitting any bone. That means the exit wound on a bullet like that will be small.

Larry Bernstein:

Tell us about the other physical evidence that shows that JFK's bullet wound was from the back and the exit wound was from the front?

Gerald Posner:

We know what the entrance wound is, not just because of the picture on the autopsy, but because when the president's suit and shirt are examined, the threads on the suit and the shirt on the rear are pushed in. That is the bullet entering the body, the tie on which the bullet exits the throat. The threads are pushed out, so you have the physical evidence left over from the clothes. It paints a picture of where the bullet comes from. But the doctors at Parkland saw one part of the wound, half of the wound, they saw the exit wound and they mistakenly thought it was the entrance. Then they obliterated it with the tracheotomy and there goes the conspiracy theorist off running.

Larry Bernstein:

I attended the University of Pennsylvania, and I was a fraternity brother of Benji Wecht. Benji's dad is Cyril Wecht who is one of the world's finest forensic pathologists. Cyril spoke at one of my book clubs years ago about the JFK assassination and has been one of the most vocal critics of the magic bullet hypothesis, which is that the second shot that went through JFK's back and throat then hit Connally in the wrist. What do you make of the magic bullet?

Gerald Posner:

Cyril rejects it out of hand because for a long time it was not possible to prove whether the single bullet was a fact or just a theory. Now that may surprise some people because the Warren Commission could not figure out the assassination any other way. They knew that there was a time for only three shots and that the shot that hit Kennedy and Connally could not be two separate shots because there had been a shot that had missed. Arlen Specter comes up with this theory that one bullet hit both of those men at the same time. Cyril says that that's absolutely garbage. It cannot be proved. Years later by the late eighties and early nineties, ballistics experts can figure it out in terms of how the bullets slowed up and exactly where the men were when they were hit.

I had a debate with Cyril on CNN's Crossfire because I believe that the key bit of evidence that came out, which we never knew before was found in 1992 by a firm that looked at it called failure analysis. They saw something that nobody had seen before on the Zapruder film, which was that that frame 224 to 25 and 18th of a second, something odd happens. Connally's lapel comes up, the bullets come in and as it comes out of Connally, it hits the suit jacket you can actually see the lapel fly up. It is a fraction of a second is the bullet hitting the clothing.

Larry Bernstein:

Kennedy is dead and the Secret Service is in the process of removing his corpse from the hospital. They pass by Dallas Medical Examiner Rose who says, "wait a minute, you are not taking that body that is mine under Texas law. I'm responsible for doing this autopsy." The Secret Service says, "Get out of my way," and then through brute force they take the body to Air Force One back to Washington. The conspiracy theorists make a big deal out of this decision about where to hold the autopsy.

Gerald Posner:

I do not think it would have been any different if it had been done in Dallas by Rose, but people always like to think, well, there were mistakes made in Bethesda, so it would have been better if it had been done in Dallas. It could not be any worse. Well, it could have been worse.

Larry Bernstein:

JFK's body is in a coffin on Air Force One. Mrs. Kennedy decides not to change her clothes that is drenched in JFK's blood. She wants to show the world what they did.

Gerald Posner:

It is really an amazing moment. The first thing she is asked, you would like to change blood splattered clothes from that afternoon, you are going to be seen by the nation when you get off the plane. And no, she wants them to see it.

Larry Bernstein:

The images of Jackie that day are everywhere on TV, newspapers, and magazines. The artist Andy Warhol uses that image of her as central to his assassination series. How did that image of Jackie penetrate the American public's psyche?

Gerald Posner:

The image of Jackie Kennedy that Warhol uses, that is the image of the grieving widow that we often associated with the assassination, but those of us who studied the case sometimes have a different picture of her. The image that I can see in front of me is her face on Air Force One when she is standing there, and Lyndon Johnson is being sworn in as president. She is composed and somber and sad in the images Warhol takes, but on that image in the plane, she looks bewildered. What is playing out in front of her is surreal. It cannot be real. Not only has she just seen her husband killed in front of her, but this man, the Kennedys do not even like, Johnson, is being sworn in as the president and she must somehow hold it together.

Larry Bernstein:

Jackie is with JFK when he is shot, and it is obvious to her that he is dead. The physicians try a couple of procedures, but it is performative because everyone in the Trauma Room at Parkland knows that this was a mortal wound. When they pronounce JFK dead, the doctors exit the room and leave Jackie with her husband, and she takes off her wedding ring and places it on JFK's finger. Tell us about that.

Gerald Posner:

She was the youngest first lady. It is very emotional when she says, I want the moment of privacy with my husband, and they are going to take him off these sheets and she puts the wedding ring with him. She is alone. I do not mean alone with him, but she has everything that she is ever lived for has left her at that moment and it is hard to imagine. We call her stoic, call her brave...

There is no doubt she was in shock from what had happened. She is looking at her husband during the headshot. She is trying to find out what is going on. He is not responding. She is pressing down on his left elbow. She is looking at him and inches in front of her face, his head blows.

You are not prepared for that. She is in shock. She is performing and moving and functioning, but she does not remember long stretches of what happened afterwards.

Larry Bernstein

The doctors at Parkland Hospital in Trauma Room 1 said it was incredibly awkward having Jackie in the room. I have never heard of allowing a spouse to be in the operating room.

Gerald Posner:

No spouse, no relative is allowed inside a room when treating doctors are there. This was the President of the United States. None of these doctors were prepared for it. They were not prepared to see Jack Kennedy's head blown out like it was. It moved them emotionally. So was going to tell her to get out.

Larry Bernstein:

Next topic is the autopsy. A decision is made to do it at a military hospital near DC. LBJ asks Jackie where she wants it, and he suggests Bethesda because Jack was in the Navy and Jackie says fine. That is how the decision is made. They ask two well-regarded pathologists at Bethesda to do the autopsy. They are not forensic pathologists with experience with bullet wounds. The pathologists reach out to a specialist who offers to help but because of time constraints does not assist.

The autopsy is done in this large room with the Secret Service, FBI, and other government officials interrupting and asking questions.

Gerald Posner:

The president's brother Bobby Kennedy occasionally called the autopsy room to find out how is it going, when is it going to be over? Do you think that any other autopsy would be done in which the family could call and say, by the way, you are finishing up? We want to get going.

Larry Bernstein:

The pathologists are limited to the technology available at the time. They are doing their best. They take lots of photographs and X-rays and examine the wounds.

This autopsy is one of the most consequential and controversial autopsies of all time; tell us about it.

Gerald Posner:

The photographs are indispensable and pathologists who examined the autopsy later used the x-rays and the photographs to determine what happened. The autopsy doctors did the drawing later of the wounds and they have the wound that is in the back of Kennedy. That is the entrance wound from the shooter from behind Oswald lower than where the photograph shows it. As a matter of fact, they have it a couple of inches lower, which means that it could not have then exited straight through Kennedy's neck and people say, look at that. Oh my god, that drawing that proves that there was another shot. He was shot lower than that. No. This explains why we have autopsy photographs to prove where the wound is.

As a lawyer, I say, what is the better evidence? You have a drawing that is fantastic. It shows you that the person did not do the drawing correctly for whatever reason. They are to be castigated and criticized for that, but the photograph, unless it has been tampered with, is where the wound is.

They were reticent in the autopsy report, not that it was made public right away, to describe the head wound, what the damage was in the gruesome graphic detail that a regular pathologist would describe it in because they were timid that Jackie and others would read it and they would cringe on it. This was history. He had an obligation to do it right. Then, one of the auditors takes his notes afterwards. He made during the autopsy, which had some blood splatter on it and decides, oh God, I do not want that to become part of some gruesome public displays. I will burn those notes. Well, once conspiracy theorists find out, he burned his notes and another one left a note with a low bullet hole, you are off and running. So those are some of the errors and then the results of the autopsy were not disclosed, meaning the details of it until the late sixties.

Larry Bernstein:

Let us return to Oswald being held at the police station. The police pickup Marina and bring her to the station. She meets with Oswald. What does she say?

Gerald Posner:

What happened is fascinating because Marina may know the adult Lee Harvey Oswald better than anyone else. She had been married to him. It is a rocky couple of years. They have two children together and what does she see when she goes into the prison? She expects to see him

hysterically angry, demanding to get out. That this is a travesty that he is being held and the fact that he is very calm and collected and says to her in so many words, do not worry, this'll be fine. We will get a lawyer here. It is going to be okay. She left that room thinking, my God, he did it. He did it because she knows he tried to kill Walker. She knows that he works at the book depository. She knows the president is shot in front of the book depository. So now her concern is, did he take that rifle? Could he have done it? She visits him in the jail and there is this sinking feeling in her that she is a Russian girl living in the United States and her American husband might be the person who just killed JFK.

Larry Bernstein:

The police question Marina about a rifle, and she says it is in the garage. She shows them the blanket, and they open it up and the rifle is missing. What happened?

Gerald Posner:

I think that one of the things to Marina's credit is that she does not lie from the get-go.

She does not try to cover up and it is not just self-preservation.

Larry Bernstein:

The police station is in total pandemonium. There is press. There are some hangers on. They bring in Oswald's mother and Marina. When they move Oswald around, the press see him and are screaming questions to him. Did you kill the President? Tell us about the chaos with the press.

Gerald Posner:

Well, the police activity that day at the station with somebody in a high-profile case is what not to do. It is unbelievable. There is no security at all.

Larry Bernstein:

Not only is the press at the station going crazy but there are random hangers-on like Jack Ruby who will later murder Oswald.

Gerald Posner:

The press and others who have no place in being in the police station. Because they know Jack Ruby who is a friend of the police because they all hang out at his strip club. So, Jack's around. And what is he doing? He is handing out his business card. Ruby's the guy who wants to be with the action. Amazing that their first concern is not protect Oswald who is the suspected assassin because maybe it is part of a greater conspiracy.

The police do not know if it is a lone assassin. You do not know if there are other conspirators around. Why wouldn't you take better protection of the person that you have arrested and charged with such a terrible crime? And with Oswald, there was no protection.

Even the interrogations of Oswald, what do we know what he said? By the way, did you listen to it? Do you hear Lee's voice? Does he sound stressed or angry? We do not know. They did not record them. They just took notes. Nobody turned on a tape recorder. Why? Because the police chief said, "well, that was our policy. We did not tape people at that time. We just took notes." It is the assassination of the President of the United States, change your rules. How come nobody from the FBI came in and said, "you guys taping this?" We want to make sure we have everything he says down on the record.

Larry Bernstein:

It is not incompetence; it is a failure of imagination.

Gerald Posner:

That is right.

Larry Bernstein:

I suspect that the audio recording with Oswald might have undermined the conspiracy theorists when they heard what a nut he was.

Gerald Posner:

That's right. It would all come out.

Larry Bernstein:

The police initially focus on Oswald's murder of police officer JD Tibbit. There were several witnesses to the killing. They bring in the witnesses to identify Oswald in a lineup.

The press is screaming questions at Oswald on the way to the lineup. And he is as cool as a cucumber. I have not killed anyone. I have not been charged. I just heard that the President was shot. I am as confused as anyone about this whole thing.

He says that I am just a patsy. It is clever. It certainly allows the conspiracy theorists to go crazy versus I killed him with my Italian rifle then there is no conspiracy. Incredibly, he is the instigator.

Gerald Posner:

Yes, and he is lying in the interrogations. He denies owning a gun. At first, he denies everything, denies killing the police officer.

Larry Bernstein:

The police get a search warrant for Oswald's room in a Dallas SRO, and when they get there its packed with communist literature, Free Cuba pamphlets, visa documents to Cuba and the Soviet Union. The police officers who gather the evidence in his apartment are in shock. They have never seen so much communist related materials.

When the news hits the wire that JFK was assassinated, the immediate response is that this must have been done by some right-wing nut. Nobody was thinking that the killer was a self-declared communist who had moved to the Soviet Union and is a big fan of Castro. That made no sense. Does this encourage the conspiracy theories?

Gerald Posner:

100% that the conspiracy theory spurred by the fact that Oswald was a leftist and a communist because the instinctive knee jerk response of hardcore leftist and communists was that is impossible. The very fact that he's clearly such a communist means that he must have been set up by the right wing to pretend to be a communist so we would get the blame for it. And the first people to write books attacking the Warren Commission's conclusion, Scott Buchanan was a committed communist who was living in Europe at the time. Mark Lane a committed socialist does the Rush to Judgment, Harold Weissberg, who does the Whitewash series, they are all hardcore leftists whose response is, it cannot really be all that communist paraphernalia and the books found that must have been planted there. They want to make it like that because they want to be able to blame us and go to war with Cuba.

Larry Bernstein:

Johnson is sworn in as President and there is a quick press conference. Johnson says something like, it is a tragedy that has happened. I am going to do everything I can. I am going to need both your help and God's help. Is it an appropriate and powerful opening statement to his presidency?

Gerald Posner:

I am grimacing because I agree it is a powerful moment, and the statement is right. If you look at the words, the problem is it is LBJ, and the difference between him and Kennedy. We just had our head put into ice cold water. You have had the assassination take place and here is this guy with JFK. Look back at his press conferences. He was so adept. He had a sense of humor. Christ, he was good. He had a way, a presence, not just in his speeches but in a personal way. Johnson's the opposite. Johnson's the master deal maker, the ultimate politician. He can do deals. Probably JFK would have failed to get the Civil Rights Act passed. Johnson knew how to do it. But that lumbering tone, that dour look, we left the Eisenhower years. We went into technicolor with Jack Kennedy, and now we went backwards into the gray Johnson. For a lot of people, that was added to the sense of, oh my God, what has happened?

Larry Bernstein:

The next major public event is Jack Ruby's murder of Oswald as he leaves the police station.

Gerald Posner:

Just when you think the weekend could not get any crazier.

Larry Bernstein:

It goes from tragedy to farce, and this only feeds the conspiracy. A public trial with the evidence and Oswald's pitiful responses would have undermined the conspiracy types.

Gerald Posner:

Would have helped.

Larry Bernstein:

It must have been unbelievable. Oswald is getting moved from the police station to a jail and the press is there and there are photographers taking pictures and the TV camera is rolling, and Ruby walks right up to Oswald and puts the gun directly in his abdomen and fires. Ruby is tackled to the ground, and he says do not hit me it is me, Jack Ruby, you know me.

I have never seen a murder like this on live TV.

Gerald Posner:

Oh, right, so you mean you have never heard of an instance in which a person is accused of killing a popular president and then dragged out for a transfer to a jail in front of the press and live television. So, we do not have to worry about the Zapruder film. Live TV this time and what would have happened if the person who killed Oswald had been Tippit's wife or Tippit's brother, the police officer had been killed, was revenged. We would understand that in a different way, but now you have somebody killing him who is running a strip club. A Hurley Burley who carries a gun and looks like a mobster who was one of the people hanging out at the police station on Friday night when Oswald was arrested and on Saturday. How is that even possible and now the conspiracists are off and running.

Larry Bernstein:

Larry Klein who was my brother Ron's father-in-law was that medical resident at Parkland that first took care of JFK. Larry told me that the medical residents used to go to Ruby's strip club after work. Ruby was always there, and he would have a revolver on his side. He was more than just a character; he too was a total nut job.

There was testimony from Ruby's colleagues, friends, family, and roommate that Ruby was distraught after JFK's assassination.

Gerald Posner:

All the justification Ruby gave later: I did not want Jackie to come back for the trial and all those things, but things that he comes up with later to explain away what an impetuous spur of the moment act. People think that Ruby planned to kill Oswald and in fact Jack's life was often spur of the moment. That is what got him into trouble. At his club he was his own bouncer.

Ruby thought there was an ad placed in the Dallas Morning News that day when Kennedy arrived that was Anti-Kennedy signed with a Jewish surname. Ruby thought it was a setup to make Jews look bad in Dallas. Turns out it was a real person, one of the few conservative Republican Jewish residents in all of Texas. But for Ruby, the assassination had a bad smell. It was something that Jews were looking bad.

It was not why he went ahead and killed Oswald. He gets worked up over the weekend from Friday night. He is there at the police station. That is Jack. He is going to be where the action is. He is handing out his business card. His sister Eva talks to him about what a terrible thing this is, what a disgrace this is how terrible what happened to the president in Dallas. There is a stain on Dallas because of this, a place you call home where you make your business and everything else. We know what his state of mind was and what he was doing because he had a roommate, George Senator. So, it's not just based upon what Ruby tells us. A telephone call came in, they have only one landline, no cell phones or anything else. Woke Jack up on that morning, late around after nine o'clock, it was one of his strippers who said, "Jack, I need some money. I need \$25 if you could send it to me by Western Union."

There's one Western Union office that Sunday that's open in all of Dallas and it was downtown a couple blocks away from the police station and what does George Senator say? He was slow that day. He took his time, he got ready. He looked at the newspaper. There was Jackie and the kids. He was upset about that. He talked about it. He got ready at a leisurely pace, and he left about 10:35 AM with their two dogs, drove downtown past the memorial. People were putting flowers out near Dealey Plaza, and he was upset about that, and he drives down to the Western Union office, parks, gets out of his car and goes in to send the MoneyGram to a stripper and there is somebody in front of him.

Now, if he has been told to go down and kill Oswald who was supposed to be transferred an hour ago, you think he might be worried that he is late, but guess what, the Western Union agent says he just was staying in line waiting for his next turn. Then his turn comes up, he goes in, he signs the paperwork, sends the MoneyGram, it is timestamped by the atomic clock on the wall of the Western Union office at 11:24 AM. He walks out the door, he looks down the street and there is a

crowd still on this side and he says, what is going on? Goes down. That's Jack. And as he walks down toward the police station where they have announced the officer's going to be transferred, they move a police officer up to the street to clear the area for the car to be able to get out on the other side. Jack walks down that ramp. Oswald is taken out and Ruby decides on the spur of the moment. I know it is hard to imagine. You want to think this is a long-term plot that no good son of a bitch. I am going to kill him. And he breaks through the crowd. In one bullet that is all he gets off. The cops are immediately on him. That one bullet is a fatal shot.

Larry Bernstein:

Oswald was supposed to have been moved to the other jail an hour ago, but he was delayed.

Gerald Posner:

Why is Oswald an hour late? Why does he run into Ruby at the right timing? Because agent postal inspector Harry Holmes shows up because Klein sold the gun to the mail order. There is a postal inspector looking at the mail order crime on this. Oh, it is crime through the mail order. A postal inspector shows up and says, I want to talk to Oswald. And the police say, okay, and that goes on for nearly 45 minutes. Then Oswald says, I want a change of sweaters. I want to change my clothes. And they give him a change of clothes and by the time he goes downstairs, he is running an hour late on the transfer and that's when Ruby arrives.

Now I have said that before to conspiracy theorists and I have had some say to me, "you fall for that? They were going to hold Oswald until Ruby arrived. It did not matter if it was an hour or two hours with Ruby was an hour later, two hours later, they would have just come up with more excuses. Some other postal inspectors, another change of clothes, oh, we've got to take you over here for fingerprint you again or whatever else." So, you cannot answer in terms of a conspiracy.

Larry Bernstein:

In a recent survey of public opinion, 70% of the American public believes that there was a conspiracy and that the simplest narrative is false. Why is that?

Gerald Posner:

Because they have not studied the case and the case on its surface has a lot of strange things. You just talked about the biggest one being Ruby's murder of Oswald. Looks like a silencing. There has got to be something to that. And then you mentioned a second ago when somebody shoots you with a rifle from a distance, it looks like a professional hit as opposed to somebody running up like Ruby does and shooting with a pistol. Then Oswald himself defected to the Soviet Union in the Cold War. He is giving out leaflets for Castro in the middle of the summer and he later we find out there's pictures of him in the backyard wearing all black, holding the rifle that is later tied to the assassination and his pistol and a copy of the militant. You have got to be kidding.

Nobody does that, but he did. He shot at an Army general. No, it cannot be real. No wonder people think something is wrong. I think the lack of a trial is critical. Trial would have put it all that is and instead what do we get an official commission? We get a commission that signs off on and produces 26 volumes and it does not feel right.

Larry Bernstein:

The photograph of Oswald taken by Marina of him holding the rifle next to his house is incredible. Here is the man with his gun. No getting around that.

Gerald Posner:

Now this is the great part. She testifies to the fact she took the photographs. That should be the end of the discussion. You would think that for any rational person you would say, oh, we thought the photograph was fake. Instead, it launches decades of amateur photo analysts who examine the length of the shadow. There are people that made a career out of saying these are fake photographs. So, then you say, well, what about Marina saying she took the picture? Well, she was made to say that because she was afraid that she would be deported. Okay, then why does she still say it 30 or 40 years later? This is fantastic. I actually had a person say this to me when I was working in the book. She has said it for so many years that she now believes it to be true.

Larry Bernstein:

With all the questions related to the JFK assassination and now with the Oswald murder, President Johnson instinctively knew that he had to create a bipartisan commission to investigate the assassination.

LBJ wanted the Chief Justice of the Supreme Court Earl Warren to head the commission because of his standing. But Warren had a full-time job. During the Nuremberg trial, Supreme Court Justice Robert Jackson was the Chief Prosecutor and that took him away from his post for an extended time. Warren declined to do it, but he was persuaded by LBJ who told him that it is necessary for him to do it to prevent a nuclear war with the Russians that would kill 40 million Americans.

There were some interesting choices for who got selected to be on the Commission. Allen Dulles who was the former CIA Director who planned the Bay of Pigs invasion, the future Republican President Gerald Ford, and Democratic Senator Richard Russell from Georgia.

Tell us about the Warren commissioners.

Gerald Posner:

There would be no best nine. No matter who was chosen. They wanted representatives, they wanted senators. Dulles, former head of the CIA, a bit odd, but Bobby Kennedy wanted him there. That commission would never have had nine individuals that the country would be satisfied with when it came back with a conclusion that said, "for any of you who have been wondering what happened last year in the assassination, we'll tell you that Dallas Police arrested the right person. It was Lee Harvey Oswald acting on his own. That's it; end of case and close the book."

A lot of people did not think that sounded very convincing, so they had a tough task ahead. They had a great investigative staff. They depended on the FBI to do the work for them. That is problematic because the FBI could be considered a suspect in some odd conspiracy view. Hoover was worried about the fact that when we had an investigation going into Oswald, should we have known more? And we later found out that one of the FBI agents in Dallas destroyed a note. I think that it was baked in that it was going to be a difficult commission and there was Senator Russell did not believe in the single bullet. He went along with it in the end, but he said, I do not really think a bullet can do all the things that Arlen Specter thinks it can do. And Johnson thought it was a conspiracy, very possibly with the Cubans, but was hoping the Commission would come back and say it. He did not want to go to war with anyone.

Larry Bernstein:

Tell us about the conspiracy theories related to Jack Ruby silencing Oswald on behalf of the mob?

Gerald Posner:

I have criticized the Warren Commission for not investigating Jack Ruby's possible ties to the mafia more aggressively. The FBI came back and said, "well, he did not have mafia ties" and the Commission accepted that. They did not push for more on the record. Now what the Commission did not know, and the FBI did not tell them is that the FBI had an illegal wiretap on Sam Giancana's headquarters from a couple of years before the assassination until a couple of years after, put in by a guy Bill Roemer who was running the FBI in Chicago. They found out, the Chicago mob where their clubhouse was, the mob did not even think the FBI knew where they met at this clubhouse. They knew they met in other places in restaurants hall, but they thought this spot was secret. So, the FBI had this brilliant idea, we will listen to what they are doing. We know it is not going to be used in court because it's an illegal wiretap, no court approval, but we're going to find out everything that's happened on the street.

They get the reactions of the mafia to the assassination of the President. They all are reacting like every other American. They are shocked by it. They talk about it. But the big thing is Sunday, when Jack Ruby kills Oswald, Ruby's from Chicago. So, people think that he must be doing it

for the Chicago mob and the conversations are great. They're saying, "Hey, who is it? Some guy, Ruby, you know him? No, he was from Chicago. You are kidding. Who knows him?" It is so fantastic to see, and they aren't putting on the show for the purpose of the microphones because they don't know they're being recorded. So, the best evidence the Warren Commission did not have available to it about the lack of a Ruby mafia tie was the secret microphones recording everything happening with the Chicago Mob.

Larry Bernstein:

The FBI had been following Oswald prior to the assassination. They had been aware of Oswald in Dallas and that he had gone to the Russian and Cuban embassies in Mexico City. They knew he had been arrested in New Orleans related to handing out the Free Cuba pamphlets. The FBI went to interview Oswald, but he was not around during the visits, so they spoke with Marina. During his interviews with the Dallas Police after the assassination, Oswald mentioned that the FBI had been harassing his wife and had been so incensed that he wrote a letter to the FBI complaining about their actions.

The Dallas FBI instinctively knew that this letter would make J. Edgar Hoover go crazy because it would confirm that Oswald was on their radar and that the FBI did not properly intervene to protect JFK. In a cover your ass decision, the local Dallas FBI agent James Hosty destroyed Oswald's letter to him fueling the conspiracists.

Gerald Posner:

What happens in this case is exactly what you expect to happen if you understand how bureaucracies work. They are not worried about something until they hear who shot the president. The FBI agent who has been assigned to interview Oswald and just went out recently to see his wife Marina and talked to her and said he was coming back. Oswald was so mad at that visit to Marina that he went down to the FBI headquarters and left a note that said, "leave my wife alone or I'm going to complain." Well, we must depend on Hosty for what the notes said. Why? Because when he learned that Oswald would have been arrested for killing the president, this is the guy that he is supposed to be investigating and he says to the rest of the people inside the Dallas office, "oh my God, that's the guy we have an open file on. What do we do? Hoover, he is going to have our heads if he thinks that we were behind the eight ball on that. How about that note that he left here, why don't you get rid of it?" As Hosty flushes it down the toilet, he says, rips it up little pieces and gets rid of it. Not the best idea ever for an FBI. And he ends up in Kansas City after he is lucky he didn't lose his job entirely.

Larry Bernstein:

It is interesting that Hoover did not fire the FBI agent who dropped the ball on Oswald.

Gerald Posner:

The fantastic thing in the US government is nobody loses their job for anything. Even after 9/11 when they missed the attacks coming, everybody keeps their job. You keep your current level of pay and you just get transferred somewhere else.

In this case, Hoover would never act against him because that would indicate something was wrong. Instead, they just had to make it look as though, yeah, this was bad judgment he used in getting rid of the note, but not so terrible that we cannot continue to tell you what Oswald did in this case.

The problem was that feeds the conspiracy because conspirators later learned, oh my God, Oswald left a note for the FBI. What did that note say? Sure, the agent said it was just stop bothering my wife, but we will never know. Maybe he was leaving a note that said, by the way, secret code, do not forget to call me on this number. But it is not surprising at all if you know how these bureaucracies work that they would cover their own bureaucratic behinds.

Larry Bernstein:

The amount of work that you did to make your book entitled Case Closed is unbelievable. Tell us about your research process.

Gerald Posner:

The first thing was I read a lot of conspiracy books. Then I indexed the Warren Commission on cards, which are still up at Boston at the Howard Gottlieb Archive. I spent a lot of time in Dallas. I wanted to see the footage that had been left out taken by the local TV stations. I essentially was reinvestigating the case. I would talk to Bill Alexander, who was going to be the district attorney to prosecute Ruby. I talked to the police officers. We went to Jim Lavelle.

Larry Bernstein:

He was the police officer who was handcuffed to Oswald when Ruby shot him.

Gerald Posner:

He's the one who looks like a Texan from central casting with the white hat. And he took the cuffs, which he still had, which had been on Oswald, and he cuffs Trisha and me. He handcuffed the two of us together.

I had the luxury of being able to do the case at a time when I was talking to people who had been involved in the investigation that nobody had spoken to in years because everybody was looking for the grassy knoll shooter. They were all talking to new witnesses who had come forward, who had an account about seeing a flash of light on the other side. I wanted to talk to the people who were there that day, and then when I talked to them, if they told me an account that was different

than what they told the police or FBI, I showed them their original statements, and said, well, why is it different than this? And if they did not have a good reason as to why, then I discounted their current statement. I talked to every one of the Parkland doctors and they had to tell me why they did not see the wound on the back. So, there was information to be had. That information started to paint a picture for me of what had happened. In six of the bestselling conspiracy books, they do not talk about Oswald. He becomes this little stick figure. And then if he becomes a stick figure, then your mother says, how is it possible that this 24-year-old could kill him? He just seems inept who could not pull off the assassination. It only when you get to know Oswald that you can understand how he gets to be in the Spider's Nest on that fateful day.

Larry Bernstein:

One of your great successes was interviewing Nosenko who was the most senior KGB defector of his time that occurred soon after the JFK assassination. The CIA thought he was a double agent and tortured him terribly for years before releasing him. What did you learn from him?

Gerald Posner:

Yuri Nosenko was the most famous defector from the KGB in the sixties to America. He arrived after the Kennedy assassination and he had handled Oswald's file when he had been there, working in the KGB in Moscow. To the head of counterintelligence at the CIA, Angleton the fact that a KGB agent showed up in America. He must be a fake defector. Angleton thought that there was already a mole. They lock up Nosenko, they keep in a house, they slap him around, loses his teeth over time, goes on for years. It turns out that after six years of this, Angleton and the rest of the CIA concludes, "Oh, he's a real defector."

They put him in the equivalent of witness protection, and he disappears. Nobody over time, including the House Select Committee get to know because Nosenko is in hiding somewhere. I sent a letter under the belief that nothing ventured, nothing lost.

Larry Bernstein:

You sent a letter to Nosenko through a CIA contact, and he agreed to be interviewed by you.

Gerald Posner:

We were stunned. It was the best news of the day, fantastic. I go down to the CIA headquarters, first time and only time I have ever been there. I asked him pretty much off the start why he agreed to see me. And he said, because you are the first person who has asked since the fall of Soviet Union. I am no longer afraid about being killed for having defected. And I thought, boy, the luck of being at the right place at the right time.

Nosenko described the Oswald was the same that I had come to understand through Marina's testimony, everything else. Nosenko says when he defected, when he tried to kill himself, we had

a psychiatrist look at him who told us that he was not stable, that he was not a personality that we could trust at all. Second time a psychiatrist has seen him. He had been seen previously when he was 13. Now we have a second psychiatric look at the person.

Nosenko is the one who is in Moscow when the KGB agents in the Mexico City office cable Moscow and say, we have got a guy here who is speaking rudimentary broken Russian, says he was a defector to the Soviet Union and now wants to go to Havana, name Lee Harvey Oswald. It lands on Nosenko's desk. And he says, get rid of him. He is a nut. Now that is interesting to hear. 29 years later, that's when Nosenko was telling me that, but Norman Mailer got access to the KGB files after I had published my book. And those KGB files confirm internally what Nosenko said to me.

You might get an account from somebody 29 years later. It is nice to know that the documentation shows the same thing. The KGB thought Oswald was unstable. They did not trust him. They were not a hundred percent sure he was not a CIA plant. They followed him a little bit. They kept surveillance on him, and they just concluded that he was a nobody and unstable.

Larry Bernstein:

A loser.

Gerald Posner:

I think it is fair. I do not know if I would have called him a loser in life. They somehow either sabotage, they shoot themselves in the foot, and Oswald did that all the time. And they fail at what they try to do, not because others have conspired against them, but because they just cannot pull it off. And that is what he was. He was a loser on everything he tried to do except for one thing, killing the President of the United States. And that is why we cannot believe he did it on his own, because this guy who never succeeded in anything else.

Sorry to bring it up again, but five years later when James Earl Ray pulls off the assassination of Martin Luther King, people say he is a four-time loser. He was arrested time and again; he is a guy who never succeeded at anything. He was a convict. Come on. He never could pull off the assassination. They only must do it right once.

Larry Bernstein:

I end each episode with a note of optimism.

Gerald Posner:

My optimism about the JFK assassination is that a Gallup poll taken earlier this year showed that 35% of the public believes it is a lone assassin. People said to me that you must be extremely disappointed by that. And I said, not at all. Because I remember that after the Oliver Stone film

JFK, it went to 6% in one poll, nobody believed it was Oswald alone. So now a third of the country.

There is no deathbed confession after 60 years; nobody has come forward and said, "I have a guilty conscience." No documents come out in the release of documents of assassination files that includes a smoking gun that says this was a conspiracy.

60 years later, people are realizing, guess what? The truth is that Oswald may have done it. A third of the country says it now. Over time we will eventually get to a poll, I hope I live long enough to see it, where more than half the country thinks it is Oswald alone. We will never have a consensus. They will never get 90%.

Larry Bernstein:

Thanks Gerald, this ends our two-part series on the JFK assassination.

In case you missed it, let me tell you about Part 1 of this JFK assassination series. We went into the weeds on everything Oswald. Gerald discussed Oswald's experiences when he defected to Russia. We heard about his purchase of the rifle that is tied directly to the bullets that struck Kennedy, and frame by frame analysis of the Zapruder film that showed whether the bullets that killed Kennedy came from the front on the grassy knoll or from Oswald in the Texas Book Depository and so much more.

If you enjoyed this episode, you are going to love Part 1.

You can find our previous episodes and transcripts on our website whathappensnextin6minutes.com. Please subscribe to our weekly emails and follow us on Apple Podcasts or Spotify.

Thank you for joining us today, good-bye.