

http://www.ctka.net/2014/mcbride_01.html

CTKA: CITIZENS FOR TRUTH ABOUT THE KENNEDY ASSASSINATION

Dale Myers and his “So-Called Evidence”

By Joseph McBride

Posted February 2, 2014

Dale K. Myers wrote what I have described as “in effect, the Warren Report of the Tippit case.” Myers’s 1998 book, revised for the publication of a second edition in October 2013, gives away its agenda in its title, *With Malice: Lee Harvey Oswald and the Murder of Officer J. D. Tippit*. Like the Warren Commission, Myers begins by assuming Oswald’s guilt and then works backward to deploy a misleading array of what the accused man called “so-called evidence,” rather than investigating the case empirically to reach conclusions that are not preordained. During part of the thirty-one years I was working on my own investigation of the Tippit murder for my book *Into the Nightmare: My Search for the Killers of President John F. Kennedy and Officer J. D. Tippit*, published in June 2013 by Hightower Press, I sometimes found Myers’s work a useful foil and a source of documents and other data, much as researchers mine the commission’s twenty-six volumes for nuggets that contradict the report itself.

But like material emanating from the commission, *With Malice* must be used with caution because of Myers’s bias and his flawed methodology, which tends to load opposing evidence into his lengthy end notes, there to be summarily dismissed and/or belittled rather than seriously examined. Anything Myers puts forth in his Oswald-did-it Tippit hagiography must be carefully checked against all other available information, a method serious researchers have learned to follow with any assertions and documents in

these two murder cases. (Myers's more widely seen work as a computer animator creating speciously constructed models that purport to show the bullet paths in Dealey Plaza displays his willingness to promote the commission's single-bullet theory in pseudo-scientific mainstream documentaries.)

Since *Into the Nightmare* was published, Myers has taken it upon himself to joust against a few of my arguments as part of "The Good, the Bad, and the Ugly: New and Updated Books about the JFK Assassination," his November 18, 2013, survey published on one of his two websites, *Secrets of a Homicide*. The other website Myers runs is jdtippit.com, a conduit not only to promote his book but also to serve the similarly hagiographic agenda of the Tippit family. They have supplied a wealth of valuable family and historical material to the second edition of *With Malice* as well as to jdtippit.com.

Myers's book survey includes shamelessly giving a rave review to a book he helped write without credit, Vincent Bugliosi's *Reclaiming History: The Assassination of President John F. Kennedy* (2007), which Myers praises as "Hands down the best single volume on the assassination that was never read. Some minor flaws, but incredibly [sic] readable, exhaustive in its analysis, and highly entertaining." Perhaps since Myers believes that book "was never read," he thought readers of his article would not realize he worked with Bugliosi on that gargantuan, often truly incredible anti-conspiracy screed (1,648 pages plus a CD-ROM), before they had a mysterious falling-out. Myers's involvement is acknowledged by Bugliosi as a "noteworthy" writing contribution; he adds that "no one helped me as much as Dale Myers." Myers's contribution is among the topics covered in James DiEugenio's definitive demolition job in his book *Reclaiming Parkland: Tom Hanks, Vincent Bugliosi, and the JFK Assassination in the New Hollywood* (published in October 2013). Drawing from information provided by fellow assassination researcher David S. Lifton, DiEugenio reports that Myers has a legal settlement preventing him from discussing the issue of his work with Bugliosi. But if Myers found it impossible to include a disclaimer in his survey, he could have avoided disingenuously reviewing and praising a book to which he heavily contributed. And, in fact, for which he was once slated to get a cover credit.

Following his standard approach to evidence that contradicts his own propagandistic work on behalf of the lone-nut theory, Myers's book survey briefly dismisses as "utter nonsense . . . nutty bull-dongles" the great majority of *Into the Nightmare* for amassing evidence that points to Oswald's innocence in both murders. His review can be discounted as sour grapes, the type directed at a rival author whose conclusions are diametrically opposite of his. But Myers has a broader agenda. Here, from the article, is a partial inventory of what Myers views as valid evidence against Oswald: "[H]ow Oswald brought the gun to work, the curtain rod story, how the employees left him on one of the upper floors, the lunchroom encounter, the scuffle and attempt to shoot an officer in the theater, the palm print on the rifle stock, the marked street map found in Oswald's room, and the statements by bus driver McWatters and taxi driver Whaley." That all these claims of culpability have been conclusively exposed as fallacious in whole or in part by other researchers, including me, hardly seems to have registered with Myers, whose MO is to pretend that serious issues about the evidence do not exist.

In regard to the Tippit case, contrary evidence I analyze and often dug up with my own research is scorned in Myers's article as "the same old recycled nonsense about Tippit's death," including "a much earlier shooting time than ever officially acknowledged, marginal eyewitness testimonies elevated to central roles, [and] Dallas cops switching evidence to frame poor Lee Oswald." In this reference to the issue of the shooting time, Myers implicitly dismisses the basic exculpatory question of how Oswald could have walked from his rooming house to the scene of the shooting, a distance of nine-tenths of a mile, in the five minutes between his last sighting at the rooming house and the time Tippit was shot.

I refer interested readers to the entirety of my 675-page book for my own thorough critique of those and other key points in the official case against Oswald. My exposition and arguments, and the flaws in Myers's highly selective dossier on Oswald for the two murders, cannot be summarized in a short space without seeming simplistic. But in addressing one major discovery of my investigation and a few other points Myers cherry-picks from my lengthy book -- thereby demonstrating his sensitivity to certain issues and the importance he places on trying to refute them -- Myers makes some misleading claims about *Into the Nightmare*, including false aspersions on one of my sources, Edgar Lee Tippit, Officer Tippit's father.

II. Edgar Lee Tippit's revelations

Let's start with what Myers calls "The big revelation." I report that Officer Tippit's murder did not stem from a random encounter with Oswald but from his assignment by the Dallas Police Department to hunt down Oswald shortly after the 12:30 p.m. assassination in downtown Dallas. Within fifteen minutes of that event and until his death at about 1:09 p.m., Tippit was seen by a number of eyewitnesses racing ever more frantically around suburban Oak Cliff, clearly searching for someone until his fatal encounter with parties other than Oswald on East Tenth Street. Some early coverage of the events of November 22, 1963, and various articles and books over the years speculated that Tippit might have been tracking Oswald, but strongly supporting evidence emerged when I interviewed Edgar Lee Tippit at his home in rural Clarksville, Texas, in December 1992.

Mr. Tippit, who was then a vigorous, mentally alert ninety years old and would live to the age of 104, had been a farmer most of his life when I went to see him and was still working on farming chores. Mr. Tippit told me that shortly after November 22, another Dallas policeman had come to see J. D.'s widow, Marie, and told her what had happened. As I write, "Tippit's father told me he had been informed by Marie Tippit, the officer's widow, that J. D. and another officer had been assigned by the police to hunt down Oswald in Oak Cliff. According to Edgar Lee, 'They called J. D. and another policeman and said he [Oswald] was headed in that direction. The other policeman told Marie.' . . ."

"Edgar Lee made another important revelation in our interview. He told me what Marie learned from that other policeman about why he had not made it to the scene of the shooting on Tenth Street: 'The other boy stopped -- he would have got there but he had a little accident, a wreck. They both started, but J. D. made it. He'd been expecting something. The police notified them Oswald was headed that way.'"

No source should be taken at face value, including one so close to the subject. So I carefully compared Mr. Tippit's account to other reliable documentation about the activities of his son J. D. and other police officers in Dallas and Oak Cliff during that time period. I found that Mr. Tippit's

account squared with the other pertinent information, and that he provided the strongest evidence to explain what his son's mission was that afternoon and how it went awry. *Into the Nightmare* discusses various suspects in the officer's shooting and identifies three as highly suspicious persons of interest in the ambush (DPD Officer Harry Olsen, Jack Ruby-connected hoodlum Darrell Wayne [Dago] Garner, and Ruby himself), while exonerating others who have been brought forth as suspects, including Oswald, Tippit's mistress Johnnie Maxie Witherspoon, and her husband Stephen (Steve) Thompson, Jr.

Myers conveniently, and falsely, tries to discredit Edgar Lee Tippit by claiming that he was suffering from "a dash of dementia" when I interviewed him and therefore cannot be trusted. Mr. Tippit told me he had never been interviewed before. In one of the end notes to the first edition of *With Malice*, published while Edgar Lee was still living, Myers wrote, "Little is known about Tippit's parents, Edgar Lee and Lizzie Mae Tippit." That situation could have been corrected if Myers, who claims he has been researching the Tippit case since 1978, had ever interviewed Mr. Tippit, but the second edition also shows no sign that happened. Perhaps Myers was reluctant to find out what Edgar Lee had to say. As a source for the allegation that Mr. Tippit was demented, Myers cites Joyce Tippit DeBord, a sister of J. D. whom he reports having interviewed on July 11, 2013. That was ten days after Myers ordered a copy of my book. So he apparently felt the belated need to quickly dig up a family source willing to help him discredit Mr. Tippit and his revealing interview.

I had a wide-ranging interview of several hours with Mr. Tippit and found him lucid, articulate, and forthcoming. He showed no apparent difficulty recalling events or topics I asked about, and when he did not remember something specific (such as the name of the officer who briefed Marie Tippit), he told me so, a mark of his honesty and a bolstering of his clear recollection of other names and information. In the course of my more than fifty years as a journalist and my long experience as a biographer, I have interviewed many elderly people, including numerous men and women in their nineties and beyond. I have found that, contrary to ageist assumptions, many have still been mentally sharp. For Myers, though, an elderly man's honesty is a sign of "dementia."

The strangest part of Myers's attack is that he seems to essentially endorse Mr. Tippit's account even while smearing his cognitive abilities and my reporting. Myers describes Edgar Lee's story as "slightly skewed" and "no doubt a slightly scrambled version of true events," while accepting his report that an officer came to see Marie Tippit to explain what happened and told her he was prevented from getting to the scene of the shooting because of a traffic accident. I suggest in *Into the Nightmare* that the two officers may have been trying to kill Oswald if not take him into custody. Myers denies that Tippit and the other officer were "part of some secret Dallas police hit squad bent on rubbing out Oswald." The fact that Oswald was soon murdered in the custody of dozens of Dallas policemen and that he may have narrowly escaped that fate while captured in the Texas Theatre shortly after the Tippit killing for which he was scapegoated suggests it is not far-fetched to ask whether the police may have been out to eliminate Oswald that afternoon. And when I interviewed former Dallas County District Attorney Henry Wade in January 1993, he lent further corroboration to this account of an earlier than officially acknowledged pursuit of Oswald, telling me, "Somebody reported to me that the police already knew who he [Oswald] was, and they were looking for him."

III. The Other Police Officer

And who was the other police officer involved in that pursuit, the one who, according to Edgar Lee Tippit's account, briefed Marie Tippit? I point strong suspicion in *Into the Nightmare* at Sergeant William Duane Mentzel. A former patrol partner of J. D. Tippit, the thirty-two-year-old Mentzel was the officer actually assigned to the district in which Tippit was shot (Tippit was four miles out of his assigned patrol district). Mentzel gave conflicting stories about his whereabouts during the crucial time period (including whether or not he was eating lunch) and was reported to have gone to the scene of an auto accident at 817 West Davis in Oak Cliff, eleven and a half blocks from the location of the Tippit shooting. That accident was reported at 1:11, two minutes after Tippit was shot. I suggest that Mentzel, who was at the accident scene for only about five to ten minutes (accounts vary), actually may have had the accident he supposedly was investigating.

After my book appeared, I found what I consider the clinching information that Mentzel was the other officer besides Tippit who was hunting down

Oswald, and I found it in a surprising place, i.e., the second edition of Myers's book. In a new end note reporting on his 2008 interview with Ardyce Mentzel, the officer's widow (he had died in 2002), Myers reports that Mentzel phoned his wife soon after Tippit was shot and told her, "I'm just calling to say that the police officer shot in Oak Cliff wasn't me." Mentzel, writes Myers, "served as an honor guard alongside Tippit's casket at the Dudley Hughes Funeral Home and at the graveside ceremony. He told his wife Ardyce how bad he felt about Tippit's death, particularly because of the fact that Tippit had been killed in his district. He felt that Tippit had died for him. He was very emotional about the honor guard duty[,] telling her, 'It's so hard for me to go to that funeral.'" Myers also writes in the second edition that when Mentzel arrived at the Tippit shooting scene, "A heavy feeling washed over the patrolman. It could have been *him*. . . . If he hadn't been called to the traffic accident on West Davis, it might've been him laying [sic] up on a gurney at Methodist Hospital right now, instead of J. D. Tippit." Myers drew that information from Ardyce Mentzel, whom he further quotes directly in his book survey: "Bill told me how bad he felt about Tippit's death. He felt like Tippit had died for him, since he was killed in my husband's district."

In telling me what the second officer told Marie Tippit about the accident, Edgar Lee Tippit reported that "he said if he hadn't been stopped, he was closer to this place [the shooting site on East Tenth Street] than J. D. was, and he'd have been [instead of] J. D. there and he'd have gotten it." But Myers rather illogically writes, "Officer Mentzel's link to a traffic accident in Oak Cliff (a fact known for better than thirty years) doesn't really support the essence of Mr. Tippit's allegation, does it?" Nevertheless, along with Myers's somewhat surprising agreement with the bulk of Edgar Lee Tippit's story about the two officers' pursuit of Oswald -- surprising because Myers seems so exercised by my interviewing Mr. Tippit and reporting what he told me -- Myers seems to agree with the conclusion that Mentzel was the other officer involved with J. D. Tippit in the pursuit. Myers writes, "It doesn't take a mental giant to figure out that Mentzel is the one who approached Marie Tippit" with an account of what happened "and that Marie passed this on to J. D.'s father." This is how Myers summarizes the events in his article: "Officer Mentzel told his wife that had he not got hung up at the traffic accident he was called to, it likely would have been *him* that would have

come across Oswald, been killed, and been lying up at the funeral home instead of J. D. Tippit.”

Where Myers draws the line is at my suggestion that Mentzel, like Tippit, could have been out to kill Oswald, not just to capture him or help him escape (although I also raise those two possibilities, while tending to discount the latter). Myers seems to believe Mentzel’s role, like Tippit’s, was not suspicious and does not seem particularly bothered by the likelihood that these two policemen were clandestinely assigned by the DPD to hunt down a suspect whose identity would not officially be known to the department until after he was arrested and taken downtown. That early pursuit of the scapegoat in itself was evidence of a conspiracy involving the DPD and these two officers. Although Mentzel was only a patrolman, after the assassination he was given the important assignments of guarding Oswald’s widow, Marina, and one of President Lyndon B. Johnson’s daughters, according to a 1977 interview with the officer by an investigator for the House Select Committee on Assassinations.

IV. The alleged lunch

Myers also objects to my questioning Marie Tippit’s account (actually her changing accounts) of her husband coming home for a quick lunch on November 22. If that were the case, and if the timing were right, Tippit could have had an alibi to show that he was not “Badge Man,” the man who appears to be in a Dallas policeman’s uniform, firing a shot at President Kennedy from the Grassy Knoll. In my book, as others have before me, I discuss the possibility of Tippit being “Badge Man”. Contrary to what Myers writes, I do not establish it as a certainty because of the lingering uncertainty over whether Tippit could have been home for lunch and may have conducted a brief investigation of a reported shoplifting in Oak Cliff at 12:17 p.m. (The evidence for that stop on his itinerary is also questionable).

Mrs. Tippit, who turned eighty-five in October 2013, is still giving interviews and making public appearances. I heard her speak at the November 22, 2013, DPD memorial tribute to J. D. Tippit. “I was blessed to have him,” she said. “He was a wonderful husband and father.” That comment, similar to others she has made in the past, conflicts with the evidence brought forth in my book and elsewhere that he had been cheating on her with Johnnie

Maxie Witherspoon (whom I interviewed at length about their affair) and reportedly had been involved with other women as well. As I discuss in *Into the Nightmare*, it was said by some observers that soon after her husband's death, Mrs. Tippit seemed to exhibit suspicions about his fidelity (Myers's book mentions one of those instances).

My book does not accuse Mrs. Tippit of "lying about her husband's lunchtime visit," as Myers writes in his article. What *Into the Nightmare* does is question her conflicting accounts of the time of the lunch and when she learned of her husband's death. These are among the problems surrounding the story of the lunch that, as I write in my book, "raise more troubling questions about whether Tippit was actually home for lunch at all that day or whether that could have been a convenient fiction developed with [fellow DPD officer, friend, and neighbor Bill] Anglin and other helpful friends from the DPD busily engaged in damage control from day one." Mrs. Tippit has never been interrogated under oath about the lunch, or other events, which seems a conspicuous omission in the official investigations, and a widow giving an alibi for a husband is not sufficient to settle an important question about a criminal case. Myers correctly notes that I wrote Mrs. Tippit on March 5, 2013, to request an interview, and that she did not respond. Somehow he twists that to blame me for not talking with her for my book, which I was continuing to write until shortly before its publication that June. A Dallas *Morning News* article about the Tippit family on November 1, 2013, contains an interview with Marie, who "says musings that [J. D.] was part of an assassination plot, or wasn't killed by Oswald, are 'not worth talking about.'"

Mrs. Tippit's public position on what happened that day has remained consistent. She said at the DPD memorial tribute that her husband "was killed by the killer of the president" and "that led to the police being able to capture Oswald sooner." It's worth noting that this rationale for portraying Officer Tippit as an heroic figure who sacrificed himself for his country by dying at the hands of the escaping Oswald follows the line first put forth on the very day of the assassination by Bill Anglin himself. Anglin went to the Tippit home that afternoon and told (the ubiquitous coverup specialist) Hugh Aynesworth of the *Morning News*, "One thing, he [Tippit] didn't die in vain. Had he not stopped that guy the whole City of Dallas might have been wide open by nightfall." ("That guy" was not identified by name in the

article, but Oswald was identified elsewhere in the paper's November 23 edition as the suspect charged with both murders.)

Reports about Tippit's alleged visit to his home for lunch have shown some further emendations by the Tippit family since my book was published. *Into the Nightmare* quotes a November 2003 article in the *Morning News*, drawn from an interview with Marie, which states that on the morning of November 22, 1963, "she received a call from the nurse at [their son] Allan's school, telling her he was vomiting and needed to come home. So he was there when his dad came home for lunch one last time." That account could suggest Allan was already in some distress shortly before that day's murders and might reinforce a report (which Allan later denied, to Myers) that his father, before leaving home for work early that morning, hugged the boy and said, "No matter what happens today, I want you to know that I love you." But the November 2013 article on the Tippits in the *Morning News* has Allan claiming he told a false story about why he came home early from school on the day his father was shot: "Allan, the oldest child, remembers when the crushing news arrived. He was home that day from eighth grade, faking a stomach ache to avoid an exam, he says."

More importantly, Mrs. Tippit has revised her earlier story about how often her husband came home for lunch. She told *Morning News* columnist Frank X. Tolbert for an August 1964 profile in the *Saturday Evening Post*, "My husband was away from his family a lot because of his side jobs, so when it didn't interfere with his patrols, he came home for lunch, mainly so he could spend an hour with me and little Curtis." But the 2013 *Morning News* article states, "Her memory of a husband, father and police officer includes his telephone call that Friday morning half a century ago. He was coming home for lunch, a surprising break in routine." An article distributed that same day by the Associated Press, also containing an interview with Marie, similarly reports that "J. D. Tippit had broken from his usual routine that day and ate lunch at home with his wife." And in an interview for *Where Were You?: America Remembers the JFK Assassination*, a book compiled and edited by Gus Russo and Harry Moses, published on November 5, 2013, Mrs. Tippit says, "This was really something for him to come home for lunch. J. D. never got to come home for lunch."

V. The doubting DA

Myers's other specific gripe about a portion of my book is to claim I have distorted Dallas DA Henry Wade's June 8, 1964, testimony to the Warren Commission in order to demonstrate that Wade did not believe he and the Dallas police had a valid case to prosecute Oswald for the murders of Kennedy and Tippit. Myers, who asserts that Wade "felt they had plenty of evidence," does his usual cherry-picking of material to suit his arguments. Myers pulls three Wade quotes from my book in which the DA expressed concerns to the commission about whether the evidence was sufficient to file a complaint charging Oswald with murdering Kennedy, which actually was filed late on the night of November 22 (although Oswald, as I report, was never arraigned on the charge of killing Kennedy, only on the earlier charge of killing Tippit). By arguing over the timing of Wade's comments, Myers claims I take his remarks out of context. But in making that argument, Myers takes my quoting of Wade out of the overall context of his testimony and my analysis of it. I preface the DA's skeptical quotes by writing, "Wade expressed doubts to the commission about the evidence assembled by the police against Oswald and made extraordinarily candid admissions about the overall weakness of the assassination case, in contrast to what he had told the media on November 24, when he declared that Oswald was guilty 'to a moral certainty' of killing Kennedy."

Wade's testimony is elaborate and sometimes convoluted and cryptic and covers forty-one pages of the commission's supplementary Volume V. The initial concerns he testified to having, before he was briefed by the police about their evidence ("I wasn't sure I was going to take a complaint"), resurfaced later and, in my reading of his testimony, may have been on his mind from the day of the assassination onward. The evidence Wade admitted to the commission was weak included two of the most vital facets of the case against Oswald, i.e., whether he owned the Mannlicher-Carcano rifle found in the Texas School Book Depository (which Wade, notoriously, told the media early in the morning on November 23 was "a Mauser, I believe") and whether Oswald's palmprint was found underneath the barrel of the rifle. Though the history of these two pieces of "so-called evidence" is too complex to analyze in a short article, those who have read *Into the Nightmare* and such landmark books as Sylvia Meagher's *Accessories After the Fact: The Warren Commission, The Authorities, and The Report* (1967) and John Armstrong's *Harvey and Lee: How the CIA*

Framed Oswald (2003) will know that both pieces of evidence are fraudulent. The FBI did not find a palmprint on the rifle, but one that supposedly came from the rifle was belatedly supplied by Lieutenant J. C. Day, the print man for the Dallas police. Wade told the commission, referring to Day, "I have learned since that he probably can't identify the palmprint under there but at that time they told me they had one on it."

Myers does not discuss Wade's curious claim in his testimony that Captain Will Fritz, the DPD's lead homicide detective, told him about the palmprint evidence in their meeting shortly after 7 p.m. on November 22, which, if true, could be proof that the police were planning or expecting to use fabricated evidence against Oswald. The Warren Report claims Day lifted the palmprint on the night of November 22, but he did not release it to the FBI until November 26, and it did not arrive at the FBI Laboratory until November 29. Neither Captain Fritz nor DPD Chief Jesse Curry mentioned this supposedly crucial piece of evidence to the media on the assassination weekend. As Sylvia Meagher writes, "Oddly enough, the first public mention of Oswald's palmprint on the rifle came from District Attorney Henry Wade at his Sunday night press conference (of which Mark Lane has said that Wade was not guilty of a single accuracy)." I discuss in *Into the Nightmare* the possibility that the FBI obtained the palmprint on Sunday night or Monday morning at the Fort Worth funeral home where Oswald's body was being prepared for burial.

With his testimony more than six months later, Wade contradicted his own claim to surprised reporters on November 24 that an Oswald palmprint had been found, and in a considerable understatement, admitted about that news conference, "I was a little inaccurate in one or two things but it was because of the communications with the police. . . . I ran through just what I knew, which probably was worse than nothing." Wade also told the commission that at his earlier news conference shortly after midnight on November 23, following his briefing by the police on the so-called evidence, "I was the one who was answering the questions about things I didn't know much about, to tell you the truth."

Myers argues that I have misled the reader by quoting Wade's testimony that he "felt like nearly it was a hopeless case" against Oswald after Chief Curry, disregarding Wade's advice not to have the department broadcast so

much evidence, went on national television on the afternoon of November 23 to talk about the FBI evidence supposedly linking Oswald to the purchase of the rifle. Myers fails to mention that Wade, both before and after that comment to the commission, gives them a lengthy disquisition on how hard it would have been to get a conviction of Oswald after the police had so badly tainted the potential jury pool by parading and discussing evidence in public, as was their usual practice. Wade deplored that practice as counterproductive, even though he did a lot of it himself that weekend. Wade testified he told Curry in the late morning of November 23 that “there may not be a place in the United States you can try it with all the publicity you are getting.”

Differing interpretations indeed can be put on various aspects of Wade’s voluminous and often evasive testimony, as Myers and I both do. The point of my analysis was to highlight some of the many revealing instances in which Wade let slip doubts about the evidence in the midst of his pro-forma support of the lone-gunman theory. Obviously, a leading Dallas establishment figure such as Wade, despite telling me in our 1993 interview, “I probably made a lot of mistakes,” was not going to make public statements in 1963, 1964, or even much later (such as to me), that he and the police had no case at all against Oswald. But those who carefully read his 1964 testimony will find only tepid acknowledgments that he had a case he could try in court, and admissions that he doubted the validity of much of the evidence the police claimed to him they had and that he did not know much of anything about it.

Nor did Wade believe the allegations of his far-rightwing Deputy DA Bill Alexander that Oswald was part of a communist conspiracy. Wade admitted to me, as he had to the commission, that he found those claims unsupported as well as beside the legal point and that he followed the urging of President Johnson’s aide Cliff Carter by phone on November 22 not to include the conspiracy charge in the complaint against Oswald in Kennedy’s murder. While addressing the conspiracy claims, Wade testified, “I don’t know what evidence we have, we had at that time and actually don’t know yet what all the evidence was.” He further testified, “I never saw any of the physical evidence in the Oswald case other than one or two statements [sic], and I think I saw the gun while they were taking it out of there bringing it to Washington. . . . I will say Captain Fritz is about as good

a man at solving a crime as I ever saw, to find out who did it, but he is poorest in the getting evidence that I know, and I am more interested in getting evidence, and there is where our major conflict comes in.” Those are just some of the numerous quotes from Wade’s testimony expressing doubts about the evidence.

When I interviewed Wade, whom Warren Commission General Counsel J. Lee Rankin described as “a very canny, able prosecutor,” I found he still seemed “canny” and “able,” within his longstanding limitations, as a practicing Dallas attorney of seventy-eight. But Wade’s reputation has suffered grievously from disclosures in recent years that he and his office were riddled with corruption, ethics violations, and bias. So much so that they routinely convicted innocent people of crimes, with a reckless disregard of the evidence. In my interview, I found that Wade continued to display a mixture of evasiveness, genuine or feigned ignorance about the basic facts of the case about the murders of Kennedy and Tippit, and occasional blunt revelations that contradicted major aspects of the official story (such as his claim that the FBI had spoken with Oswald only a day or two before the assassination). In analyzing Wade’s cryptic testimony and my own interview with him, I was recognizing that Wade had an ambivalence about the case that he tended to acknowledge only partially, guardedly, and suggestively.

And I was following the lead of Carl Oglesby, who in his 1976 book *The Yankee and Cowboy War: Conspiracies from Dallas to Watergate* brilliantly analyzes the hidden meanings of Jack Ruby’s even more convoluted and cryptic testimony to the Commission on the day before Wade testified. I could have gone on at more length in my already voluminous book about Wade’s curious performance before the commission, but Myers misses the import of my critique of Wade for not being fully forthcoming and my attempt to excavate the deeper meanings he may have been trying to signal to the world.

VI. The Hofstadter/CIA ploy

Before leaving Myers and *With Malice* to the scrutiny of its readers (and I welcome the perverse utility of a book that attempts to catalogue official accounts of that murder), I will pass over Myers’s unintentionally comical

pseudo-psychoanalytical theory of why I wrote my book, other than to correct a couple of important factual distortions in his so-called evidence for it.

In creating a straw man in my place, Myers misquotes an interview I gave to Len Osanic on Black Op Radio on July 25, 2013, in which I discussed how my skepticism about our political system was grounded on being “terribly lied to and fooled as a kid, as a lot of us were, by my religion, my parents, Democratic beliefs -- my Democratic Party beliefs -- and by the schools, and by the media.” Myers leaves out the phrase “as a lot of us were” and misleadingly puts “democratic” in lowercase while omitting the explanatory phrase “Democratic Party beliefs.” This is an important distinction in quoting a writer whose mother, Marian Dunne McBride, was vice chairman of the Wisconsin Democratic Party when Kennedy won the 1960 presidential primary, in which I worked for him as a volunteer. As I make abundantly clear in *Into the Nightmare*, I have never lost my democratic beliefs but believe that our political system forfeited its claim to being a genuine democracy after Kennedy was murdered and the government failed to solve the crime. Other than correcting those factual distortions, I will simply note that in constructing his ad hominem attacks, Myers is following the tediously overused playbooks of the late historian Richard Hofstadter and the Central Intelligence Agency about how to attempt to discredit those dreaded “conspiracy theorists.”

Despite Hofstadter’s high reputation and many excellent books, he was criticized by colleagues in his own field for indulging in amateur psychoanalysis of people with whom he disagreed. That tendency pervades Hofstadter’s influential polemical essay “The Paranoid Style in American Politics,” which was first published in November 1964 and was based on a lecture he gave at Oxford University in November 1963. Acting on Hofstadter’s cue and that of the infamous 1967 CIA memo “Countering Criticism of the Warren Report,” countless Warren Commission apologists, including Dale Myers, have routinely employed personal attacks rather than actually grappling with the arguments advanced by those with whom they disagree. Resorting to rhetorical and ad hominem attacks is a standard ploy by those who don’t have real arguments about the basic facts.

So I am hardly surprised to be subjected to the same basically irrelevant treatment by an author who either refuses to deal seriously with the many genuine issues of the Tippit case or is incapable of doing so, as his book and article seem to indicate. One of the most dismaying aspects of Myers's approach and the adherence of members of the Tippit family to the official version is that they, like Tippit's fellow Dallas police officers in 1963, seem content with a seriously flawed concept of the case. In my view, that mythic version of Tippit's murder ignores much of the real evidence and pins the blame instead on an innocent man.

Joseph McBride is the author of seventeen books, including, most recently, a December 2013 reprint edition of his classic 1982 Howard Hawks interview book *Hawks on Hawks*. McBride is an internationally recognized film historian who has published acclaimed biographies of Frank Capra, Steven Spielberg, and John Ford, as well as three books on Orson Welles. McBride is a professor in the Cinema Department at San Francisco State University.

#####