

Title: UCLA, JFK, and David Lifton

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Perhaps in some alternative universe, President Kennedy survived his trip to Dallas in November of 1963. He lived to see realized his goal of a moon landing before the end of the decade, and, in congratulating NASA, made sure to thank the many thousands who worked so hard to make his dream a reality. And somewhere, David Lifton felt Kennedy was speaking to him.

In our reality, however, it didn't turn out that way – except, of course, for the moon landing. And there was still the distinct possibility that UCLA engineering graduate student Lifton would make a contribution to the space program, since he worked for a major NASA contractor while attending school here. However, on a trip home to New York a year after the assassination, he made the fateful decision to go to a lecture by Mark Lane, one of the first - and certainly most famous – critics of the government's official story, the Warren Report.

That lecture, and another by Lane a few months later in the UCLA Student Union (now Ackerman), started him on a quest that continues to this day – one that landed him in the dean's office and, much later, on the New York Times best seller list; an odyssey enabled, in no small part, by his access to the people and resources at UCLA.

Lifton's 1981 book “Best Evidence” details his (at the time) 15-year quest for truth in the assassination of President Kennedy, with UCLA playing a vital, even essential role in providing an environment that was conducive to a multi-disciplinary approach to tackling the problem – a perfect example of what a university can provide to those willing and able to make full use of its assets.

But not just any university would have sufficed: UCLA had on its law faculty Wesley J. Liebeler, who had been counsel for the Warren Commission, which, in the wake of the murder of accused assassin Lee Harvey Oswald, had been convened by President Lyndon Johnson and tasked to write the official report of the assassination. Lifton's book discusses how he sparred with Liebeler over the Warren Report, but also how he received encouragement and invaluable insight into the way a lawyer thinks.

Through Liebeler and other faculty members and students in the School of Law, Lifton, who had received a bachelor's degree from Cornell in engineering physics, was exposed to what, in our current world, might be called the clash between "facts" and "alternative facts." He eventually understood that to a lawyer, a "fact" is something that is provable in court – if a jury can be made to believe something, it's a fact; otherwise, it's not. "'Fact' had a significantly different meaning for Liebeler's students than for me," he wrote in "Best Evidence." "In law, facts were not the immutable truths established by science – facts were merely the opinions of a jury. After hearing both sides present evidence, this group of twelve reasonable men" - the 60s vernacular for objective jurors - "determined what the facts were, and rendered a verdict."

Perhaps even more significantly, Lifton learned which facts are the most important in a murder case – what is, in fact, the "best evidence": the body of the deceased as described by the autopsy. No matter what other information surfaces, the conclusions of the autopsy (e.g., regarding bullet trajectories) take precedence over everything else; the entirety of the evidence need not be explained or fitted into a coherent explanation of the crime.

Second to the autopsy, in terms of weight given to evidence, would be any photographic documentation that might exist (like, say, a home movie by a Dallas dressmaker named Abraham Zapruder). Considerably further down the evidentiary chain, in terms of importance, would be eyewitness accounts, including, for example, the descriptions of the president's wounds by the Dallas doctors, which appeared to tell a different story. Their testimony was deemed unreliable, if not irrelevant, as was that of the many witnesses who claimed that they heard and saw evidence of shots from locations other than Oswald's alleged perch in the Texas School Book Depository.

Lifton was invited to play "devil's advocate" in a seminar course Liebeler was giving on the Warren Report, as well as in private discussions with Liebeler, often attended by one of his top students, Susan Wittenberg, J.D. '66. Through this exposure to an entirely different segment of academia, Lifton now understood why the Commission concluded that Kennedy had been shot from the sniper's nest in the Book Depository.

"Arguing with the students and listening to them deliberate, I soon realized an investigation did not have to be an organized conspiracy to start with the Warren Commission's evidence and come to its conclusions," he wrote. "All that was

needed were lawyers. Among my peers in 1966, this was a radical notion. The first-generation Warren Report critics not only believed the Warren Report was wrong, but that the Commission's legal staff had perpetrated a deliberate coverup.

"But what I saw in Liebler's class made me understand that no coverup was necessary. Liebler's class was like a miniature Warren Commission, and week after week, I was more upset as I watched the process unfold. Most disturbing, however, was ... an attitude that the objective truth in the Kennedy assassination was unknowable – and so the legal truth was as good an approximation as any."

A lone assassin shooting from behind is what the "best evidence" showed, but Lifton's scientific training still forced him to attempt to explain all the anomalies that he and other critics saw in the rest of the evidence – such as the famous "back and to the left" head snap, about which he confronted Warren Commission member Allen Dulles, when the former CIA chief spoke in Hedrick Hall's Sierra Lounge in December of 1965. Not satisfied with Dulles' denials of anything being amiss, he enlisted the help of doctors and researchers in the UCLA Brain Research Institute to eliminate the possibility of the motion being caused by a neuromuscular reaction. He confirmed with a member of the physics faculty that Newton's laws do, in fact, apply as one would think they would and that, if shot from behind, Kennedy should not have reacted the way he did.

Ironically, the scientific mindset that had carried him through Cornell and to UCLA now upended his academic career. He couldn't let go of the problems with the Warren Report, so, in September of 1966, he found himself in the engineering dean's office being told he had "gone off on a tangent on the Kennedy assassination" and was being dismissed. "At some point during the meeting, deciding I had nothing left to lose, I argued back," Lifton wrote in "Best Evidence." "Did it really matter whether or not I took an extra six months, even a year, to get my master's degree? What was the purpose of a university anyway? Wasn't it a place where students were taught to believe that the truth will out?"

His argument did not save his academic career, but he was unwilling to change his thinking or his direction - the engineer and physicist in him would not be deterred. "There was obviously something wrong with the Warren Report. It seemed possible that through dint of sheer hard work with the available data, the truth could be ferreted out."

Perhaps not coincidentally, Lifton's major breakthrough on the Kennedy case came in October of 1966, a few weeks after his dismissal from graduate school. It came in two parts, the first being the realization that perhaps the autopsy surgeons and the Dallas doctors were both right – but that would require the body to somehow look different to those two groups. Amazingly, he discovered the mechanism for this difference within hours of first looking for it: a notation by two FBI agents present at the autopsy, contained in a document not published in the Warren Report, that at the outset of the autopsy, it was “apparent” that there had been “surgery of the head area, namely, in the top of the skull”—surgery which had not been done in Dallas.

Everyone else had missed this. The reaction of Liebeler and Wittenberg to this discovery was to focus on what this “fraud in the evidence” meant from a legal perspective – i.e., as Lifton said recently, “It meant the Warren conclusions were based on a foundation of sand. Initially, I thought of ‘the conspiracy’ as being ‘the conspiracy of shooters’ in Dealey Plaza. But the conspiracy to alter evidence far transcended that in significance, and that was the point driven home by Liebeler’s reaction to my discovery, as well as conversations with Susan that I subsequently had, over the course of the next month. Interacting with them permitted me to appreciate their perspective, which was a ‘legal perspective’ (and not my rather ‘mechanical’ perspective). It shifted my focus from ‘multiple assassins’ as being ‘the conspiracy’ to ‘fraud in the evidence’ as the primary issue.” The possibility of a high-level, before-the-fact conspiracy began to overtake that of a “conspiracy of shooters.” As Lifton wrote in “Best Evidence,” “I was now less interested in who put the bullets in Kennedy than in who took them out.”

Liebeler and Wittenberg were focused on this obstruction of justice and its potentially earth-shattering implications. “They had that global view, almost immediately,” said Lifton. “They didn’t need to know the details. If the body was altered, then the entire process (i.e., of ‘legal fact-finding’) was corrupted. They got it; they understand that—in a flash. Because of their legal (‘evidence-based’) education, they had a ‘systemic view’ of the issues, and the problem. By contrast, I was ‘counting assassins.’ Fairly quickly, over the course of just a few days or weeks, I got it; this was all part of my education” in the way a lawyer thinks.

Lifton speculates that it might not have been a one-way street - the lawyers educating the engineer: “Liebeler actually said to Susan: ‘I hope you are aware that we are in the presence of someone who has a superior contact with reality.’ I think what he meant was that, by following legal methodology, they were led

down the garden path, whereas I, by following my own combination of physics and evidence, was able to pierce the disguise. Just my opinion. Just a thought.”

Liebeler, who died in 2002, remained on the UCLA faculty for more than 30 years, and, though seemingly open to the idea that the Warren Report was wrong, never publicly admitted any serious doubts.

Privately, however, Liebeler’s behavior was decidedly different. Following Lifton’s discovery, the attorney wrote a 13-page memorandum addressing the issue of problems with the autopsy, focusing on facts which bore on the question of whether someone had committed violence against the body, specifically calling attention to Lifton’s discovery of the Sibert and O’Neill FBI report, with its statement about pre-autopsy head surgery.

Besides giving Lifton full credit for making the discovery, Liebeler noted that no surgery had been performed in Dallas and raised the issue of possible public reaction to the revelation that (a) such a thing had occurred, and (b) it had been included in the FBI report of the autopsy, had gone completely unnoticed, and had not been addressed by the Warren Commission.

According to Lifton, Liebeler’s memo - formally addressed to J. Lee Rankin, former General Counsel of the Warren Commission - was sent to all seven members of the Commission, the entire legal staff, the Kennedy family attorney, and the Attorney General Robert F. Kennedy, the president’s brother and most trusted advisor. The memo generated little apparent interest from Rankin, who responded to Liebeler by saying that the Warren Commission no longer existed and, besides, he was satisfied with the testimony of the autopsy doctors.

Lifton says that Liebeler also discussed the issue with Ed Guthman, who was a close friend of Robert Kennedy’s (and was then National Affairs Editor of the Los Angeles Times). Lifton says that there is no question that Robert Kennedy was aware of his discovery, and actually attempted to pursue it, the details of which he promises to provide in his forthcoming book, “Final Charade.”

Though he expressed – and formally documented – concerns privately, Liebeler’s public posture was entirely different. He debated Lane in front of more than 5,000 people in the Ackerman Grand Ballroom in 1967, vigorously defending the work of the Commission, while at the same time repeating “we were only human.” (This led to a Daily Bruin headline the next day, “Liebeler Kills Faith in ‘Being Human’.”) Lifton speculates that, though the university clearly encouraged

debate on the subject, disavowing the conclusions of the Commission was perhaps not the best way for one of its law professors to achieve tenure – even in the progressive 1960s.

Lifton, though, having already gone on leave from his aerospace job, now had nothing left to lose. If he had “gone off on a tangent” before, he was now all in. Over the next 15 years, he would interview key witnesses and pursue important evidence relating to not only the chain of possession of the president’s body, but that of the Zapruder film, the authenticity of which he was one of the first to question. Lifton realized that if the president’s body was altered, the Zapruder film, which agreed with the autopsy findings, must have been altered as well – and he found evidence suggesting that this was, indeed, the case. He haunted The School of Theater, Film and Television’s Melnitz Hall, soaking up as much as he could about manipulating motion picture film imagery. And he had his first brush with feature filmmaking, serving as researcher on the movie “Executive Action,” a fictionalized dramatization of the assassination, co-written by Lane and starring, among others, Burt Lancaster.

Lifton continued to avail himself of UCLA’s publicly accessible resources, spending hours at the Biomedical Library creating detailed briefing notebooks in preparation for an expert’s examination of the autopsy photographs and X-rays, consulting friends at the Medical Center whenever he needed assistance. He even obtained samples of different types of X-ray film from the radiology department, in an attempt to determine if the Kennedy X-rays were duplicates or originals.

As the 1970s came to a close, Lifton secured a book deal and eventually had to bite the (magic?) bullet and publish, although his research continued unabated. The book focused on his personal journey, the apparent discrepancies in the evidence and the Warren Report, and the experiences of important witnesses in Dallas and at the autopsy at Bethesda Naval Hospital, culminating with his assertion that, as proclaimed on the book jacket, “the casket was empty.” This startling statement - pertaining to the coffin that the world had seen offloaded from Air Force One upon its arrival from Dallas – came from the testimony of Dennis David, a Navy medical technician who, as Chief of the Day, helped unload the president’s body from a black hearse, which had arrived at the rear entrance of the hospital. David and his men unloaded a cheap shipping casket about 20 minutes before the Navy ambulance (with the ornate Dallas coffin, and Jacqueline and Robert Kennedy) arrived at the front of the hospital. David was told that the

Dallas coffin was empty, that the body was in the shipping casket that he and the others had offloaded, and that all of this was a “security measure.” This claim was later corroborated by other witnesses, helping to paint a bizarre – but well-documented – scenario of ambulance chases, multiple morgue entrances in multiple caskets, and different wounds seen by different medical teams at different times.

Lifton now could document the disruptions in the chain of possession of the “evidence” – the president’s body – and he could show that this had led to illicit surgery, thereby providing the mechanism for a cover-up. This may be his most important contribution to the case. Researchers had always been faced with claims that the medical evidence backs the Warren Commission’s conclusion; now they had an answer – i.e., the evidence was fraudulent - and an indication that they might be on the right track.

Following publication of the book, which reached #4 on the *New York Times* best seller list, and #1 on both the AP and UPI lists, Lifton continued his research, and, in October of 1988, released an updated version of the book, in which he published, for the first time, the actual autopsy photographs of President Kennedy (to which even the Warren Commission did not have access). Lifton eventually played a small behind-the-scenes role in Oliver Stone’s “JFK,” which brought the case more into the pop culture mainstream. (Lifton does not subscribe to the theory, documented in the film, that a New Orleans businessman was involved in the assassination.) A direct result of the movie’s impact was the creation of the JFK Assassination Records Act and the Assassination Records Review Board (ARRB) – to which Lifton contributed heavily, providing many tapes and video records of his interviews.

As a result of action by the ARRB, what is supposed to be the final batch of documents pertaining to the assassination was released in October by various agencies - notably the CIA and FBI - that have previously been reluctant to completely open their files to the public. Will this new information prove or disprove the existence of a conspiracy in the assassination of the youngest president ever elected? Whether or not these documents contain a smoking gun remains to be seen, although Lifton is skeptical.

“It’s always nice to get additional detail—additional ‘pixels’ for the larger picture—but I don’t believe there’s anything fundamentally new or explosive in these remaining pages.”

While researchers pore over the thousands of newly released pages, Lifton is completing a new, two-volume work, “Final Charade,” that, he says, contains a detailed examination of Oswald’s life and reveals heretofore unknown information regarding the alleged plot in Dallas. Lifton says that he would also like to revisit the suspected alteration of the Zapruder film, with which he dealt briefly in “Best Evidence,” but which continued to be a focus of his research and lectures well past the turn of the millennium. “The explanation of how and where the film was altered - and, most importantly, why - will take a separate book,” he said.

Lifton spoke recently of his as yet unpublished decades-in-the-making book “Final Charade,” and on the path that his life has taken since being drawn in to a controversy that, more than a half-century later, still refuses to die; one that he has played a crucial – perhaps *the* crucial – role in keeping alive.

Q. Why has it taken more than 35 years since “Best Evidence” was published for you to complete a second book?

A. The story of body alteration is far more complex than presented in “Best Evidence.” That book reports what actually happened; but what happened is not what was planned. “Final Charade” unveils the full story of what was supposed to happen, but did not. By seeing what was planned, the reader then gets a full appreciation of the plot, as it appeared on the drawing boards of the plotters; and it is then easy to understand how, because of certain unexpected developments, things did not go according to plan, resulting in a situation in which there were two contradictory medical records – those from the Dallas doctors, versus those created by the Bethesda doctors. That was never supposed to happen.

In addition, “Final Charade” presents the full truth about Oswald's role in this affair; i.e., who he was, and how he was set up. In this regard, it details the evidence that Oswald was a fake Marxist, working for the U.S. government and how he was pre-selected as the scapegoat in the Kennedy assassination. It’s a complicated story, and took years to unearth.

Finally, “Final Charade” will present the full story of how JFK’s five-city Texas trip (and specifically, his Dallas trip) was planned (how, as Jackie said, JFK was “lured” into making this trip); and how an artificial crossed-paths situation was then

created between the president to be murdered and the scapegoat to be framed. In other words, it wasn't an accident that Oswald ended up at the scene of the crime at the time of the crime. It was central to the planning of the crime.

Q. Do you have any regrets about the way your life turned out? Do you ever wish, for example, that you would have just completed your degree, rather than going off on that tangent?

A. No. I remember how I felt when I first discovered the evidence of surgery on the body. I had received certain advice: "Complete your master's degree. You can do this later!" I'm so glad I didn't do that. It would have been psychological suicide. No matter what path I then followed, I would have been aware of "the road not taken." Instead, I traveled that road, and I'm glad that I did.

I feel I'm lucky to have had the education that I did, that permitted me to tackle some of the technical problems that are integral to a proper solution to the Kennedy assassination.

But the real issue was not technological. It was the ruthless logic of an education rooted in math and science. Without that, I could easily have become ensnared in the mess of falsified evidence, and found it impossible to separate the false from the real, to separate "fact" from "artifact." I attribute my ability to navigate these complicate waters to the math training.

Q. You're now 78 year old – do you plan to retire at some point?

A. No; there's too much remaining work to do."

Recognizing UCLA's importance to his work, Lifton was, and still is, effusive in his praise, acknowledging in "Best Evidence" the "kindness ... shown to me by the staff of the UCLA Research Library and the UCLA Biomedical Library, where much of my research was done," and emphasizing that "the UCLA Medical Center was a fabulous resource. It was full of readily accessible medical specialists, because UCLA was a teaching hospital." In a recent interview, he restated his appreciation: "UCLA was a fabulous research platform. I'd like them to have my archives when all is said and done. They belong in a university, and UCLA is clearly the appropriate one."

If the research material that Lifton has amassed ever does find a home in an institution of higher knowledge or other historical archive, will it come to be seen as containing the Rosetta Stone that helped unlock the crime of the century, or merely the remnants of a life spent chasing shadows that were never there? Then, as now, it will probably depend on whom you ask.

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