

Cruising for Conspirators: How a New Orleans DA Prosecuted the Kennedy Assassination as a Sex Crime

Alecia P. Long

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The Homophobic Backdrop to Garrison's Persecution of Clay Shaw

By Martin J. Kelly, Jr.

Conspiracy accounts of the JFK assassination in 1963 have flourished for almost six decades since the Warren Commission concluded in 1964 that Lee Harvey Oswald was the lone gunman. A range of conspiratorial scenarios, vivified by books, movies and TV docudramas, orbit public awareness as cultural truisms. While Jack Ruby's murder of the assassin in Dallas on live TV, two days after JFK was gunned down, provided the initial thrust for the conspiracy movement, it is Jim Garrison's New Orleans 1967-69 prosecution of Clay Shaw for JFK's murder that seems to thrive as an iconic modulus against Oswald's status as the sole perpetrator.

Oliver Stone's 1991 film, *JFK*, used the Garrison prosecution as the Rosetta stone to construct a three-hour narrative of conspiracy. Garrison was not only an advisor but made a cameo in the film as Chief Justice Earl Warren, a cruel casting if there ever was one. *JFK* spun a vivid tapestry of plots and sub-plots populated by flamboyant characters and exerted a strong influence on the public sensibility about the case. The film was a catalyst behind [The John F. Kennedy Records Collection Act of 1992](#), which mandated that an independent panel review all the government's assassination-related records, particularly documents still protected for reasons of national security.

When the independent panel (aka the [Assassination Records Review Board](#)) finished in 1998, the promise to completely release all government records by 2017 became another pacemaker for the incessant drumbeat of conspiracy in the assassination research community. After a large volume of records was made public in 2017, nothing new to the case seemed to capture the imagination of the research community. But, as if a coda, in July 2021 Oliver Stone appeared at the Cannes Film Festival with his new documentary, *JFK Revisited: Through the Looking Glass*. To the press he said, ". . . an important bookend to my 1991 film. It ties up many loose threads, and hopefully repudiates much of the ignorance around the case and the movie." James DiEugenio,

whose book, *Destiny Betrayed: JFK, Cuba, and the Garrison Case* is a long and detailed defense of Garrison's prosecution of Shaw, is listed as a writer of the documentary.

Now Alecia Long's monograph emerges as an interesting amplification of the Garrison case. [*Cruising for Conspirators*](#) is not a typical screed of conspiracy-or-not arguments that characterize the JFK assassination literature. Professor Long has produced, instead, a solidly researched and expertly written academic history book. Thirty years ago, before Post-Modernism opened up academic disciplines to include marginalized social groups, such an enterprise might not have seen the light of day. In our present historical moment, though, Professor Long excavates clearly the role played by homosexuality for cultural ideation in '60s New Orleans when Garrison launched his crusade against Clay Shaw, a gay defendant.

Cruising uses primary sources such as official investigators' notes, personal papers, newspaper and magazine articles by journalists in contact with Garrison's prosecution, and diaries, court records, and trial transcripts. Material from well-researched secondary sources is also utilized to render a clear picture of the rational frailty of Garrison's persecution of Shaw. Two books she cites, Patricia Lambert's [*False Witness*](#) and Fred Litwin's [*On the Trail of Delusion*](#), are filled with primary evidence the Garrison investigation was "hoax-like" from its inception.

Professor Long navigates through the capricious human contingencies that launched and supported the action against Clay Shaw. She intensifies the previous revelations of Garrison's rash crusade as a kind of "Emperor's New Clothes" by meticulous documentation and a fresh look at homosexuality as a factor in Clay Shaw's prosecution. Her historical analysis of homosexuality in the Garrison context creates an indelible impression of the complexity of a case that turned out to have no evidentiary foundation. While she makes no psycho-historical leaps about Garrison, or his personal psychology, a salient attitude about sadistic gay men as perpetrators of baroque violence is unmistakably present in identifying Clay Shaw as a suspect and persists until his acquittal by a jury in 1969. And, in the course of her exposition, Professor Long sketches out the perilous atmosphere enclosing gays in New Orleans in the '60s: because homosexuality was illegal, all sorts of options for defense against charges were more difficult to muster.

The relevant starting point for Garrison's late 1966 investigation actually occurred in 1963, in the days immediately following the assassination. In New Orleans, Oswald's home town, a rumor started with a phone call by Jack Martin, a man in dubious mental health. He apprised local authorities of an alleged connection between an acquaintance of his, named David Ferrie, and Oswald when the latter lived in New Orleans. In addition, a New Orleans attorney, Dean Andrews, by all accounts a jive-talking exhibitionist, claimed to have personal contact with Oswald before the assassination when Oswald had supposedly visited Andrews's office in the company of gay Mexicans for legal advice on his wife's citizen status and his own undesirable discharge from the US Marines. Andrews also alleged there was a phone call from a Clay (or Clem) Bertrand, on the assassination weekend, to request Andrews's assistance in defending Oswald in Dallas.

An FBI investigation in New Orleans in late '63 and early '64, available to the Warren Commission, turned up no evidence for Oswald's supposed connection to Ferrie and no viable trace of a Clay Bertrand.

Andrews appeared before the Warren Commission in July of 1964. He testified he saw Oswald a few more times, and actually laid eyes on Clay Bertrand. Under questioning, Andrews eventually gave markedly discrepant descriptions of Bertrand and was very imprecise about when and where he'd seen him. Andrews's own sworn testimony history was a model of chaos. After giving a physical description of Clay Bertrand, Andrews claimed later he never saw the man in his life and wouldn't know him if he did. Garrison eventually charged Andrews with perjury in 1967 and obtained a conviction.

In late 1966, amid a flood of new skepticism over the [Warren Report](#), New Orleans DA Jim Garrison revived interest in the conspiracy suggestions from 1963. He seemed stimulated by a chance conversation with Louisiana Senator Russell Long, a Warren Commission doubter whose father, Louisiana Governor Huey Long, had been assassinated in the mid-thirties.

Garrison was also influenced by the anti-Warren Commission conspiracy books published in 1965-66, particularly one entitled *Whitewash*. The Maryland author, Harold Weisberg, eventually began to assist Garrison's investigation of Shaw, and also testified before the New Orleans Grand Jury that returned Shaw's indictment in April 1967. In that same year, Weisberg published [Oswald in New Orleans](#), a ripe source for *Cruising's* documentation of potent homosexual stereotypes in the cognitive ambience of the prosecution in New Orleans.

Garrison's main witness in 1967, Perry Russo, reported he heard Shaw, Ferrie, and Oswald plot the Kennedy's assassination back in 1963. Close inspection of the chronology of Russo's interviews by Garrison's investigators shows that Russo's first long interview made no mention of Shaw and a discussion of conspiracy. Only after sodium pentothal and hypnosis were used in interviews with Russo did he remember the conspiracy. The use of the hypnotist, Dr. Edmond Fatter, for improving Russo's memory of the alleged conspiratorial conversation was matched in level of malfeasance by Dr. Fatter's presence in support of Russo during later official testimony. Professor Long presents in detail the evidence of malfeasance as it surfaced in magazine articles during the spring of 1967 by journalists who had access to Garrison and his prosecutorial documents. She notes that Ferrie and Shaw were homosexuals, and, if Dean Andrews's 1963 account were believed, Oswald ran with homosexuals as well.

Cruising establishes that the rumor-mill logic of the case in 1963, and in early 1967, revolved around homosexuality. Despite the licentious carnival environment of New Orleans, gay sex was officially illegal, so Ferrie and Shaw were constrained rigidly by what they could reveal about themselves while being accused of conspiring to kill a president. What did transpire, and is clearly shown, is that Garrison identified Shaw as Clay Bertrand because of Shaw's purported homosexuality.

When Ferrie died from natural causes four days after being named a target in Garrison's investigation, Shaw became the remaining "totem" of sadistic and murderous homosexual perversity. The rhetoric broadcast from Garrison's investigation trafficked in provocative and damaging imagery. At one point, the DA depicted the assassination as a "homosexual thrill-killing" carried out by Shaw, Ferrie, and Oswald. He even intimated that Jack Ruby was known in the gay Netherworld as "Pinkie." Garrison openly suggested JFK's assassination shared a perverse homosexual theme with the notorious Leopold-Loeb murder case in Chicago in the 1920s. In Garrison's ontology, Shaw was depicted as a Jekyll-Hyde figure, a perverse time-bomb always ready to erupt.

By the time the trial finally began in early 1969, Garrison had broadened his characterization of the assassination by raising other themes for the conspiracy. The [CIA and the military-industrial complex became his whipping boys](#); anti-Castro Cubans also showed up in his dramatic rhetoric. Yet, as Professor Long shows unequivocally, the homosexual motif was ever-salient in the mind of the lead prosecutor, James Alcock. He did not directly raise the issue during the trial. But during his summation, Alcock resorted to innuendo. He asserted that ". . . It would be fine if we had a lot of bank presidents come before you and tell you how the Defendant conspired to kill the President of the United States, but you are not going to find too many bank presidents associating with Lee Harvey Oswald and David Ferrie and *those of his stripe* [emphasis added]." In the initial formulation of the case against Shaw, it was clear what "stripe" indicated, and using the term raised the specter of homosexuality.

One of the many strong elements in *Cruising* is the presentation of more subtle historical evidence referring to homosexuality than utilized by the previous anti-Garrison researchers. Of particular importance is Professor Long's inspection of Harold Weisberg's *Oswald in New Orleans*. When Garrison's investigation became public knowledge in late winter 1967, Weisberg, along with another conspiracy author, Mark Lane (whose *Rush to Judgment* had also been published in 1966), gravitated toward New Orleans. Weisberg aided the investigation and published his aforementioned book in November of that year; Garrison wrote the foreword.

One of Weisberg's chapters, "The 'Gay Boys' and Their Jive-Talking Lawyer," milks the evidence-free Dean Andrews 1963 testimony for more than it's worth by turning the Mexicans who supposedly accompanied Oswald to Andrews's office into a homosexual ring. In Weisberg's "Ferrie Private, Ferrie Public" chapter, Ferrie's status as a gay man is a primary source of energy. In "Dr. Jekyll—or Mr. Hyde—or Both?" it is Shaw's turn to be analyzed as a homosexual.

Professor Long highlights particularly revealing anti-gay material by Weisberg in the Ferrie chapter. Ferrie is cast ". . . as one of too many homosexuals and other sex deviates figuring in this story He was surrounded by swarms of young men whom he corrupted. Andrews's testimony before the Warren Commission connects the various kinds of aberrants with each other, Oswald, Bertrand and the Cuban refugees"

Shaw is constructed as a Krafft-Ebing figure amid a pool of suspects who serve as loathsome exemplars from a study of sexual pathologies. Shaw is rendered as “. . . the most unorthodox of these offbeats and the most important is the ‘swinger,’ the mother-hen of his fellow deviates, the ‘bi-sexual’ Clay Bertrand.” This incendiary material, written by a Garrison ally and certified by Garrison’s foreword, bolsters the power of Professor Long’s straight-forward historical excavation by creating a fact-driven natural polemic that exposes an important weft in Garrison’s investigation.

Inexorably, *Cruising* also raises the specter of Oliver Stone’s *JFK*. While Professor Long’s treatment of Stone’s film is short, it emphasizes the exaggerated choreography around Clay Shaw’s supposed comportment. Tommy Lee Jones, who portrayed Shaw in the film, appears to orchestrate a sadomasochistic orgy in S&M leather that may have derived from some fetish-like items removed from Shaw’s house when he was first arrested. Since Garrison’s book, *On the Trail of the Assassins*, was the basis for the film’s scenario, and because Garrison consulted and appeared in the film, the scene that presents Shaw in baroque stereotype seems to be a direct indication that the homosexual theme lived on in Garrison’s head. There was no evidence of such extreme conduct from the real Clay Shaw.

Some simple observations from Tommy Lee Jones’s interpretation of Shaw buttress Professor Long’s thesis. The movie Shaw is also haughty, and his steely gaze toward Kevin Costner’s Garrison reeks of incipient cruelty. Jones’s dialogue reinforces this subtle sadism. He is very different from the real Shaw, a quiet man of intelligent grace. An interview with Jones in *Film Comment* from January-February 1994 confirms that he was [following Garrison’s acknowledged prototype of Shaw](#). Jones emphasized that Garrison’s take was that Shaw’s sexuality defined him as a human being. Professor Long’s analysis is supported unequivocally by at least one historical fact she didn’t even use in her treatment of the case.

It is a bit unusual to find research of this caliber in the literature on the JFK assassination. That it exposes Garrison’s tabloid-themed prosecution, without invoking Garrison’s own history of mental problems or making anything out of the later accusation that he groped a 13-year-old boy in New Orleans, gives it a sound rationality as rebuttal to Garrison sycophants. *Cruising for Conspirators* might well be read as an inoculation against whatever fiction Oliver Stone will deliver in his new documentary.

Martin J. Kelly, Jr. PhD, is a professor emeritus of psychology and member of *Washington Decoded*’s editorial board.