

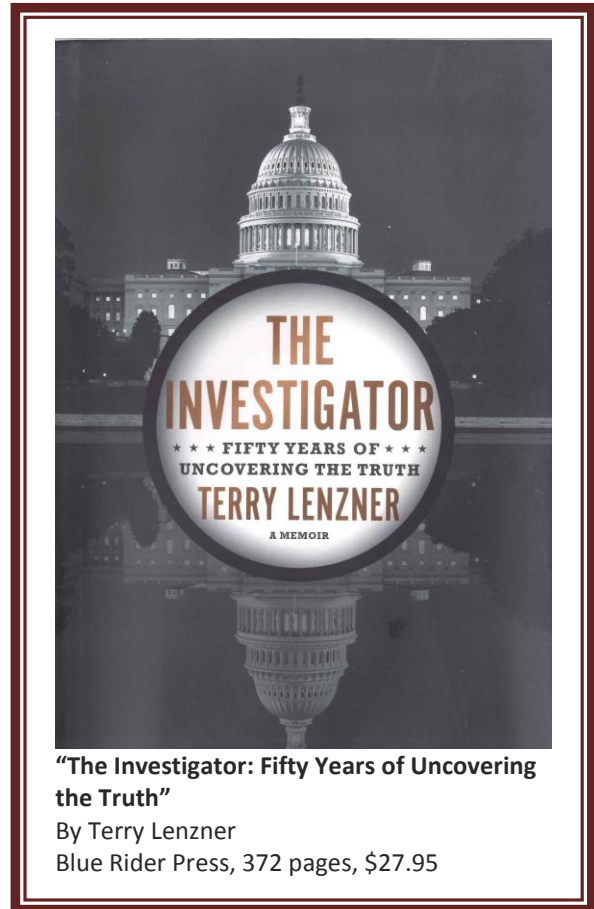
Tantalizing tales, but does memory serve?

BY ROB WARDEN

Terry Lenzner has written a vivid, tantalizing portrayal of his role as a prosecutor, defense lawyer and private investigator at or near center stage in an extraordinary range of events that captivated and traumatized the Western world during the last half of the 20th century. Among the events: the murders of three civil rights workers near Philadelphia, Miss.; the supposed plot of antiwar activists to kidnap Henry Kissinger; the Watergate investigation and the resignation of President Richard Nixon; CIA international assassination plots; the deaths of Princess Diana and Dodi Fayed; the impeachment of President Bill Clinton; and the apprehension of the Unabomber. With a list like that, it's hard to believe it's all true.

Yet at first, in reading "The Investigator," I found myself in complete agreement with blurbs on the book jacket by, among others, Cokie Roberts ("If you want to read riveting true-story crime-busting tales, this is your book"), Leslie Stahl ("A fascinating work of history, absorbing and fun to read"), and my brother-in-law, Jonathan Alter (Lenzner is "a great storyteller and shrewd judge of character who tells us — finally — where so many of the important bodies are buried").

Although Lenzner presents no sensational new disclosures about Watergate, his perspective as deputy counsel and chief investigator for the Senate committee that investigated the scandal is fascinating. He speculates, as others have, that the burglary's purpose was to search and destroy evidence that Howard Hughes funneled a \$100,000



cash bribe to Nixon through Bebe Rebozo in exchange for political favors — among them Attorney General John Mitchell's approval of the Hughes empire's acquisition of the Las Vegas Dunes Hotel over the objection of the Justice Department's Antitrust Division.

Nixon, or so Lenzner's theory goes, personally ordered the Watergate burglary, believing that Democratic National Committee Chairman Lawrence O'Brien, a former Hughes lobbyist, possessed documentary evidence of the bribe.

Rebozo, Nixon's close friend, "grudgingly acknowledged that he had received two \$50,000 cash payments from Hughes," Lenzner writes, but claimed he put the money in a safe deposit box and "never touched it." Soon after that disclosure, Rebozo and his lawyer met with U.S. Sen. Sam Ervin, chairman of the Watergate committee, and opened a briefcase filled with stacks of \$100 bills, claiming this proved that the Hughes money hadn't been distributed. But an examination of the bills established that several of them had been issued after Rebozo claimed to have received the cash three years earlier.

The matter wasn't pursued because Rebozo fled the country. The now-deceased O'Brien never commented, constrained perhaps because his or other Democratic hands were as dirty as Nixon's. There is little doubt that Hughes, to quote Lenzner, was "a bipartisan ATM."

Such is the stuff — it's just one of myriad examples in the book — that left me, a former muckraker, in awe of Lenzner's career, driven, as it seemed, by high-mindedness justifying the book's subtitle: "Fifty Years of Uncovering the Truth."

By happenstance, however, I discovered something disquieting. In a six-page section two-thirds of the way through the book, Lenzner dubiously takes considerable personal credit for the arrest of the Unabomber. Had it not been for him, Lenzner suggests, additional murders might have occurred. Initially, I had no reason to question what he says, and I certainly didn't set out to investigate "The Investigator." I just happened to know someone who had been integrally involved in the case: Susan Swanson, who at the time was an investigator in the Chicago office of Lenzner's detective agency, Investigative Group International.

Swanson had been approached about the case by a close friend since childhood, Linda Patrik, who said that she and her husband, David Kaczynski, suspected that the Unabomber might be David's older brother, Theodore Kaczynski, a reclusive mathematical prodigy living in the

wilds of Montana. Their suspicion had been aroused by unusual phraseology that appeared both in letters Ted had written to the family and in the so-called Unabomber Manifesto, which recently had been published by the New York Times and Washington Post.

I presumed that Swanson, whom Lenzner mentions prominently and favorably, was aware of the book and probably had vetted the Unabomber section before publication. I was surprised when she told me otherwise, whereupon I sent her a copy of the Unabomber section, which states in pertinent part:

I was in our Washington office when Susan called to tell me about the case. We decided to have a conference call with David Kaczynski to learn more about his suspicions and explore what we might do to help him. ... He sounded cautious, hesitant, and probably scared about the possibility that his older brother could be the Unabomber. ... Susan and I decided to contact an expert profiler named Clint Van Zandt. We asked him to compare Ted's typed letters to the Manifesto, looking for similarities in ideas, tone, syntax, and vocabulary. ... Van Zandt's first report, though not conclusive, found striking similarities. ... At the same time, we matched the postmarks on the letters ... with the locations of various bombings. A pretty devastating pattern emerged. Ted Kaczynski always seemed to be in the right place at the right time.

I called David personally to convey the results of the investigation thus far. I told him that the evidence wasn't conclusive, but it was persuasive that his brother was the likely Unabomber. As I relayed what we'd found, David seemed startled, if not shocked.

"I'm recommending that you go to the FBI with this information," I told him.

David had followed his instincts this far, but that didn't necessarily mean he'd go further. ... David might well have told us, *Thanks, but I don't want to pursue this any further.* [Emphasis original]

To my great relief he didn't. He said, "I think you're right."

After reading the section, Swanson minced no words. "What rot," was her characterization of Lenzner's account. She told me that the telephone conversations to which Lenzner refers

simply didn't occur. "Most galling," she wrote in an email message, "Lenzner claims he told David to go to the FBI with the information. Lenzner has never talked with David Kaczynski. ... Lenzner did not talk to me about this case until after Ted was arrested. Then he tried to spin this silly story to reporters about how he was involved. ... All fabricated."

Both David Kaczynski and Van Zandt, the professional profiler who compared Ted Kaczynski's letters with the manifesto, told me essentially the same thing. Kaczynski emphasized in an email message that he and his wife had "wrestled, as a couple, with a horrible dilemma, figured out strategies together, and came to one mind about the actions that needed to be taken" before his wife contacted Swanson.

"Just to be clear," David said in another email message, "I've never in my life had any contact with Terry Lenzner — not in person, not by phone, by email, nor post. Nor has any third party delivered a message from him to me." In a

telephone interview, Van Zandt told me: "Terry Lenzner had nothing to do with this. He's not just adding a caboose to the story. He's pretending to be the engine."

When I asked Lenzner to respond, he told me: "If that's their memory, that's fine. It conflicts with mine. ... I have a specific recollection of talking to David. ... That's my recollection, and I stand by that."

Memoirs, of course, by their nature, tend to be self-aggrandizing — they are not written under oath — and even though the writer and subject are one and the same, given the slippery hold of memory on reality, mistakes are inevitable. That said, it's hard to imagine that the conflict in this instance stems merely from imperfect recollections of what occurred. The preponderance of the evidence weighs heavily against Lenzner's version, casting doubt on his veracity in general. He has proven himself a great storyteller; the question, though, is how much should we believe?

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