

3 3  
February 28, 1975

Mr. Clarence M. Kelly  
Director  
Federal Bureau of Investigation  
Washington, D.C. 20535

Dear Director Kelly:

As you can see from the attached correspondence, I am requesting a copy of the results of the Atomic Energy Commission's analysis of parafin casts and bullets related to the assassination of President John F. Kennedy.

Perhaps the F.B.I. considers this report to be part of an "investigative file" and thus not available to the general public. However, I would assume that if this report bolstered the conclusions of the Warren Commission - that Lee Harvey Oswald acted alone - it would have been included in the Warren Report.

I am left to speculate why this report is still withheld. Perhaps the conclusions contained in the A.E.C. report are unclear, ambiguous or meaningless because of the condition of the evidence when it was received by the A.E.C. Or some other reason.

I cannot believe that the F.B.I. or the Justice Department would withhold a report that would substantially alter the findings of the Warren Report.

If I cannot see this report, could you summarize the conclusions of the A.E.C. report? I would greatly appreciate your opinion as to the investigative value of this A.E.C. report to the F.B.I. and the reasons why, at this late date, it is still withheld from research. Since this A.E.C. report would not reveal the identity of sensitive informants or contain derogatory information of persons now living, I can see no reason for it being classified.

Sincerely,

*Fred T. Newcomb*  
Fred T. Newcomb

FTN:mkn  
Enclosures

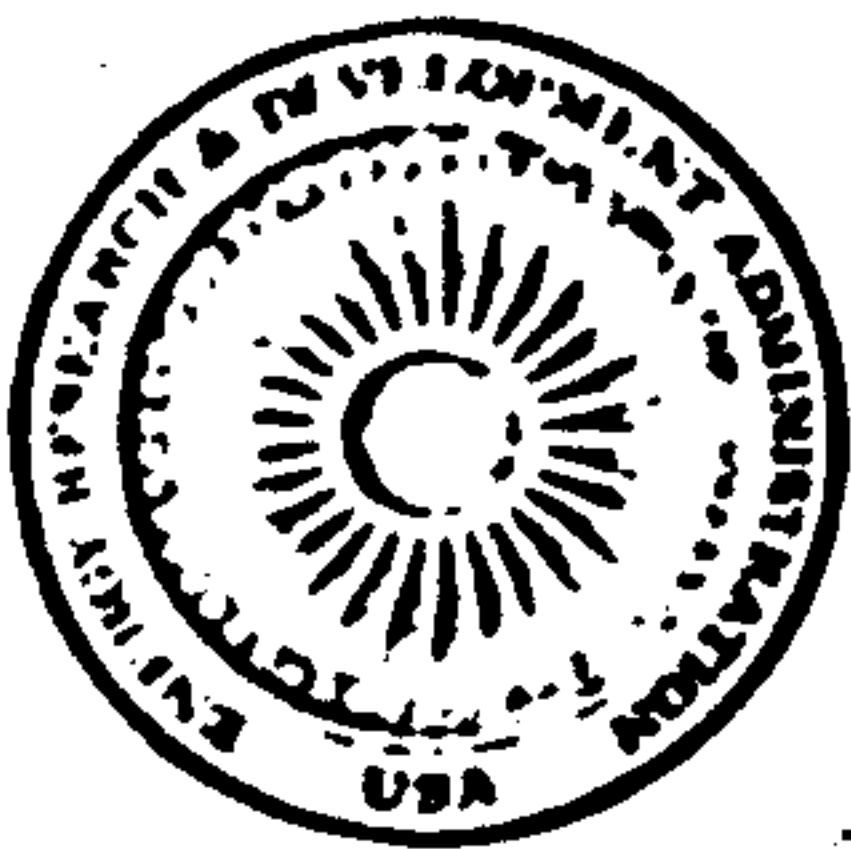
14812 McCormick Street  
Van Nuys, California  
91411

REQ 34

EX-110

105-82555-15  
14 MAR 25 1975

LEAF: 10555



UNITED STATES  
ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION  
WASHINGTON, D.C. 20545

FEB 13 1975

Mr. Fred T. Newcomb  
14812 McCormick Street  
Van Nuys, California 91411

Dear Mr. Newcomb:

This is in response to your letter of January 6, 1975, to Dr. Dixy Lee Ray requesting information relative to the Atomic Energy Commission's role in the chemical analysis of the paraffin casts and bullet fragments obtained from the President Kennedy assassination.

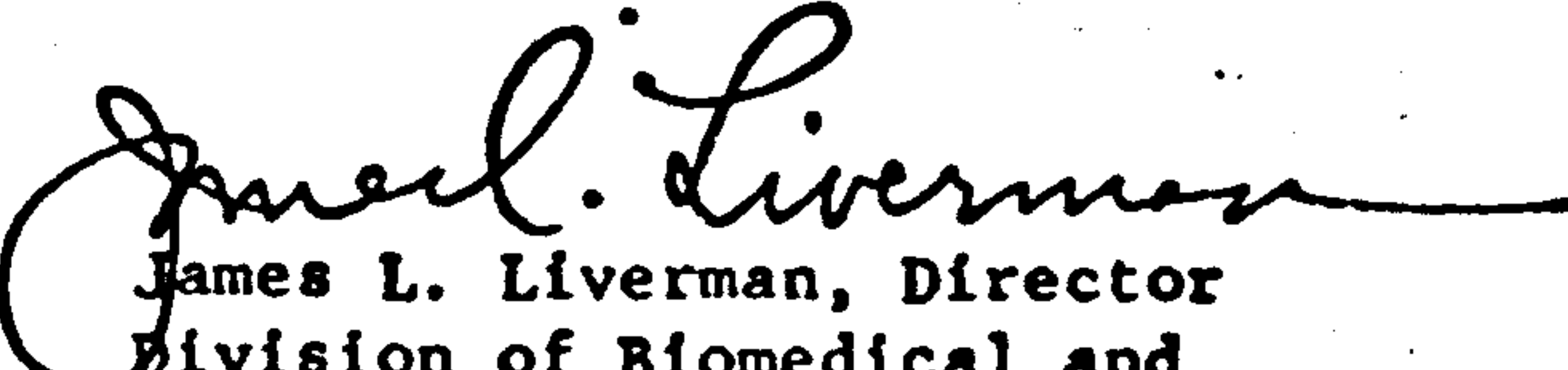
The FBI was in charge of the work, which was carried out at the Holifield National Laboratory, formerly the Oak Ridge National Laboratory. Emission spectroscopic analysis and neutron activation analysis methods were used on the paraffin casts (taken from L. Oswald) and bullet fragments to try to determine, respectively, the source of primer residue as well as the correlation in identification of the bullet fragments. The neutron activation technique is one of the most sensitive modes of trace metal analysis and the Holifield National Laboratory had pioneered in its development prior to the date of the assassination.

For further information or requests for possible reports to the Warren Commission on this subject kindly contact Mr. Clarence M. Kelly, Director, Federal Bureau of Investigation, Washington, D. C. 20535.

For your information, I am enclosing a copy of a booklet entitled "The Atomic Fingerprint: Neutron Activation Analysis" which describes the basic principles underlying neutron activation analysis.

If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

  
James L. Liverman, Director  
Division of Biomedical and  
Environmental Research

Enclosure:  
Booklet

cc: C. M. Kelly, FBI

ENCLOSURE

14812 McCormick Street, Van Nuys, California, 91411

January 6, 1975

Dr. Dixy Lee Ray  
Atomic Energy Commission  
Washington, D.C.  
20545

Dear Dr. Ray,

A recently declassified transcript of an Executive Session of the President's Commission on the Assassination of President John F. Kennedy (The Warren Commission) held on January 27, 1964 makes mention of the Atomic Energy Commission and some new method the A.E.C. was using to study various bullets submitted by the Warren Commission.

This transcript notes that your agency was examining these bullets during January of 1964 and the Warren Commission's General Council felt that the results of the A.E.C. study would be of "great importance to the investigation." (See enclosed page from the transcript.)

Could you tell me the nature of this study the A.E.C. performed for the Warren Commission? I would also like to obtain a copy of any reports you may have given the Warren Commission on this matter.

Please inform me in advance of any costs of duplication and I will remit promptly.

Sincerely,

Fred T. Newcomb

FTN:mkn  
Enclosure

105-92000-57  
ENCLOSURE



REC 44

105-82555-57

110!

March 20, 1975

Mr. Fred T. Newcomb  
14812 McCormick Street  
Van Nuys, California. 91411

1 - Mr. Mintz  
1 - Mr. White  
(Attn: Mr. Frazier)

Dear Mr. Newcomb:

This is in reply to your letter dated February 28th, with enclosures, which was received in my office on March 3rd.

Enclosed pursuant to your request is one Xerox copy of our results of paraffin cast tests from Lee Harvey Oswald conducted in the investigation of the assassination of former President Kennedy.

As your reply from James L. Liverman, Director, Division of Biomedical and Environmental Research, Energy Research and Development Administration, dated February 13th indicates, our personnel conducted the examination and analysis in question. While the Atomic Energy Commission did provide the necessary equipment for these tests, it did not conduct the examination or produce a report.

The results of the examination and analysis of the bullets you request are the spectrographic tests contained in an FBI report dated November 30, 1963, at Dallas, Texas, and the results of the neutron activation analyses. The spectrographic report has been furnished to the National Archives and is available to the public. Additionally, the results are set forth in the report of the Warren Commission, Volume 5, pages 67, 69, 73 and 74, wherein it is specifically stated that the metal fragments were analyzed spectrographically and were found to be similar in composition.

MAR 20 1975  
FBI

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
- Files & Com. \_\_\_\_\_
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- Spec. Inv. \_\_\_\_\_
- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

1 - The Deputy Attorney General - Enclosure  
8 (3)  
1 - Bufile 62-115530 (FOI-REPLIES) 217

TLW:dw (8)

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GPO 554-546

Enclosed - 5/19/75  
 62-115530-20  
 RECORDED COPY FILED IN

Mr. Fred T. Newcomb

The neutron activation analysis results were furnished by letter to Honorable J. Lee Rankin dated July 8, 1964. This letter is available to the public in the National Archives.

We are therefore of the opinion there has been full disclosure of the results of our testing in this regard.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley  
Director

Enclosure

NOTE: Correspondent is not identifiable in Bufiles. Reply has been coordinated with the Laboratory Division. The enclosure is serial 2384 from file captioned "Lee Harvey Oswald, IS-R" (Bufile 105-82555) with deletion of file numbers, administrative data, and addendum which identified three employees of Union Carbide who assisted in the examination.





FEB 27 1975

Honorable Edward H. Levi  
Attorney General  
Department of Justice  
Washington, DC 20530

Dear Mr. Attorney General:

In light of the 1974 Freedom of Information Act Amendments, P.L. 93-502, and in response to a specific Freedom of Information request, the National Archives is in the process of reviewing its decision to withhold access from public researchers to certain documents currently subject to restrictions imposed by the Federal Bureau of Investigation.

These documents are the following:

1. A letter from J. Edgar Hoover to J. Lee Rankin, dated March 20, 1964, and a Statement of Mrs. Vada Oswald, numbered 599, 599a, and 599b in the Warren Commission records. A copy is enclosed for your review.
2. An unnumbered letter in the Warren Commission records from J. Edgar Hoover to J. Lee Rankin dated September 23, 1964, and attachments which refer to Sylvia Odio. A copy is enclosed for your review.
3. Commission Document 1555 in the Warren Commission records which is a cover letter from J. Edgar Hoover to J. Lee Rankin dated February 10, 1964, concerning statements of former Special Agent Henry M. Wade plus attached vouchers. You may view the document, which is lengthy, by contacting Marion Johnson, Room 2E, National Archives, 7th & Pennsylvania Avenue, N.W., Washington, DC, (202) 962-3171.
4. Commission Document 1269 in the Warren Commission records which includes a report plus attached transparencies and positives on the finding of a portion of John F. Kennedy's skull bone. A copy of the report is enclosed.

Would you kindly review these four documents in light of the 1974 Freedom of Information Act Amendments and let us know: (1) whether your agency desires that the National Archives continue to withhold the documents, in whole or in part, from public disclosure; and (2) on which exemption of subsection (b) of the Freedom of Information Act a recommendation to continue non-disclosure is based.

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SEP 18 1975

105-82555-1947

If you have any questions, please contact Mr. Johnson or Mr. Steven Garfinkel of the General Services Administration, Office of General Counsel, (202) 343-4947. In view of the outstanding request, we would appreciate your prompt consideration.

Sincerely,

*James B Rhoads*

JAMES B. RHOADS  
Archivist of the United States

Enclosures

7  
ktd to Archives  
6/27/75  
Copies retained for  
Bupfiled 6/27/75  
JBR/902



# Memorandum

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TO : Freedom of Information Act Unit  
Federal Bureau of Investigation

DATE: 28 FEB 1975

FROM : Susan M. Hauser  
Staff Assistant to the  
Deputy Attorney General

SUBJECT: FREEDOM OF INFORMATION ACT REQUEST - James B. Rhoads

*Let him know*

Enclosed herewith is a request under the Freedom of Information Act, 5 U.S.C. 552, for access to four documents in the Warren Commission records presently restricted from public disclosure in the National Archives.

Pursuant to 28 CFR § 16.5 which took effect on February 19, 1975, the responsible division shall, within ten working days, either comply with or deny a request for records unless unusual circumstances warrant an extension of time.

In cases where additional time is required, extensions shall be granted by the head of the division in increments of five days or less. The requester should be notified of the reasons for the time extension and the date on which a determination is expected.

If the request is denied, the requester should be informed by the head of the responsible division of 1) the exemption(s) authorizing the withholding of the records, 2) how the exemption applies to the record withheld and, where relevant, a brief explanation of why discretionary release is not appropriate, 3) the name and title of the person(s) responsible for the denial, and 4) his right of administrative appeal within 30 days to the Attorney General and the availability of judicial review thereafter.

Copies of all acknowledgements, extension notices, and responses should be forwarded to my office, Room 4212.

REC-36

12 SEP 18 1975

ENCLOSURE



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



June 27, 1975

ST 109

REC-38

105 80305-5126X

Mr. Marion Johnson  
Legislative, Judicial and Fiscal Branch  
Room 2E  
National Archives Building  
Washington, D. C. 20408

Dear Mr. Johnson:

This is in response to your recent telephone conversation with Mr. Thomas H. Bresson of this Bureau, and to your letter of February 27th, with enclosures, which was the basis of a request for a review of certain FBI documents contained in the files of National Archives.

Please be advised that we have conducted a review of these documents in light of the 1974 Freedom of Information Act Amendments, and it is considered they are exempt from public disclosure under the provisions of the Act. The following basis for this decision is set forth:

1. A letter from J. Edgar Hoover to J. Lee Rankin, dated March 20, 1964, and a statement of Mrs. Vada Oswald, numbered 599, 599a and 599b in the Warren Commission records. A copy is enclosed. This is considered exempt on the basis of provisions cited in Title 5, United States Code, Section 552 (b) (7) (C) and (b) (7) (D) since disclosure would constitute an unwarranted invasion of personal privacy, and would disclose the identity of a confidential source.

2. An unnumbered letter in the Warren Commission records from J. Edgar Hoover to J. Lee Rankin dated September 23, 1964, and attachments which refer to Sylvia Odio. A copy is enclosed. Exempt on basis of provisions cited in Title 5, United States Code, Section 552 (b) (7) (C) and (b) (7) (D). (With regard to this document - please note information contained in the enclosure dated September 11, 1964, page 1, paragraph 1 through page 3, paragraph 6, was made available on September 8, 1964, by Tyrus E. Minnix, Deputy District Director, Immigration and Naturalization Service, San Juan, Puerto Rico.)

1 - The Deputy Attorney General - Enclosure  
Attention: Susan M. Hauser

See note page two.

MAILED 7  
JUN 30 1975  
FBI

- Assoc. Dir. \_\_\_\_\_
- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Admin. \_\_\_\_\_
- Comp. Syst. \_\_\_\_\_
- Ext. Affairs \_\_\_\_\_
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- Training \_\_\_\_\_
- Legal Coun. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director Sec'y \_\_\_\_\_

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Mr. Marion Johnson

3. Commission Document 1555 in the Warren Commission records which is a cover letter from J. Edgar Hoover to J. Lee Rankin dated February 10, 1964, concerning statements of former Special Agent Henry M. Wade plus attached vouchers. Exempt on basis of provisions cited in Title 5, United States Code, Section 552 (b) (7) (C) and (b) (6), which relate to non-disclosure of matter which would constitute unwarranted invasion of personal privacy.

4. Commission Document 1269 in the Warren Commission records which includes a report plus attached transparencies and positives on the finding of a portion of John F. Kennedy's skull bone. A copy of the report is enclosed. Exempt on basis of provisions cited in Title 5, United States Code, Section 552 (b) (6), (b) (7) (C) and (b) (7) (D).

Our appeal procedures provide an appeal within thirty days may be directed to the Attorney General, Attention: Freedom of Information Appeals Unit, Washington, D. C. 20530. The envelope and letter should be marked "Freedom of Information Appeal." Additionally, judicial review is thereafter available either in the requester's district of residence or place of business, or in the District of Columbia, the location of the records.

If you have any questions, please contact Mr. Thomas H. Bresson, Federal Bureau of Investigation, 175-5581.

Sincerely yours,

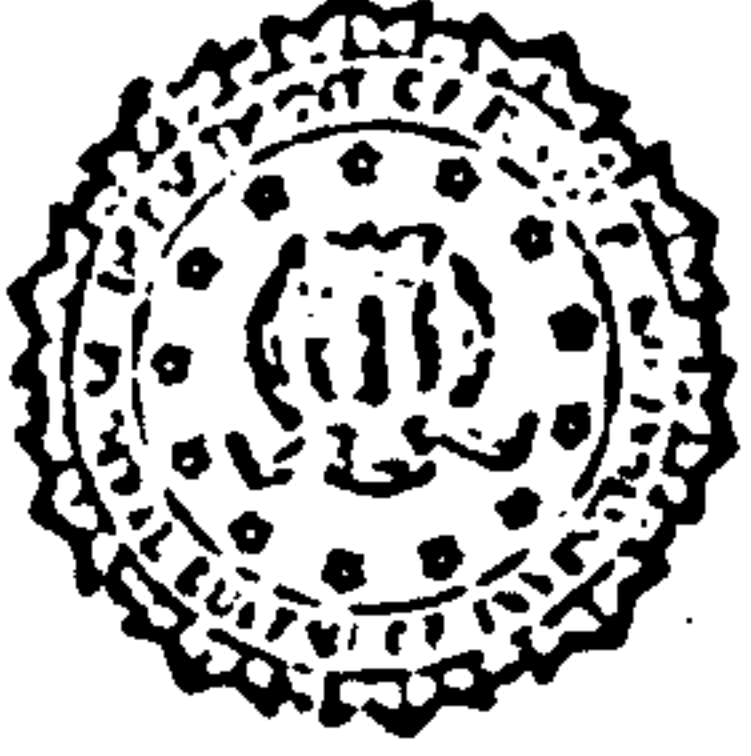
C. M. Kelley

Clarence M. Kelley  
Director

Enclosures (11)

NOTE: The National Archives and Records Service, General Services Administration, requested a review of ~~some~~ FBI documents in their possession currently being withheld from public disclosure subject to restrictions imposed by the FBI. This review has been conducted and basis for exemptions set forth in this correspondence. Original returned to sender, copies of enclosures filed with incoming for record. Bufile 105-82533





3

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

March 20, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin  
General Counsel  
The President's Commission  
200 Maryland Avenue, N. E.  
Washington, D. C.

Dear Mr. Rankin:

Reference is made to your letter of March 11, 1964, requesting that this Bureau furnish the Commission the signed statement taken by this Bureau from Mrs. Vada Oswald in connection with her knowledge of the incident involving Marina Oswald and James Herbert Martin and the alleged incident concerning Oswald's attempt on the life of Richard M. Nixon.

In accordance with your request, there are enclosed a copy of the signed statement this Bureau received from Mrs. Vada Oswald dated February 24, 1964, concerning her knowledge of the incident involving Marina Oswald and James Herbert Martin and a copy of the signed statement this Bureau received from Mrs. Vada Oswald dated March 15, 1964, concerning her knowledge of the alleged incident concerning Oswald's attempt on the life of Richard M. Nixon.

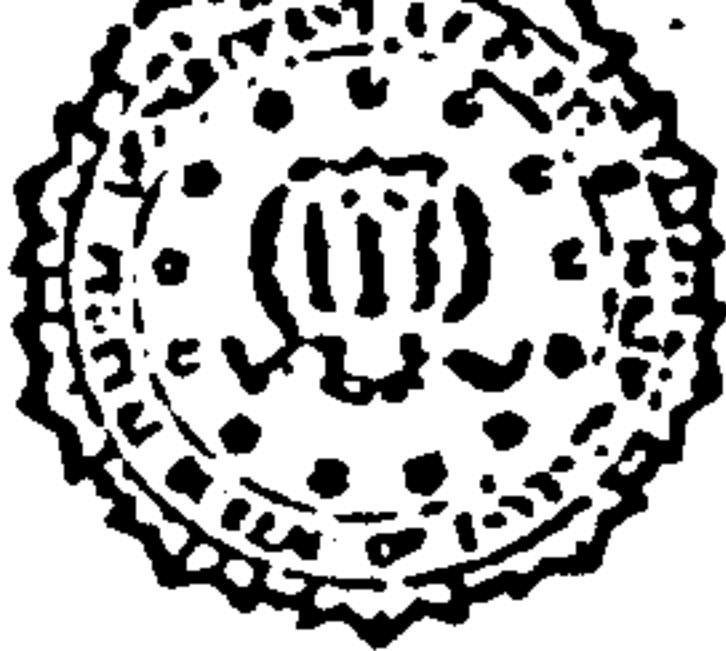
Typewritten copies of each of the aforementioned copies of the signed statements executed by Mrs. Vada Oswald in these matters are also enclosed for the Commission.

Sincerely yours,

*J. Edgar Hoover*

Enclosures (4)

ENCLOSURE / 5711X



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

September 23, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin  
General Counsel  
The President's Commission  
200 Maryland Avenue, N. E.  
Washington, D. C.

Dear Mr. Rankin:

Reference is made to our letter dated September 21, 1964, enclosing memoranda setting forth results of inquiries concerning the claims of Sylvia (Silvia) Odio.

In this connection, there are enclosed two copies each of two memoranda dated September 11, 1964, and of memoranda dated September 12 and September 14, 1964. Our inquiry into the claims of Sylvia Odio is continuing and results thereof will be furnished to you as received.

Sincerely yours,

*J. Edgar Hoover*

Enclosures - 8

ENCLOSURE 115-803





UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

Post Office Box 4312  
San Juan, Puerto Rico - 00905  
September 11, 1964

LEE HARVEY OSWALD  
INTERNAL SECURITY - RUSSIA - CUBA

On September 8, 1964, Mr. Tyrus E. Minnix, Deputy District Director, Immigration and Naturalization Service (INS), San Juan, Puerto Rico, made available the file pertaining to Silvia Odio del Toro, INS Number A-12-570-365.

This file contained a copy of INS Form I-161 which reflects the following information:

Silvia Eugenia Odio y del Toro, Urbanizacion San Antonio F-35, Ponce, Puerto Rico, a white female of Cuban nationality, arrived Miami, Florida, December 25, 1960 via Pan American World Airways (PAWA) flight 422. Her occupation in Cuba was listed as housewife and the reason for not returning to Cuba was listed as being anti-Castro and anticommunist. Her INS Number is A-12-570-365, and her husband was listed as Guillermo Herrera, INS Number A-12-570-366. Her residence in Cuba was listed as Edificio Focsa Apartments 18-C, Vedado, Havana, Cuba. The INS file was transferred from Miami to San Juan on March 13, 1961, at which time she was classified a refugee and granted indefinite status.

This file also contained an alien registration form dated July 21, 1944 indicating that Silvia E. Toro was visiting the United States in 1944 with her mother, Sarah. It is noted at this time that Odio was 7 years of age.

Re: Lee Harvey Oswald

On September 8, 1964, Mr. Minnix also made available the file pertaining to Guillermo Herrera Garcia, INS Number A-12-570-366, who is the husband of Silvia Odio.

A review of this file reflects INS Form I-161 lists Herrera's address as Urbanizacion San Antonio F-35, Ponce, Puerto Rico; his occupation was listed as industrial engineer, and the reason for not returning to Cuba was that he is anti-Castro and anticommunist. He arrived in Miami, Florida, November 17, 1960, via PAWA flight 422. His address in Cuba was listed as being the same as for Silvia Odio.

This file also reflects a change of address card for Herrera, dated April 9, 1964, reflecting a change of address from El Vigia #12, Ponce, Puerto Rico, to Apartment G-35, El Monte Apartments, Hato Rey, Puerto Rico. His employment as of April, 1964, was listed as engineer with Molinos de Puerto Rico in Catano, Puerto Rico.

His file indicates Herrera was born October 27, 1934, Santiago de Cuba, father - Guillermo Herrera, mother - Silvia Garcia. The file reflects his father is deceased, and that his mother resides at 1828 West Flagler, Miami, Florida.

This file further indicates that Herrera attended high school in Staunton, Virginia, 1948 to 1952, and attended Georgia Tech University from 1952 to 1957 where he received a degree in Industrial Engineering.

According to this file, in 1962, Herrera was employed by Western Fher Laboratory, Incorporated, Ponce, Puerto Rico, and was sent to Germany by this corporation for a period of six months to attend a course at the main office of this corporation. The file reflects he departed in May of 1962 and returned to Puerto Rico in November of 1962. His FBI Number, according to this file, is [240 938 E] and his Identification Record contains only his application for entry into the United States in November, 1960, and in November, 1962, upon his return from Germany.



Re: Lee Harvey Oswald

The files of the following agencies were caused to be checked on September 8, 1964, by the persons indicated for the names Silvia Eugenia Odio del Toro, Silvia Eugenia Odio de Herrera, Guillermo Herrera, and Guillermo Herrera Garcia, with negative results:

Office of Intelligence, Police of Puerto Rico (POPR), by Angelina Medina, Clerk, and by Captain Jose E. Hernandez, Chief, Office of Intelligence, POPR;

Identification Division, POPR, by Luis Febus, Clerk;

Detective Division, POPR, by Lieutenant Antonio Maldonado;

Retail Credit Corporation, Hato Rey, Puerto Rico, by Rosario Avila, Clerk;

United States Secret Service, San Juan, Puerto Rico, by Special Agent Victor Gonzalez.

On September 9, 1964, Manuel Ray, Calle La Rabida #310, Hato Rey, Puerto Rico, advised that he is the head of the organization known as Junta Revolucionaria Cubana (JURE). He was interviewed in the presence of his wife.

Mr. Ray stated that on September 4, 1964, he was interviewed by agents of the FBI in Miami, Florida, just prior to his departure from Miami for Puerto Rico. He stated that he advised the agents at this time that he had never known any individual connected with JURE by the name of Leopoldo. He stated this was a very uncommon name and, as far as he can remember, he does not know any individual by that name.

In regard to Silvia Odio, he stated that he has met this person on five or six occasions, mainly social, and that he originally met her at the home of

Re: Lee Harvey Oswald

Jeronimo Esteve, Jr., in San Juan, Puerto Rico. He indicated she had been active to a certain degree with JURE in Ponce, Puerto Rico in 1962 prior to her departure for Dallas, Texas. He indicated he never had too much faith in Odio in regard to her activities in the organization.

Mrs. Ray stated that she is a good friend of Silvia Odio's mother who is presently a prisoner of the Castro regime in Cuba. Mrs. Ray considers Odio a very fine person but irresponsible and with a tendency toward exaggeration. She stated Odio will invent stories and will say whatever she thinks.

Mrs. Ray further indicated that, after the birth of Odio's last child, she was sick in bed in Ponce for several months, and it was general opinion amongst the individuals in Ponce that she was half out of her mind. She indicated that the reason for the divorce from her husband was entirely a personal problem between Odio and her husband and that it was occasioned primarily by the departure of Odio's husband from Ponce on a trip to Germany for a period of about six months.

Both Mr. and Mrs. Ray indicated that Jeronimo Esteve could possibly furnish additional information concerning Odio.

On September 9, 1964, Guillermo Herrera Garcia, Apartment G-35, El Monte Apartments, Hato Rey, Puerto Rico, advised that he is the former husband of Silvia Odio del Toro.

Mr. Herrera stated that he married Silvia Odio on October 5, 1957 in Havana, Cuba. After Fidel Castro came to power in Cuba, he, Herrera, left Cuba in November, 1960, went to Miami, Florida, and almost immediately to Ponce, Puerto Rico. After he had located a place to live and a job in Ponce, he sent for his wife, Silvia, and children to join him. She arrived in Ponce about January 1, 1961, and they



Re: Lee Harvey Oswald

resided for approximately one year at Urbanizacion San Antonio F-35, in Ponce. They subsequently moved, for the balance of their stay in Ponce, to El Vigia #12, Ponce.

He advised that his former wife was from a very wealthy family in Cuba and had been the center of attraction not only in the family but in most of the social circles in Havana prior to their marriage. He stated when they arrived in Ponce, he was working as an industrial engineer at Western Fher Laboratory, Incorporated; and that they were on an extremely tight budget and his wife had to do most of the housework by herself. He advised in May, 1962, he was sent by his employer to their home plant in Germany for a six months' course of instruction. During this period, he left his wife and four children in Ponce. He stated he had received information from friends and neighbors in Ponce that she had had a nervous breakdown during this period and that she traveled to Miami for approximately three weeks where she resided with her brother, Cesar Ocio. On this trip to Miami, she took one child with her and left the other three children with friends or relatives.

Upon his return to Ponce from Germany in 1962, he stated he received information from various individuals in Ponce that his wife had been associating with another man who was also married. He stated that upon his return, they had several quarrels; and his wife left Ponce and went to Dallas to visit relatives. She returned several months later and instituted a suit for divorce. Herrera stated that, at this time, he filed a countersuit alleging infidelity on the part of Ocio, at which time she dropped her suit and did not contest the suit filed by him. He stated that the divorce was granted in Superior Court, Ponce, on August 29, 1963, and that the custody of the four children was awarded to him.

Re: Lee Harvey Oswald

However, he stated, that it is his belief that the children should be with their mother, and that he has a private agreement, in writing, with Odio that she may retain custody of the children as long as she is willing and capable of raising them.

Herrera further advised that upon his return from Germany, Odio made two abortive attempts to take her own life. He stated that on one occasion, he and the children were out and upon their return, they found Odio in bed attempting to cut her wrists with a very dull knife. Herrera stated that there were many sharper knives in the house. On another occasion, Odio swallowed a bottle of pills, type not recalled at this time, at which time he rushed her to the hospital in Ponce. After treatment and analysis, it was determined that the pills were not harmful.]

He further advised that she had been under psychiatric care in Ponce as well as in Dallas and exhibited a letter from a Dr. Lawrence W. Martin, Director of Out Patient Division, University of Dallas, Southwestern Medical School, dated April 1, 1963, in which Dr. Martin advised that Odio does have some emotional problems but that they are not self-induced, and that she mainly suffers from an anxiety neurosis.

Herrera advised that after the granting of the divorce, Odio returned to Dallas and he stated he had received information that sometime in the Fall of 1963, she underwent a hysterectomy operation and convalesced in the home of L. R. Rogers, Dallas, address unknown, but reportedly a wealthy cement plant operator. Rogers' brother is Robert D. Rogers, 3821 Whitehall Drive, Dallas.

Herrera further advised that Odio's parents were arrested by the Castro authorities in the Fall of 1961 while he and his wife were residing in Ponce. He stated this did have an emotional effect on Odio



Re: Lee Harvey Oswald

and could have contributed to some of her nervous disorders. Odio's father was sentenced to 30 years and is presently incarcerated in the prison on the Isle of Pines, and her mother received a 6 year sentence and is confined in Havana, Cuba.

He further stated that during 1962, while he was in Germany, his wife joined JURE and assisted this organization in the collection of funds in the Ponce area stating that she felt this was the manner in which she could best assist her parents.

Herrera described his former wife as being very intelligent, well-educated, but an excellent actress and able to convince anyone of any item if she so desired. He stated she enjoyed being the center of attraction and believes that some of her activities in Ponce were due to this desire to seek attention.

He advised that the only individual he could think of by the name of Leopoldo is an individual by the name of Leopoldo Villoldo, who is a Cuban who recently returned from Dallas, Texas, to Puerto Rico and resides in the Hato Rey area. He advised he believes this individual's first name is Leopoldo but he is not sure. He stated that Leopoldo's wife was a good friend of his former wife.

Herrera stated that even though he described his former wife as being a good actress and convincing, he is of the opinion she would not be able to fabricate a story regarding any connection with Oswald and be able to stick to it through all the various inquiries to which she must have been subjected.

[SJ T-1, who is a former neighbor of Silvia Odio Herrera] in Ponce, Puerto Rico, advised on September 9, 1964, that the Herrera family was composed of Silvia, her husband Guillermo, and their four small children. Guillermo Herrera worked for the Fher Laboratory in Ponce, Puerto Rico, while his wife Silvia kept house for their four children.

Re: Lee Harvey Oswald

After moving to El Vigia, Guillermo Herrera went to Germany for about six months to pursue studies there which would advance him in his work at his place of employment.

While Guillermo Herrera was in Germany, his wife, Silvia, became very nervous and agitated. She wanted the whole neighborhood to have pity on her and to look after her, presumably because she was alone with four small children to look after. She would create the impression at times that she was having a mental breakdown, and it was rumored that at one time while her husband was away, she wanted to kill herself.

She was described as a person who was acting all the time, who could cry one moment and smile the next, and who could immediately pass from a very depressed feeling to a very gay attitude.

She herself (Silvia Herrera) made the statement that she never did love her husband, but that he loved her and that she was more or less pressured into marrying him by her family in Cuba.

She was never observed to show affection for her four children and indicated on occasion that she did not want them near her.

Ernestina Garcia, Clerk of Court Office, Superior Court, Ponce, Puerto Rico, on September 9, 1964, produced divorce record Number 63-2000, which reflected Guillermo Herrera Garcia as "plaintiff" and Silvia Odio as "defendant."



Re: Lee Harvey Oswald

The divorce action was initiated on July 16, 1963, by Guillermo Herrera Garcia, a resident of Ponce, Puerto Rico, and the defendant was identified as residing in Dallas, Texas.

The records indicated that Guillermo Herrera Garcia and Silvia Odio were married on October 5, 1957, in Havana, Cuba; after which, they moved to Ponce, Puerto Rico. They have four children, namely, Silvia Alejandra, 4½ years old; Maria Eugenia, 3½ years old; Guillermo, 2½ years old; and Patricia, 1½ years old, and all bore the last name of "Herrera Odio".

The record set forth that:

"For a long time in a continuous manner, the defendant has been treating the plaintiff, not only cruelly, but also unusually, with words and with actions as well, in public and in private; whose conduct consists moreover in complete abandon of her obligations as a wife and mother, as well as an attitude of indifference and negligence towards the plaintiff, terminating this attitude in that the defendant left her home to go to the city of Dallas."

On August 29, 1964, and before Victor Vargas Negrón, Judge, Superior Court, Ponce, Puerto Rico, Guillermo Herrera Garcia was granted divorce from Silvia Odio, at which time he was granted custody of the above-referred children.

[SJ T-2, a psychiatrist practicing in Ponce, Puerto Rico, advised on September 9, 1964, that Silvia Herrera was referred to him by another doctor in Ponce as a possible psychiatric case. She visited his office, but did not want to be treated as a psychiatric case.] It was his impression that she came from a very wealthy family in Cuba, and he described her as emotionally unstable and unconventional, and he stated that she gave all the appearances of not being able, either mentally or physically, to take care of her four small children.

Re: Lee Harvey Oswald

When she came to Ponce, she ingratiated herself with wealthy families in the same area, and more or less expected from them all kinds of help and assistance.

He advised that with regard to the records he maintained concerning his official contact with her, he would prefer for his own protection that a court order be produced in order for him to reveal the contents of the records he maintained in his contact with Silvia.

[SJ T-3, a medical doctor practicing in Ponce, Puerto Rico] furnished the following information regarding Silvia Herrera on September 9, 1964:

When she first came to Ponce, she was known to a well-to-do Cuban family who lived in the same area and who introduced her to other influential families in Ponce.

On one occasion, [he was called out to treat her professionally when it was reported to him that she had had an attack of nerves. [After he examined her] it was his determination that she had no such attack; instead, she feigned the attack to get attention from her neighbors in El Vigia, Ponce.

He described her as a very mixed up young lady. She was reported, by unrecalled sources, to have been under psychiatric care in Miami, Florida, and she also had consulted a psychiatrist in Ponce.

She is the mother of several small children, and she has abandoned both her children and husband and is living somewhere in the United States. She apparently comes from a well-to-do family in Cuba, and she does not have the stamina to accept the loss of all that to which she was accustomed in Cuba.

It was rumored in Ponce that, while her husband was away from Ponce, she became emotionally involved



Re: Lee Harvey Oswald

with another married man of Cuban extraction, which involvement caused his separation, for a time, from his own wife. At about the time Silvia Herrera was rumored to be going with another married man, she claimed she had had an attack of amnesia for about a 12 to 24 hour period. [SJ T-4] however, completely discounted her allegation in this respect because he has consulted with a psychiatrist in Ponce concerning her alleged amnesia attack, and the psychiatrist's observation was that there was no reason why she should have had such an attack.

On September 10, 1964, attempts were made to locate Leopoldo Villoldo in Hato Rey, Puerto Rico. It was ascertained that Mr. Alfredo Villoldo resides at 233 Almirante Pinzon, Hato Rey, with friends. On contact at this address, it was ascertained that Mr. Villoldo had recently returned to San Juan from Dallas, Texas, and was acquainted with Guillermo Herrera and his former wife, Silvia Odio; however, it was ascertained that Mr. Villoldo was presently on a business trip throughout the Island of Puerto Rico and was not expected to return until the following week.

On September 10, 1964, Mr. [REDACTED]

[REDACTED] Hato Rey, Puerto Rico, advised that he is the second cousin of Silvia Odio. He stated that he was quite close to Odio's family, both in Cuba and with her while she resided in Ponce, Puerto Rico. He advised that Silvia was one of nine children, but the oldest daughter of a very wealthy family in Havana, Cuba, and was the center of attraction of the family and of many social activities in Havana. She was given anything that she wanted and was fawned upon by everyone who knew her. He described her as selfish, egotistical, very attractive, well-educated, and a very convincing speaker but very emotional. He stated that her father was a self-made man and had no scruples when

Re: Lee Harvey Oswald

it came to business. She married Guillermo Herrera in 1957, and he described Herrera as being basically the same type of person as Silvia.

On arrival in Ponce in 1960, in view of the fact that her husband was working as an engineer and they were on a very tight budget financially, Silvia, who was accustomed to the ten servants in her family's home, was forced to do all of her own housework as well as care for her children by herself. He advised she was unable to cope with these problems and continually expressed her dissatisfaction, seeking sympathy and assistance from her friends.

He advised that in 1962, Silvia's husband was sent to Germany by his company which aggravated the situation in Ponce inasmuch as they had to operate on a tighter budget in order that he could finance his trip to Germany. Mr. [REDACTED] stated that there was considerable split amongst the members of the family in regard to this trip to Germany in that numerous members of the family stated that Herrera should not have made the trip and sympathized with Odio while others stated it was necessary for him to make the trip in order for him to advance professionally. During this period, she suffered a nervous breakdown, and he, [REDACTED] convinced her she should travel to Miami for a rest and visit some of her relatives. Odio made this trip, taking one child with her and he, [REDACTED] took care of the other children. While in Miami visiting her brother Cesar, they became involved in a family fight, and she again suffered a breakdown in Miami.

Mr. [REDACTED] stated that he has heard rumors from other members of the family and from acquaintances in Ponce that she did have an affair with another individual in Ponce, but that he has no personal knowledge of this.

Upon the return of Herrera from Germany, Odio and her husband fought continually for several weeks, at which



Ref: Lee Harvey Oswald

time she asked for a divorce, but he refused to grant it. At this time, Odio traveled to Dallas, Texas, to visit relatives where she remained for several months. In the Spring of 1963, she returned, at which time she filed for a divorce and Herrera filed a countersuit. The divorce was finally granted on Herrera's suit, and he was awarded custody of the children. Mr. [REDACTED] stated that there is some type of private agreement between Odio and her former husband enabling her to maintain custody of the children.

He stated that he has not seen her since she went to Dallas in 1963 but has heard several reports that she has again attempted, on numerous occasions, to become the center of attraction of the social circle in which she travels. He stated that in his opinion, this is one of her main difficulties, that she cannot rationalize herself to the fact that she is no longer the daughter of a wealthy individual who will grant her every request and, she will perform various actions in an attempt to become the center of attraction. He advised that the members of the family are split in their opinion of Odio, some being of the opinion that she is almost crazy, and the others offering their condolences at her troubles and offering her assistance.

Mr. [REDACTED] stated that her parents were arrested by the Fidel Castro regime in late 1961 while Odio resided in Ponce, and he knows that this was quite an emotional shock for her. He stated that her father received a sentence of 30 years and is presently incarcerated on the Isle of Pines, and her mother received a sentence of six years and is in custody in Havana, Cuba. He advised that, during the period of the divorce, he, himself, was in Europe on a business trip, and suggested that his sister, [REDACTED]

[REDACTED] be contacted as she assisted Odio during this period. He further suggested that his

Re: Lee Harvey Oswald.

other sister, [REDACTED], who resides in Miami, Florida, would be able to furnish information regarding her activities in Miami.

Mr. [REDACTED] stated the name Leopoldo is a very uncommon name, and he knows of no individual by that name who has been a member of any anti-Castro organization. He advised the only Leopoldo he knows is one Leopoldo Pinciro who was a classmate of his at the Havana Business Academy in 1948. He stated he last saw this individual in 1959 in Havana, at which time Pinciro was an official in the Cuban militia. He has heard nothing concerning this individual since.







UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

*Oliver, Silvia*

In Reply, Please Refer to  
File No.

Miami, Florida  
September 12, 1964

RE: LEE HARVEY OSWALD  
INTERNAL SECURITY - R - CUBA

On September 11, 1964, Cesar Odio, age 28, resident at 1600 Southwest 82nd Place, Miami, Florida, and employed in the office of Maule Industries, Miami, stated he is the brother of Sylvia Odio, presently living in Dallas, Texas.

Mr. Odio said he left Cuba in October, 1960, and Sylvia, age 27, and her husband and their children left Cuba about December, 1960, and took up residence in Ponce, Puerto Rico.

The father and mother of Odio were arrested by the Castro regime in October, 1961, for activities against the government and they have been sentenced to 30 and 9 years imprisonment, respectively.

Mr. Odio said he is the oldest of ten children, all now in the United States.

He said Sylvia divorced her husband in 1963 and moved to Dallas, Texas, with her four children about July, 1963. He did not see her again until August, 1964, when he visited Dallas. He said he had no information concerning the incident wherein Sylvia was visited (about September, 1963) at her apartment in Dallas by three individuals, one of whom she believes was Lee Harvey Oswald, who said they were associated with the anti-Castro organization JURE (Cuban Revolutionary Junta). He said he can only presume Sylvia is correct about what she saw. Mr. Odio said he knows no acquaintance of Sylvia or other individual named Leopoldo, who might be identical with the person of the war-name "Leopoldo" stated by Sylvia to be one of the three persons, including Oswald, who had visited her apartment.

ENCLOSURE *105-41300-5*



Re: Lee Harvey Oswald

Mr. Odio stated his sisters, Sylvia and Sara, age 23, who recently married James Mier at Dallas, both hoped to see President Kennedy when he visited Dallas on November 22, 1963. They were waiting at the Trade Mart in Dallas when news was received that President Kennedy had been shot. He said his sisters hoped to ask President Kennedy to obtain release of their parents, or at least their mother, from Cuba. He said Sylvia fainted at the news of the shooting and subsequently had a nervous breakdown from which she is still suffering. He said Sylvia's breakdown may also have been due in part to her divorce and to the imprisonment of her parents.

On September 11, 1964, Mrs. Silvia G. Herrera, 118 Southeast 12th Terrace, Miami, stated she is the mother of Guillermo Herrera, who divorced Sylvia Odio at Ponce, Puerto Rico, in July, 1963. Mrs. Herrera said she had no knowledge of the incident wherein Sylvia Odio believes Lee Harvey Oswald had come to her Dallas apartment with two other men, who said they represented JURE. Mrs. Herrera said she could not think of anyone named Leopoldo who might be identical with the three men who visited Sylvia Odio.

Mrs. Herrera advised that both her son, Guillermo, and Sylvia and their children, then three, left Cuba before the end of 1960, and settled in Ponce, Puerto Rico, where Guillermo Herrera, age 30, an industrial engineer, graduated from Georgia Tech and obtained employment with Western Fher Laboratories, Inc. In April, 1962, Mrs. Herrera visited her son and family in Ponce, at which time a fourth child was born to Sylvia. Then, in June, 1962, Guillermo Herrera was sent by his employer to Germany for training to last approximately six months. It was during this period, after Mrs. Herrera had returned to Miami and Guillermo had gone to Germany, that Mrs. Herrera learned Sylvia Odio was apparently neglecting her four children. Mrs. Herrera explained that her other son, age 20, was staying at the residence of Sylvia in Ponce, working and attending college at the time.

Re: Lee Harvey Oswald

Through her son, Mrs. Herrera learned Sylvia had put the children out with friends and was herself going out nights. When Guillermo Herrera returned to Ponce from Germany in December, 1962, he requested Mrs. Herrera to come to Ponce to help care for the children. In March, 1963, Sylvia left Ponce and went to Dallas, Texas, where she obtained psychiatric treatment from one or possibly two doctors; one of these doctors may have examined Jack Ruby, assassin of Oswald. When Sylvia went to Dallas, she said she intended to write novels for magazines, and took a typewriter with her. She frequently telephoned to Ponce to say she could not see her husband and children for two or three years. Her husband, however, had received a letter from Sylvia's psychiatrist in Dallas, advising that Sylvia could lead a normal life.

In approximately June, 1963, Sylvia appeared in Ponce without notice. She then filed suit for divorce but her husband filed a countersuit, which Sylvia did not contest. The husband was awarded custody of the four children, but gave Sylvia written consent to take the children to Dallas. The husband had lost his job due to the problems of caring for his family.

Mrs. Herrera stated Sylvia Odio is very intelligent and does whatever she sets her mind to. In Mrs. Herrera's opinion, Sylvia is also very conceited and vain of her physical beauty and of her brains. Also, according to Mrs. Herrera, Sylvia is a naturally excellent actress and succeeds in obtaining sympathy of others.

Mrs. Herrera said that she, herself, and her two sons enjoyed considerable wealth in Cuba, and Sylvia and her family were also very wealthy. Sylvia's father was self-made, having built a substantial trucking business in Cuba. Sylvia's parents have been involved in Cuban revolutionary affairs through several regimes.



Re: Lee Harvey Oswald

Mrs. Herrera said she believed Sylvia was unable to adjust to the relative hardships of exile from Cuba. Also the imprisonment of her parents had considerable effect on Sylvia's stability. Mrs. Herrera stated that while she could not judge the accuracy of Sylvia's belief that Oswald and two other men had visited her apartment, she is satisfied that Sylvia could intelligently fabricate an incident if so motivated.

On September 11, 1964, Mrs. Grethel Esteves de Martinez, 9250 Southwest 31st Terrace, Miami, stated she is a second cousin of Sylvia Odió. Sylvia's youngest sister, age 6, resides with Mrs. Martinez. Mrs. Martinez said she last saw Sylvia when Sylvia and her children passed through Miami en route to Dallas, Texas, from Puerto Rico, in the Summer of 1963. Mrs. Martinez said she could not comment on the accuracy of Sylvia's information concerning Lee Harvey Oswald appearing at her apartment with two other men. She said Sylvia has had psychiatric treatment since going to Dallas, but seemed quite normal when she came through Miami in the Summer of 1963. She said she believes Sylvia has decided to change from Catholic to another religion but did not know if Sylvia's emotional state influenced this decision. Mrs. Martinez said she had no idea who Leopoldo, named by Sylvia Odió as a companion of Oswald, might be.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Post Office Box 4312

San Juan, Puerto Rico - 00905

September 14, 1964

In Reply, Please Refer to  
File No.

LEE HARVEY OSWALD  
INTERNAL SECURITY - RUSSIA - CUBA

On September 12, 1964, [REDACTED]  
Urbanizacion El Cerezal, Rio Piedras, Puerto Rico,  
advised she is the sister of [REDACTED] and  
cousin of SILVIA ODIO.

[REDACTED] advised that SILVIA ODIO was from an extremely  
wealthy family in Cuba and was the center of attraction  
not only in the family but in the social circles of  
Havana, Cuba. She lived an extremely frivolous life  
while in Havana. On arrival in Puerto Rico in 1961,  
there was a very decided change in the economic status of  
ODIO and her husband, and she was forced to perform all  
her own work including raising her children. In the  
opinion of [REDACTED], ODIO was not capable of  
performing this housework and always complained,  
attempting to gain sympathy, not only from family  
but from friends and neighbors. She also attempted to  
continue to be the center of affairs but without success  
due to her economic status.

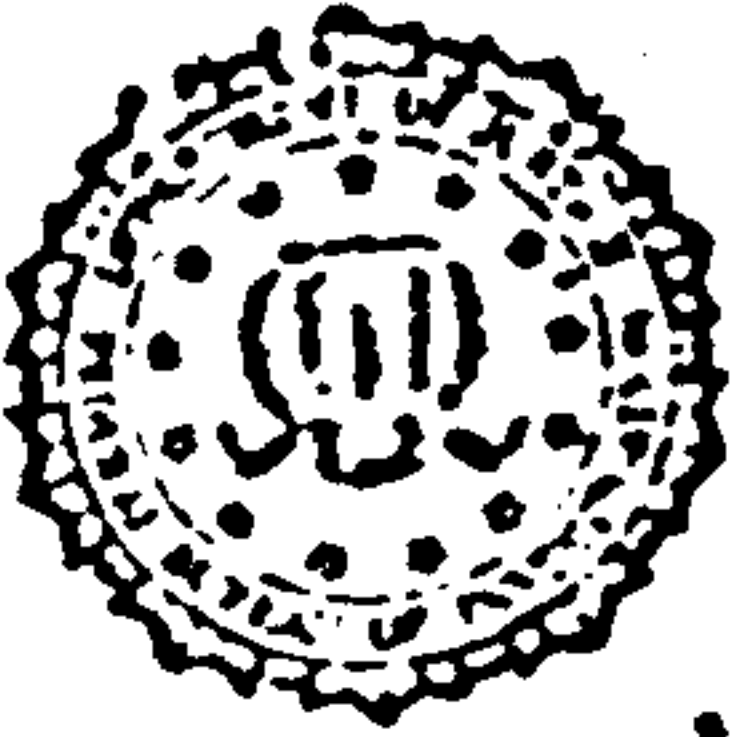
This change in economic life, the arguments with her  
husband and the eventual divorce and her inability to  
adjust brought on a series of partial breakdowns. In  
late Spring of 1963, ODIO returned to Puerto Rico from  
Dallas in order to obtain her divorce. At this time,  
ODIO resided for several weeks in the [REDACTED] residence in  
Rio Piedras. During this time, ODIO advised she had  
been under psychiatric care but that, in her opinion,  
she had recovered. ODIO claimed that she was working  
extremely hard in Dallas.



Re: LEE HARVEY OSWALD

Since that time, [REDACTED] has received several letters from ODIO in which ODIO stated that she was working hard but having a difficult time making ends meet. She indicated she had to leave her children at a nursery while she herself went to work and complained in a majority of the letters about the lack of social life. She indicated in the majority of her letters that she was extremely lonesome and had very few friends in Dallas.

[REDACTED] advised that it is her opinion that ODIO was never able to cope with the change from her manner of life in Havana to the manner of life in Puerto Rico and Dallas. In view of this, ODIO has continually sought various means to regain her position by eliciting sympathy and attempting to be active in various social activities. [REDACTED] further stated that the hysterectomy operation undergone by ODIO in Dallas had a great effect on her emotional well-being. She further stated that ODIO has an excellent imagination, writes stories, and reportedly has had some published under a pseudonym. She is a very convincing person to talk to, a good actress, and possesses a tendency toward exhibitionism.



COMMISSION NO. 1001  
UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

Dallas, Texas  
July 14, 1964

LEE HARVEY OSWALD

By letter dated July 3, 1964, the President's Commission advised that the Attorney General of the United States had received a letter from Mrs. RITA MC CARTY, 2308 Poothill Boulevard, Oakland, California. MC CARTY's letter was of such a nature that she was interested in seeing the Attorney General run for President, and furnished laudatory remarks for the Attorney General and former President KENNEDY. She stated she recently returned from Dallas, Texas, where she had been residing with an individual whose identity she did not furnish but who was allegedly a photographer at the hospital where President KENNEDY was taken following the assassination. MC CARTY indicated this individual had two snapshots of two pieces of skull found on the street following the President's assassination.

On July 9, 1964, RITA MC CARTY was interviewed, at which time she stated she recently accompanied her brother-in-law and sister-in-law to Dallas, Texas, where they stayed briefly with one PAULETTE (last name unknown), a friend of her sister-in-law, who was a photographer at the hospital where President KENNEDY was taken following the assassination. RITA MC CARTY stated she did not observe any photographs taken by this individual, but overheard PAULETTE tell her sister-in-law, Mrs. EVA MC CARTY, that she had seen photographs of pieces of skull found on the street following the President's assassination which were brought to the hospital and photographed.

On July 9, 1964, Mrs. EVA MC CARTY was interviewed at Hayward, California, at which time she identified her friend with whom she resided in Dallas as PAULETTE CARUTHERS (phonetic) and stated she is employed as a photographer at the above-mentioned Dallas hospital.

ENCLOSURE 100-100000-5721



Re: LEE HARVEY OSWALD

On July 10, 1964, a search of the 1964 Dallas City Directory reflected a Mrs. PAULETTE CAROTHERS, 5200 Willis, Dallas, Texas, employed as a Photograph Processor at the Methodist Hospital of Dallas.

On July 10, 1964, THETFORD BOLTON BOONE, D.D., Administrator, Methodist Hospital of Dallas, 301 West Colorado Boulevard, Dallas, Texas, advised that he knew nothing of any bone specimen, allegedly coming from the skull of President KENNEDY, being examined or photographed at the Methodist Hospital of Dallas. He said if this bone specimen was examined at Methodist Hospital of Dallas, it probably would have been examined by A. B. CAIRNS, M.D., Chief Pathologist at Methodist Hospital of Dallas.

He said if this particular bone specimen was photographed at Methodist Hospital of Dallas, it would have been done by one of the two employees in the Medical Photography Department, and they would be M. WAYNE BOLLETER, Chief Medical Photographer, or Mrs. PAULETTE CAROTHERS, Processor in the Medical Photography Department.

On July 10, 1964, M. WAYNE BOLLETER, Chief Medical Photographer, Methodist Hospital of Dallas, 301 West Colorado Boulevard, Dallas, Texas, advised he resides at 4041 Sunvalley Drive, Dallas, Texas, and has home telephone number FR 4-7313.

BOLLETER advised that on Monday, November 25, 1963, Dr. JACK C. HARPER and Dr. A. B. CAIRNS, the Chief Pathologist at Methodist Hospital of Dallas, came to the Medical Photography Department and requested that he take some pictures of a bone specimen.

During the course of taking these pictures, BOLLETER stated Dr. HARPER related that this piece of bone was found by his nephew, BILLY A. HARPER, about twenty-five feet south of the location where President JOHN KENNEDY was assassinated. BOLLETER said, as he recalls it, he took two 35 millimeter color slides of this bone specimen, one slide showing the convex view, and the other slide showing the concave view.

Re: LEE HARVEY OSWALD

BOLLETER stated he was commissioned by Dr. HARPER to take these color slides, and when they were returned from processing he gave the color slides to Dr. HARPER.

In addition to these color slides, BOLLETER said he took ten black and white 35 millimeter pictures of this bone specimen. He said he took these as a matter of record and no prints have been made of these black and white pictures. He said that Dr. HARPER has not seen these black and white pictures.

Later, on November 25, 1963, after he had taken the photographs for Dr. HARPER, BOLLETER stated Dr. HARPER again stopped by the Medical Photography Department and told him that he should keep the information about the above-mentioned bone specimen in strictest confidence and he should not tell anyone. BOLLETER said he has not related the above incident to anyone, other than possibly Mrs. FAULETTE CAROTHERS, who is the other medical photographer employed in the Medical Photography Department.

BOLLETER furnished the above-mentioned black and white 35 millimeter film which contains the ten photographs taken of the bone specimen.

BOLLETER requested, on the instructions of THETFORD BOLTON BOONE, D.D., Administrator, Methodist Hospital of Dallas, that this film be returned to Dr. BOONE.

On July 10, 1964, Mrs. FAULETTE CAROTHERS advised she has been employed as a Processor in the Medical Photography Department of Methodist Hospital of Dallas, 301 West Colorado, Dallas, Texas, for over five years. She said she resides at 5200 Willis Avenue, Dallas, Texas.

Mrs. CAROTHERS said that sometime in, she believes, December 1963, she learned that a piece of skull bone had been brought to the Methodist Hospital of Dallas and was examined by JACK C. HARPER, M.D., and A. B. CAHENS, M.D., the Chief Pathologist at the Methodist Hospital of Dallas. Mrs.



Re: LEE HARVEY OSWALD

CAROTHERS said this piece of skull bone was found near the site where President KENNEDY was assassinated, and was allegedly a piece of bone from President KENNEDY's skull. Mrs. CAROTHERS stated she learned of this, she believes, from WAYNE BOLLETER, the Chief Medical Photographer at Methodist Hospital of Dallas, who had taken two 35 millimeter color slides of this bone specimen.

Mrs. CAROTHERS said she did not see this bone specimen but saw the two 35 millimeter color slides which were taken by WAYNE BOLLETER.

Mrs. CAROTHERS advised she did not see any hospital photographs of President KENNEDY, and, other than the above two slides, saw only photographs of President KENNEDY that were available to the general public.

Regarding the above-mentioned two 35 millimeter color slides, Mrs. CAROTHERS said she made mention of this to only one person and that was to Mrs. EVA MC CARTY, Hayward, California, who was visiting her in the early part of June 1964. She said that she told Mrs. MC CARTY that she saw a picture of a bone which someone said supposedly came from the skull of President KENNEDY and which piece of bone was found near the assassination site.

Mrs. CAROTHERS advised that Mrs. MC CARTY's sister-in-law, Mrs. RITA MC CARTY, was also visiting her at the same time, and may possibly have overheard her mention the color slides to EVA MC CARTY. Mrs. CAROTHERS said she has not mentioned this to any other person.

On July 10, 1964, A. B. CAIRNS, M.D., 5027 Lehoma, Dallas, Texas, telephone number LA 8-3256, advised he is the Chief Pathologist at Methodist Hospital of Dallas, 301 West Colorado Boulevard, Dallas, Texas.

Dr. CAIRNS advised that on November 25, 1963, he received a telephone call from Dr. JACK C. HARPER, who asked if he would take a look at a piece of bone. Dr. CAIRNS

Re: LEE HARVEY OSWALD

stated that Dr. HARPER had informed him that this piece of bone was found by his nephew, BILLY A. HARPER, near the site where President KENNEDY was assassinated.

Dr. CAIRNS advised that he and Dr. HARPER examined the bone at Methodist Hospital of Dallas. Dr. CAIRNS stated the bone specimen looked like it came from the occipital region of the skull. He said he performed no tests on this piece of bone and evaluated it purely from its gross appearance.

Dr. CAIRNS said that after he examined the bone, he went about his own business, after suggesting to Dr. HARPER that he report the matter to the Federal Bureau of Investigation.

Dr. CAIRNS advised that he does not know if any pictures were taken of this bone specimen, but believes that a week or so after he and Dr. HARPER had examined the bone, Dr. HARPER may have shown him a color slide of the bone specimen.

On July 10, 1964, JACK C. HARPER, M.D., with offices located at 526 East Jefferson, Dallas, Texas, telephone number WH 1-0323, advised he resides at 534 Monssen Drive, Dallas, Texas, telephone number WH 2-2878.

He advised he had been interviewed previously by a representative of the Federal Bureau of Investigation. During the course of this interview, Dr. HARPER stated he advised that his nephew, BILLY A. HARPER, 2378 East Ledbetter, Dallas, Texas, who at that time was a pre-medical student at Texas Christian University, Fort Worth, Texas, had been taking photographs in the area where President KENNEDY was assassinated, and had found a piece of human bone. Dr. HARPER stated his nephew indicated he had found this piece of bone at approximately 5:30 P.M. on November 23, 1963, in the area approximately twenty-five feet south of the site where President KENNEDY was assassinated.



Re: LEE HARVEY OSWALD

Dr. HARPER stated his nephew immediately brought the bone to him and he and the Chief Pathologist at Methodist Hospital of Dallas, Dr. A. B. CAIRNS, had examined the piece of bone and both definitely felt that it was a piece of human skull.

Dr. HARPER advised that he felt in view of the proximity of the place where the piece of bone was located, it might possibly be a part of President KENNEDY's skull.

Dr. HARPER advised that after he and Dr. CAIRNS had examined the above piece of bone, he had M. WAYNE BOLLETER, Chief Medical Photographer, Medical Photography Department, Methodist Hospital of Dallas, make two 35 millimeter color slides of this piece of bone, one slide being a photograph of the concave side and the other slide being a photograph of the convex side.

Dr. HARPER stated he would make available these slides to the Federal Bureau of Investigation, but requested that they be returned to him. He said they were then located at his residence and he would telephone his wife and request that she turn the slides over to the Federal Bureau of Investigation.

On July 10, 1964, Mrs. JACK C. HARPER, 534 Monssen Drive, Dallas, Texas, advised that shortly before the interview, she had received a telephone call from her husband, Dr. JACK C. HARPER, who instructed her to furnish two 35 millimeter color slides to a representative of the Federal Bureau of Investigation.

She said these color slides allegedly depict a concave photograph and a convex photograph of a piece of bone allegedly from the skull of President KENNEDY. She said this piece of bone was found by her nephew, BILLY A. HARPER, near the site where President KENNEDY was assassinated.

Mrs. HARPER furnished these two slides for the use of the Federal Bureau of Investigation and stated her husband requested they be returned to him.

Re: L&E HARVEY OSWALD

Previous investigation concerning the foregoing mentioned piece of human bone is reflected on pages 150, 150A and 151 of the report of Special Agent ROBERT P. GEMBERLING dated November 30, 1963, at Dallas, Texas, in instant matter.



# Memorandum

DATE: 4/3/75

TO: J. J. McDermott / H/M / Del  
FROM: J. R. Haverly / H/M / Del

SUBJECT: ~~X~~ File

The attached \_\_\_\_\_ has been received in the Records Section, appropriately initialed, and indicated for file. By use of instant transmittal memorandum, all necessary recording and indexing will be accomplished. It is to be noted this form is for internal use only within the Records Section, principally by the Routing Unit where bulky material not accompanied by memorandum is usually received.

The enclosure, if bulky and not usually filed with other papers in file, may be detached but this action should be clearly noted under the word "Enclosure."

Enc.

*66*  
*file*

REC 69 /

EX-117

NOT RECORDED  
6 APR 3 1975

ENCLOSURE

ENCLOSURE ATTACHED

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*101-82111*  
*6/2*

1162  
51 APR 09 1975





PENTHOUSE APRIL, 1975

LEE HARVEY OSWALD WAS INNOCENT  
BY GEORGE O'TOOLE

*George O'Toole*



Penthouse presents the first scientific evidence from CBS tapes that the alleged assassin of President Kennedy was telling the truth when he said, "I didn't shoot anybody."

# LEE HARVEY OSWALD WAS INNOCENT

By George O'Toole

The assassination of Napoleon Bonaparte was a perfect crime: it went undiscovered for 140 years. There had been rumors and suspicions, of course. Napoleon himself wrote, just three weeks before his death, "My death is premature. I have been assassinated by the English oligarchy." But the official autopsy report stated that Napoleon died from natural causes, and there the matter rested for nearly a century and a half.

In 1961 two Swedish researchers decided to investigate the death of Napoleon through the use of one of the newest weapons in the arsenal of forensic science, a technique known as neutron activation analysis. They obtained some strands of hair taken from the head of the exiled emperor immediately after his death. With the help of a scientist at the University of Glasgow, the Swedes placed these hairs in a nuclear reactor at Britain's Harwell atomic-research laboratory and subjected them to a beam of neutrons. After twenty-four hours the specimens were sent to Glasgow for analysis.

The irradiated hairs yielded up their secret. They contained over ten times the normal amount of arsenic. Additional samples of Napoleon's hair were then obtained, and the experiment was repeated. This time the hair was cut into segments, each corresponding to two weeks' growth. The distribution of arsenic in the segments showed that the exile of St. Helena had received regular doses of the poison during the last year of his life. The Swedish and Scots researchers were convinced: Napoleon Bonaparte had been slowly poisoned to death by his jailers.

There is, of course, no doubt that the death of President John F. Kennedy in Dallas was an assassination; yet, like the death of Napoleon, the event has been obscured by questions and doubts. During the ten years since the assassination, the facts have been sifted again and again, first by the Warren Commission and then by a host of independent investigators. Few of the latter have been able to agree with the official conclusions of the commission, but none has offered a satisfactory account of what really happened on that November after-



noon in Dallas. With the passage of time details of the controversy have dimmed our minds, leaving a dull residue of doubt and a despair of ever learning the truth. And yet we may hope that, as with the assassination of Napoleon Bonaparte, new scientific discoveries will perhaps someday shed some light on the murder of John Kennedy. It was just this hope that I began to cherish when I first heard of a remarkable device called the Psychological Stress Evaluator.

There is no simple way of stating accurately in lay terms what the Psychological Stress Evaluator (or PSE) is or what it does. But if the precision of scientific language can be abandoned for a moment, it can be said that the PSE is a new type of lie detector that works through the medium of the voice.

I first heard of the Psychological Stress Evaluator in 1972, when I met two of its inventors, Allan D. Bell, Jr. and Charles R. McQuiston. Bell and McQuiston, both former lieutenant colonels, retired from army intelligence several years ago to form a company called Dektor Counterintelligence and Security, Inc. It was a logical second career for the two men. Both are experts in the technology of espionage and either one could pick the lock on your front door in less time than it takes you to find your key. Colonel Bell wears a Black Belt in karate, is an accomplished swordsman and small-arms expert, and has a dozen inventions to his credit, from antiebugging devices to a miniaturized microdot camera. McQuiston is one of the foremost polygraph experts in the U.S., a specialist in radio and audio surveillance, and a qualified locksmith.

The PSE grew from an effort to improve the polygraph. Standard polygraphs measure four variables: pulse, blood pressure, respiration, and perspiration. Some also measure additional physiological variables. The more variables measured, the more reliable the polygraph.

Bell and McQuiston discovered that the frequencies composing the human voice are not fixed; they shift very slightly from eight to fourteen times every second. But when the speaker is under stress, this normal frequency modulation disappears. What remains are the pure component frequencies of the voice. And a strong indication that the speaker is lying.

The two men developed a device to detect this phenomenon and planned to use it as an additional "channel" on the polygraph. Then they discovered that the new variable was so reliable and accurate a measure of psychological stress there was really no need to measure the other polygraph variables.

Freed from the necessity of strapping the subject into a chair, stretching a pneumographic tube across his chest, gluing electrodes to his palms, and clamping his arm with a blood-pressure cuff, Bell and McQuiston found the PSE to be much more versatile than the polygraph. Because it can work from a telephone or tape recorder, the

PSE can be used without the knowledge or even the physical presence of the subject.

Sound-recording technology is almost a century old (Edison invented the phonograph in 1877), and an enormous amount of history is stored away in the sound archives of the world. There are scores of mysteries from the past hundred years that could be cleared up once and for all if the related interviews, public pronouncements, and press conferences could be retrieved from the archives and subjected to the scrutiny of the PSE. But none of these mysteries can compare in terms of sinister murkiness, frustrating paradox, or sheer historical impact to the question of what really happened in Dealey Plaza at 12:30 P.M., central standard time, November 22, 1963.

Throughout the long afternoon and evening of that November 22, the reporters poured into Dallas. Nearly every major newspaper, wire service, and television network was represented. In the homicide and robbery bureau on the third floor of Dallas police headquarters, a police captain and agents of the FBI and Secret Service were questioning Lee Harvey Oswald. Outside in the corridor, television cameramen were setting up their equipment and newsmen were beginning to assemble. As the evening wore on, more than one hundred reporters jammed into the narrow third-floor hallway.

Inside the homicide and robbery bureau—according to reports by the Dallas police, the FBI, and the Secret Service—Oswald was advised of his rights to legal representation and to remain silent, and that any statement he made could be used against him in a court of law. Sometime during that night, Oswald was asked about the shootings, and he emphatically denied killing either President Kennedy or Dallas police officer J. D. Tippit. He refused to discuss the assassination with the FBI agents until he was represented by an attorney. When he was asked to submit to a polygraph examination, he refused to do so until he had had an opportunity to consult a lawyer.

Several times during the evening, Oswald was taken under guard from the third-floor office to appear in lineups and to be arraigned for the murder of Officer Tippit. At midnight he was taken to the basement for a brief and confused "press conference." Whenever Oswald was brought out of the third-floor office, the reporters elbowed forward, vying with each other to get a statement from the prisoner. In answer to their shouted questions, Oswald expressed bewilderment at his situation and protested that he had not been allowed legal representation. When asked if he had killed the president, Oswald replied that he had not. Although nothing he said in the police interrogation room was recorded, the newsmen's microphones captured Oswald's statements in the corridor and at the press conference. At least two of his claims to innocence were recorded on tape.

He couldn't have known it at the time, but when Oswald spoke those words, he was taking a test. Seven years would pass before the lie detector would be invented that could actually test for the subtle and inaudible vocal clues that are evidence of truth or de-

ception. Another three years would elapse before anyone used the Psychological Stress Evaluator to test Oswald's denials that he killed President Kennedy. In 1973, I obtained copies of those recordings and processed them with the PSE.

The CBS tapes contained this brief exchange between Oswald and the newsmen, recorded at the midnight press conference in the basement of police headquarters:

Oswald: I positively know nothing about this situation here. I would like to have legal representation.

Reporter: [unintelligible]

Oswald: Well, I was questioned by a judge. However, I protested at that time that I was not allowed legal representation during that very short and sweet hearing. I really don't know what this situation is about. Nobody has told me anything, except that I'm accused of murdering a policeman. I know nothing more than that. I do request someone to come forward to give me legal assistance.

Reporter: Did you kill the president?

Oswald: No, I have not been charged with that. In fact, nobody has said that to me yet. The first thing I heard about it was when the newspaper reporters in the hall asked me that question.

The press conference was held under circumstances very unfavorable for stress-deception analysis. Oswald was shackled between two policemen. He had been brought into the basement lineup room to face a battery of television lights and cameras and a surging mob of newsmen. Each reporter was trying to shout his fellows in the competition for a statement. I expected to find a uniform level of hard stress in both relevant and irrelevant statements, but I discovered that this was not the case.

The first statement, "I positively know nothing about this situation here," showed good-to-hard stress. The stress was moderate-to-good in, "I would like to have legal representation." It remained at that level until he said, "I protested at that time," when it went back up to hard. The stress dropped back to good, then moderate-to-good in the phrase, "I really don't know what this situation is about." It continued good until he said, "I know nothing more than that," at which time it turned hard again. "I do request someone to come forward to give me legal assistance" was moderate-to-good, except for the word "someone," which was hard.



The statement, "No, I have not been charged with that" showed an unusual range of stress. It began with almost no stress, but there was hard stress on the word "that." On listening repeatedly to the recording, I noticed that Oswald ran the words "no" and "I" together, producing the same phonetic effect as "know why." Electronically, it was a single, two-syllable word, and it produced a single waveform on the PSE chart. The waveform began with almost no stress

but ended with good stress. Obviously, it was important to discover how much of the stress had been present during the "no" part of the utterance.

I played the tape several times at a reduced speed until I was able to identify the point at which the o vowel ended and the i sound began. I made a small visible mark on the tape at this point, then switched the recorder to the even slower speed required by the PSE. I backed up the tape, switched on the PSE, and played the statement again. When the mark on the tape reached the recorder's playback head, I switched off the machine. The PSE stylus dropped back to the zero line. I looked at the waveform.

The stress was none-to-moderate.

I asked Mike Kradz, Dektor's director of training, to look at the charts. I told him that the speaker was a young man accused of murdering a policeman and an executive, who had been interviewed by reporters under chaotic conditions in a police station. I showed Kradz the transcript of the tape, but I had altered the question, "Did you kill the president?" to read, "Did you kill him?" As Kradz inspected the charts, he had no way of knowing that the speaker was Lee Harvey Oswald or that the murdered executive was John Kennedy.

Kradz studied the charts carefully and said it seemed the speaker was telling the truth when he denied the murder. While he was impressed with the low level of stress in the "no," which I had separated electronically from the rest of the statement, he felt that even considering the increased stress that appears later in the sentence there was a strong indication that the young man wasn't lying. Kradz pointed out that the stress, although considerable, was not equal to the consistently hard stress shown in the phrases, "I positively know nothing about this situation here," and "I know nothing more than that." The young man may have been lying when he made these statements, or there may have been some other reason for the stress. But whatever the case, Kradz pointed out, that subject seemed to mean a great deal more to the speaker than the matter of murdering the executive. The indication was that he didn't do it.

After he announced his conclusion, I told Kradz that the speaker was Lee Harvey Os-

wald and the murdered executive President Kennedy. The ex-cop stared at me for a moment, then picked up the charts again and examined them minutely. Finally he put them down and shook his head in disbelief. "I wonder who he thought he killed," he said.

Kradz's incredulity was only natural; the charge that Lee Harvey Oswald killed President Kennedy has gained widespread acceptance, even in the face of public doubts about the Warren Report. During the first few years after the assassination, Oswald was described in the press as "the alleged assassin," an implicit reference to the fact that he had not lived to be convicted of the crime in a court of law. But, as propagandists have often demonstrated, repetition of a charge gradually leads to its public acceptance. Ten years after the event, even most skeptics doubted no more than that "Oswald acted alone."

I was too familiar with the weaknesses in the case against Oswald and I had seen too many indications of deception in the recorded statements of the witnesses against him to be very surprised at this new discovery. I remembered the words of ex-FBI agent William Turner in his book, *Invisible Witness*: "While in police custody Oswald's demeanor was not that of a wanton assassin.

He steadfastly denied the crime and some newsmen were struck by the appearance of genuine shock when he was told he was accused of the assassination."

But Mike Kradz's skepticism led him to think further about the chart and transcript I had shown him, and he finally raised a point which, I was forced to agree, made the PSE results less than 100 percent conclusive—this is that it's not completely clear what Oswald meant when he responded to the question, "Did you kill the president?" The Warren Report contains the following transcription of his reply: "No. I have not been charged with that." If the statement is read as two distinct sentences, Oswald seems to be denying his guilt and then adding that he has not been charged with the crime (which, at the time of the midnight press conference, was the case). But, as I knew from listening to the tape, Oswald sounded as though he were saying, "No, I have not been charged with that," in one sentence, not two. Was "no" a specific denial of guilt, or merely a rejection of the question, a way of saying, in effect, "Don't ask me that; even the police haven't accused me of that"?

Of course, if Oswald had been the man who killed the president only hours earlier, he might be expected to show hard stress while making any reference to the shooting, no matter how oblique; and it certainly should have been a more stressful subject than what he knew about the circumstances of his arrest. But Oswald's denial seemed ambiguous, and the PSE results, however interesting, could not be called absolutely conclusive. It seemed likely, however, that Oswald was asked the crucial question by

newsmen again during the night of November 22, and his answer was probably recorded on tape somewhere. So I set out to find a recording of a categorical denial, and several weeks later I succeeded.

Ironically, my search ended in Dallas. I was visiting Al Chapman, one of the hundreds of private citizens who do not believe the Warren Report and continue to investigate the case. Chapman has compiled a small library of materials relating to the assassination, including some sound recordings. Among these I found a long-playing record called *Probe*, which was released several years ago by Columbia Records. *Probe* is an audio documentary on the assassination (and one of the bitterest attacks on the critics of the Warren Report), and it contains many excerpts from news recordings that were made during the weekend of the assassination.

Oswald speaks only once on the record, apparently while being led along the crowded third-floor corridor of the police station:

Oswald: These people have given me a hearing without legal representation or anything.

Reporter: Did you shoot the president?

Oswald: I didn't shoot anybody, no sir.

I transferred the statement to tape. Later, I processed the recording with the PSE.

Oswald's protest that he has been given a hearing without legal representation shows good-to-hard stress. His categorical denial that he shot anyone contains almost no stress at all. Stress is a necessary, but not sufficient, condition of lying; it must be interpreted, and therein lies the margin of error. But the absence of stress is a sufficient condition of truthfulness. If someone is talking about a matter of real importance to himself and shows absolutely no stress, then he must be telling the truth.

Oswald denied shooting anybody—the president, the policeman, anybody. The psychological stress evaluator said he was telling the truth.

But, despite the many other indications that Oswald was innocent, the almost complete absence of stress in his voice is still remarkable, in view of the circumstances of his conversation with the press. The recording sounded clear and was of excellent technical quality, and hard stress was apparent in Oswald's voice when he protested that he had been denied legal representation. Still, I wondered if some yet unknown recording phenomenon had managed to eradicate the stress in his statement of innocence. This didn't seem very likely, but I was uncomfortable with the fact that the tape had been made from a phonograph record which, in turn, had been cut from another recording. None of my other results had come from phonograph records. Did some



thing about this medium sometimes stress. I decided that I would have to ob- another tape of the statement, one that was not the result of a re-recording chain involving a phonograph record. Otherwise, couldn't be certain.

The John F. Kennedy Library in Waltham Massachusetts, has a stack of audio tapes that had been recorded from the television network coverage of the events of November 22-25, 1963. After two days of listening, I found what I was looking for. This copy sounded the same as the recording I had found in Dallas—with one exception. On the Dallas recording Oswald says, "I didn't shoot anybody, no sir." On the Waltham recording he can be heard to say, "No, I didn't shoot anybody, no sir." The two recordings were probably made from two different microphones, and indeed many photographs of Oswald in custody show several newsmen holding up microphones in front of him. The reporter who asked him, "Did you shoot the president?" was probably at Oswald's side, and Oswald may have been turning to face the man as he answered. Thus, some of the microphones would have been likely to miss the "no."

I ran the Waltham recording on the PSE. The initial "no" showed moderate stress. The PSE waveforms for the rest of Oswald's statements were virtually identical to the ones I made from the Dallas tape. There was good-to-hard stress on, "These people have given me a hearing without legal representation or anything," and almost no stress on, "I didn't shoot anybody, no sir." There was no longer any question of distortion from the phonograph record. The evidence that the Waltham tape had been recorded from a different microphone from the Dallas tape established that the two tapes were the end points of two completely separate transmission and recording chains. And both tapes yielded identical PSE results. It was not some strange sound-recording fluke: quite clearly Lee Harvey Oswald was telling the truth.

I returned from Waltham and visited Mike Kradz at Dekor. I showed him the second set of transcripts and charts. No prolonged examination was necessary: the utter lack of stress in Oswald's statement was immediately obvious. It was hard to accept, but Kradz had run too many criminal cases on the PSE to have any doubts about the meaning of the PSE charts I showed him. There was no other possible explanation than that Oswald was telling the truth.

Kradz asked me if I would object to his showing the charts to someone else. I said that I wouldn't, and he stepped out of his office and returned in a few minutes with a wiry, middle-aged man whom he introduced as Rusty Hitchcock.

L. H. "Rusty" Hitchcock is a former army intelligence agent and one of the most experienced polygraph examiners in the country.

Since he graduated from the army's polygraph school at Fort Gordon in 1954, lie detection has been his specialty. Besides conducting thousands of polygraph investigations, he has also carried out basic research in lie detection and is an expert on the phenomenon of the galvanic skin response and the effect of hypnosis on polygraph results. He is the author of many training manuals and procedural guides used by army polygraph examiners. Hitchcock is, of course, well-known in professional polygraph circles and, although he now embraces the heretical Psychological Stress Evaluator, he is still held in high regard by most of his fellow members of the American Polygraph Association. He is retired and spends most of his time raising cattle on his Georgia ranch, but he occasionally serves as a consultant to law-enforcement agencies and private security firms.

Rusty Hitchcock was incredulous when Kradz showed him the PSE charts I had run on Oswald. He questioned me closely to assure himself that I had not made some procedural mistake in operating the PSE equipment. Convinced that I had not, he speculated that there might be a defect in the equipment I was using, and he also pointed out that I had run Oswald in only one of the PSE modes and at only one tape speed (varying the speed of the tape recorder or chart drive mechanism can sometimes reveal low-level stress which would otherwise go unnoticed). This was true, but the combination of mode and tape speed I had used was the one most often used in criminal cases, since it is completely sensitive to the levels of stress likely to be produced in such matters. Oswald had shown hard stress on the irrelevant issue and almost none on his claim of innocence.

I was certain the PSE and recorder I had used were working properly, and I was confident I would get the same results no matter what equipment, PSE mode, or tape speed I used. I offered Hitchcock a copy of the recording and suggested he check my findings with his own instruments. He replied by inviting me to his ranch, suggesting that we review the tape together. Several weeks later, I accepted his invitation.

We spent most of a morning and a roll of chart paper on the test. I watched over his shoulder as Rusty tried each combination of PSE mode and recorder speed in turn. The answer was always the same. In the end he too was convinced. Rusty is no student of assassinations, but he is a specialist in the natural history of lying. Perhaps better than anyone, Rusty could read the message written over and over again that day by the stylus of his PSE. He had the courage of his convictions, and he gave me his findings in the form of a signed statement. It reads as follows:

Dear Mr. O'Toole:

As you requested, I have analyzed with the Psychological Stress Evaluator the tape recordings you provided of the voice of Lee Harvey Oswald. Oswald's comments regarding the circumstances of his arrest and his statements that he had been denied legal representation show considerable situation stress. When he is asked, "Did you kill the president?" his reply, "No, I have not been

charged with that," shows no harder stress than that found in his earlier comments. In replying to the question, "Did you shoot the president?" his reply, "No, I didn't shoot anybody, no sir," contains much less stress than I found in his earlier statement regarding legal representation, made only moments before this.

My PSE analysis of these recordings indicates very clearly that Oswald believed he was telling the truth when he denied killing the president. Assuming that he was not suffering from a psychopathological condition that made him ignorant of his own actions, I can state, beyond reasonable doubt that Lee Harvey Oswald did not kill President Kennedy and did not shoot anyone else.

(signed)

Lloyd H. Hitchcock

Was Oswald a madman? The Warren Commission reported that it could reach no definite conclusion regarding Oswald's sanity in the legal sense of the word. The commission included in its report a lengthy and detailed biography of Oswald, and the report of a psychiatrist who examined Oswald when he was arrested for truancy as a thirteen-year-old. The psychiatrist found Oswald to be withdrawn and insecure, but not psychotic. Nothing in the commission's detailed record of Oswald's childhood and adult life suggests that he was, in any sense, insane.

Rusty Hitchcock explained that he was not concerned about the possibility that Oswald was a pathological liar: the hard stress evident in some of his statements shows that he was responding normally to the situation in which he found himself. Rusty was allowing for the possibility that, for some reason such as temporary amnesia, Oswald was unaware of his recent actions. However, there is absolutely nothing in the official accounts of Oswald's statements while in custody that suggests he ever said that he couldn't remember what he had been doing on the afternoon of November 22. There is no other plausible interpretation of the Oswald PSE charts than the



explanation that Oswald was simply ~~the truth~~

But after ten years of repetition in books, magazines, newspapers, and the broadcast media, it is difficult to abandon the official doctrine that Lee Harvey Oswald was an assassin. Even the serious student of the Warren Report who is completely familiar with the defects in the commission's case against Oswald may be unable to resist the cumulative effect of a "well-known fact." The problems raised by skeptics with the testimony and evidence against Oswald tend to focus on the negative, to argue that the commission failed to prove its case. In debating the ballistic, photographic, and medical evidence, one has a tendency to ignore the substantial positive arguments in favor of Oswald's innocence.

One of the strongest of these arguments is the fact, established by the Warren Commission, that no more than ninety seconds after the president was shot, Lee Harvey Oswald was calmly standing in the lunchroom on the second floor of the book depository. Dallas motorcycle policeman M. L. Baker was riding in the presidential motorcade when the shots were fired. He got off his motorcycle and rushed into the lobby of the book depository, where he encountered Roy Truly, the depository manager. Baker and Truly ran up the stairs. On the second floor Baker saw someone going into the lunchroom. With his revolver in his hand, Baker followed. As he reached the lunchroom entrance, he saw that the room was empty except for one man, who was walking away from him. Baker called to the man, who turned around and walked over to the policeman. At this point, Truly entered the lunchroom and identified the man as Oswald. The Warren Report describes the encounter:

Baker stated later that the man did not seem to be out of breath; he seemed calm. "He never did say a word or nothing. In fact, he didn't change his expression one bit." Truly said of Oswald: "He didn't seem to be excited or overly afraid or anything. He might have been a bit startled, like I might have been if somebody confronted me. But I cannot recall any change in expression of any kind on his face." Truly thought that the officer's gun at that time appeared to be almost touching the middle portion of Oswald's body.

The commission had Baker reenact his movements—getting off the motorcycle, meeting Truly in the lobby, and climbing the stairs to the second floor. Baker ran through the whole sequence twice and was timed by stopwatch. The first time he did it in one minute and thirty seconds, the second time in one minute and fifteen seconds.

A Secret Service agent (and later several other people, including Chief Justice Warren) reenacted Oswald's supposed movements after firing the final shot—carrying a rifle from the southeast window to the northwest corner of the sixth floor, placing the weapon on the floor where it was allegedly discovered, descending the stairs to the second floor, and entering the lunchroom. Two trials were timed: the first, at a "normal walking pace," required one minute and eighteen seconds; the second, at a "fast walk," took one minute and fourteen seconds, only slightly less.

There is no indication that the agent, in reenacting Oswald's supposed actions, stopped to wipe the rifle completely clear of fingerprints. (The FBI laboratory reported that there were no fingerprints on the rifle; the Dallas police claim to have found a palmprint, but on a portion of the rifle which could only be touched when the weapon was disassembled.) This might have added

a few seconds to the test, although it is conceivable that the assassin could have wiped off the rifle as he walked across the sixth floor to the place where he secreted it.

Thus, the Warren Commission was able to establish that it was just barely possible for Oswald to have gotten from the southeast corner of the sixth floor to the lunchroom on the second floor between the time the final shot was fired and the moment at which Patrolman Baker and Roy Truly saw Oswald in the lunchroom. But while the commission was able to prove the physical possibility of its theory, it didn't even attempt to explain away the psychological problems of this version.

The absence of fingerprints on the rifle does not necessarily mean that someone wiped them off: contrary to popular opinion, weapons often do not "take" fingerprints, perhaps not even from the sweaty hands of a man waiting to murder the president of the United States. In fact, there would have been little point in Oswald's wiping his prints from the rifle, since the weapon could easily be traced to him through the post-office box he had rented in his own name. But the question that the commission failed to answer, or even to ask, is why Oswald bothered to hide the rifle at all. He must have known that even if he had taken more pains

There is no plausible interpretation of Oswald's PSE charts except that he was telling the truth.

than merely concealing the gun behind some cartons of books, a thorough police search of the book depository would have found it. Short of removing the rifle from the

building, there was really no way that Oswald could have hoped to keep the weapon out of the hands of the police.

If Oswald had been the assassin, then his supposed rush from the sixth-floor window to the second-floor lunchroom would have to have been for the purposes of establishing an alibi and facilitating his escape from the book depository. Time, then, would have been critical, and stopping to hide the rifle would have taken time. To carry a weapon across the sixth floor was to prolong the risk of being observed with it by anyone who chanced to come upon the scene. If Oswald's plan was to avoid discovery and establish himself in the lunchroom as soon as possible, then the rifle should have been found near the southeast window, not hidden behind cartons in the northwest corner of the sixth floor.

Truly and Baker reported that when they saw Oswald in the lunchroom he seemed calm, although a bit startled at being confronted by a policeman holding a gun. He was not, according to their account, out of breath, frightened, or excited. This would have been an extraordinary feat of self-control for a man who, ninety seconds before,

pumped two bullets into the president, concealed his rifle, and hurried down four flights of stairs. If Oswald had been the assassin, if he had fled to the lunchroom to avoid detection, then confrontation by a uniformed policeman with a drawn gun should have at least suggested to him that the game might be over. But Oswald was not pale and shaken, merely startled. When his salvation arrived in the form of Roy Truly, who identified him to Baker as a depository employee, did he breathe a sigh of relief? None was reported. When Baker and Truly turned away to continue their search elsewhere, did Oswald hurry down that last flight of stairs and flee the building? He did not. According to the commission's reconstruction of events, Oswald walked over to the soft-drink machine in the lunchroom and bought a Coca-Cola.

Sylvia Meagher, who conducted one of the most exhaustive analyses of the Warren Commission, cites some evidence that Oswald had, in fact, been drinking the Coke even before the confrontation with Baker, evidence which would support Oswald's claim that he was having lunch at the time of the shooting. There is no question, however, that Oswald was drinking the Coke when he was seen, a few moments after meeting Baker, strolling through one of the offices on the second floor. Mrs. Robert Reid, a clerical supervisor at the book depository, saw him enter the office and told the commission, "I had no thoughts . . . of him having any connection with it all because he was very calm. He had gotten a Coke and was holding it in his hands and I guess the reason it impressed me seeing him in there, I thought it was a little strange that one of the



warehouse boys would be up in the office at that time, not that he had done anything wrong." Oswald's casual presence in a second-floor office may have seemed strange to Mrs. Reid, but in view of the Warren Commission's charge that he was the assassin fleeing the scene of the crime, his pause for some leisurely refreshment seems downright incredible.

Yet another problem with the commission's reconstruction of Oswald's alleged dash from the sixth to the second floor is the testimony of an eyewitness who, during the critical seconds immediately after the shooting, happened to be on the same staircase Oswald was supposed to have used. Victoria Adams, who worked on the fourth floor of the book depository, told the commission that, within a minute of the last shot, she ran down the stairs from the fourth floor to the first floor. She said she neither saw nor heard anyone else on the stairs. The commission concluded that she must have been wrong, that she really used the stairs several minutes after Oswald had already descended them.

Shortly after he was seen by Mrs. Reid, Oswald left the book depository. Instead of continuing down the stairs in the northwest corner of the building adjacent to the area where he met Baker, Truly, and Reid and departing through the secluded back exit, Oswald strolled across the second floor and

walked down the front staircase to the main entrance on Dealey Plaza. He left the building not as a murderer on the run, but like someone who had missed the excitement and was going outside to see what was happening.

Oswald never returned to the book depository; he went to his furnished room in the Oak Cliff section of Dallas, and from there to a nearby movie theater. According to the reports of his interrogation, he claimed he felt that, under the circumstances, the book depository would close for the rest of the day, so, without waiting to be notified, he took the afternoon off, went home, and then went on to the movies. This story seems implausible, but there is nothing in the commission's reconstruction of Oswald's trip from Dealey Plaza to his room that suggests flight. Traffic in the vicinity of the book depository had come to a standstill, and Oswald walked several blocks from the tie-up and boarded a bus. The bus traveled for several blocks and then became stuck in the spreading traffic jam. Oswald got out and walked to the Greyhound Bus Station, where he got in a taxicab. The driver's account of what happened next gives us a dramatic insight into Oswald's state of mind only minutes after the shooting:

And about that time an old lady, I think she was an old lady, I don't remember nothing but her sticking her head down past him in the door and said, "Driver, will you call me a cab down here?"

She had seen him [Oswald] get this cab and she wanted one, too, and he opened the door a little bit like he was going to get out and he said, "I will let you have this one," and she says, "No, the driver will call me one."

If Oswald was an assassin fleeing the scene of his crime, then he was certainly an assassin of remarkable chivalry.

Oswald took the taxi to Oak Cliff, went to his furnished room, changed his clothes, and then went out again. Oswald's landlady, Mrs. Earlene Roberts, testified that Oswald spent only a few minutes in his room. After he left, Mrs. Roberts looked out the window and saw Oswald waiting at a bus stop in front of the rooming house. Once again, Oswald is seen less than an hour after the assassination under circumstances suggesting neither furtiveness nor haste. There is, in fact, nothing in the commission's reconstruction of Oswald's movements during the ninety minutes between the assassination and Oswald's arrest in the Texas Theatre—apart from some very shaky evidence that he killed Officer Tippit—to suggest that Lee Harvey Oswald had just committed the crime of the century.

The PSE evidence that Oswald was telling the truth, that he was not the assassin, is not my personal property. Anyone sufficiently interested is free to obtain the same recordings and subject them to the same electronic analysis. As the Psychological Stress

as an investigative aid but as an instrument of historical research, I expect others to do so, and they will obtain the same results. Indeed, one noted researcher in the field of lie detection, Dr. Gordon Barland, has already done it.

Dr. Barland, who conducts lie-detection research in the department of psychology of the University of Utah, is well known and respected among professional polygraph examiners. His work appears often in the *Journal of the American Polygraph Association* and related journals. Barland has conducted validation studies of both the polygraph and the PSE, and his work with the PSE was the first objective, scientific study to establish the effectiveness of that instrument. Barland's experience in lie detection is not limited to academic studies, however; he was a polygraph examiner in army intelligence and served with the Department of Defense Joint Working Group on Lie Detection. He is a licensed polygraph examiner in the state of Utah and is frequently called upon to aid in the investigation of criminal cases. Barland is nationally recognized as a lie-detection expert, is often asked to give expert testimony on polygraph evidence in court, and serves as a consultant to the federal government in the field of polygraph research.

Dr. Barland heard of my work on the Kennedy assassination through his interest in the PSE, and he generously offered to review my results. I shipped a set of tapes to him in Utah and asked him to pay special attention to the Oswald denials. Then, after spending a considerable amount of time analyzing the tapes with his own tape and PSE equipment, he called to report his own results.

He confirmed my findings of a complete lack of stress in Oswald's statement that he had not shot anyone and the presence of hard stress in the "irrelevant" statements regarding legal representation. He said that, based on the PSE charts he ran, Oswald appeared to be telling the truth when he proclaimed his innocence. Because Barland's experience with the PSE has been largely confined to controlled, polygraph-like examinations, he does not feel that he can make an absolutely conclusive judgment about any such uncontrolled interview as the exchange between Oswald and the reporter. Barland said that he thought it probably was impossible for someone to lie about such a matter, even in an uncontrolled situation, and show no stress. But, he added, he had not studied stress in uncontrolled interviews sufficiently to be categorical about it. In the interest of scientific accuracy, he felt that he must use the word "probably." I asked him if he would be willing to make a numerical estimate of the probability, as he saw it, that Oswald was telling the truth. He promptly replied that he would certainly be willing to put the figure at 75 percent at the very least.

Except for my initial request of Mike Kradz that he look at the Oswald charts, I have not actively sought expert endorsement of my findings on Oswald. The Psychological Stress Evaluator remains a controversial subject among polygraph professionals, and only a few have had the courage to admit that the new instrument works and thus incur the wrath of their colleagues. I have not asked these few to go even further out on the limb and publicly support the thesis that Lee Harvey Oswald was not the assassin of President Kennedy. However, some of them have confidentially inquired about my work and, in every case, I have offered them my charts and tapes. Some have run the tapes on their own equipment. All who have seen the Oswald charts agree that—either certainly or very probably—Oswald was innocent. None has offered a contradictory interpretation, but only Mike Kradz, Rusty Hitchcock, and Gordon Barland have volunteered to be quoted. Yet in a court of law, any one of those three would be (and often is) accepted as an expert witness in the field of lie detection.

On Monday, November 25, 1963, John F. Kennedy was buried in Arlington National Cemetery. Presidents and kings escorted



the flag-draped coffin to the grave. A squadron of jet fighters roared overhead, and a military guard fired a final salute. The bugler played taps.

And in another cemetery near Fort Worth, Texas, there was another funeral. Lee Harvey Oswald's wife and mother, his brother, and his two small daughters were there, as well as a number of newsmen and Secret Service agents. All of the clergymen Marguerite Oswald had approached refused to permit her son's body to be brought into their churches. None would even agree to conduct a graveside ceremony. A brief service was held by an official from a local church group. When he arrived, he left his Bible in his car. Reporters and Secret Service agents served as pallbearers. Later the grave was desecrated and the tombstone stolen.

Oswald is one of the most hated figures in American history, and his guilt has been largely unquestioned. While critics of the Warren Commission sometimes find receptive and sympathetic audiences to hear their arguments, one proclaims Oswald innocent at his own peril. To offer a professional opinion in support of this thesis takes great courage. Those who have done so have earned my gratitude and admiration.

But there is more than a professional reputation to be risked in considering the PSE evidence of Oswald's innocence. There is one's peace of mind, and all who have dared to look over my shoulder have lost it. I remember vividly the emotions I felt during the afternoon and evening of November 22, as the reports came in from Dallas. During those tragic hours there was some small consolation in knowing that the murderer had been captured. But whatever comfort there was in that belief, it is now gone. The president was killed by a person or persons unknown. Until the murderers are found, until the truth is known, until justice is done, there can be no rest and no peace. None for John Kennedy, none for Lee Oswald, and none for the rest of us. O-

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TO DIRECTOR (105-62555)

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FROM NEW ORLEANS

LEE HARVEY OSWALD

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DATED MAY 17, 1975.

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