

MEMORANDUM

August 23, 1964

To: J. Lee Rankin

From: Wesley J. Liebaler

Messrs. Griffin and Elawson and I raise questions covering the palmprint which Lt. Day of the Dallas Police Department testified he lifted from the underside of the barrel of the K-1 rifle on November 22, 1963. That story is set forth on pages 7-10 of the proposed final draft of Chapter IV of the Report, copies of which are attached.

We suggest that additional investigation be conducted to determine with greater certainty that the palmprint was actually lifted from the rifle as Lt. Day has testified. The only evidence we presently have on that print is the testimony of Lt. Day himself. He has stated that although he lifted the palmprint on November 22, 1963, he did not provide a copy of the lift to the FBI until November 26, 1963 (9 P 260-61). He also testified that after the lift he "could still see traces of the print under the barrel and was going to try to use photography to bring off or bring out a better print." Mr. Latona of the FBI testified with respect to the lift of the palmprint, that "evidently the lifting had been so complete that there was nothing left to show any marking on the gun itself as to the existence of such--even an attempt on the part of anyone else to process the rifle" (Id. at 24).

Additional problems are raised by the fact that:

- 1) Mr. Latona testified that the poor finish of the K-1 rifle made it absorbent and not conducive to getting a good print;
- 2) None of the other prints on the rifle could be identified because they were of such poor quality;
- 3) The other prints on the rifle were protected by callophane while the area where the palmprint had been lifted was not, even though Lt. Day testified that after the lift the "palm print on gun was their best bet, still remained on there," when he was asked why he had not released the lift to the FBI on November 22, 1963.

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Section 19

We should review the above circumstances at our conference with Agent Latona and Inspector Malley. The configuration of the palm print should be reviewed to determine, if possible, whether or not it was removed from a cylindrical surface. The possibility that the palm print or evidence of the lift was destroyed while the rifle was in transit should be reviewed with them. The exact condition of the rifle at the time it was turned over to the FBI Dallas office should be ascertained. Agent Latona should be asked if he can think of any explanation for the apparent conflict in the above testimony.

We should also:

- 1) Determine whether or not Lt. Day had assistance when he worked with the prints on the rifle. If he did, we should obtain statements from those who assisted him.
- 2) Lt. Day should be asked why he preserved the fingerprints on the rifle, which were not sufficiently clear to make positive identification, and yet did not preserve the palm print, which was clear enough for that purpose.
- 3) Lt. Day should also be asked why he removed only the palm print and should be questioned again concerning his recollection that he saw the palm print still on the rifle after he made the lift.
- 4) Lt. Day should be asked if he took any photographs of the palm print on the rifle after the lift. He may have done so, since he did photograph the less valuable fingerprints, and the palm print on the rifle, according to his testimony, was still the "best bet" for identification. It is also significant that Lt. Day stated that he was going to attempt to get a better print through use of photography.


Wesley J. Liebelor

Memorandum

TO : Mr. Belmont *ABW*
FROM : A. Rosen *R*
SUBJECT: LEE HARVEY OSWALD, aka.
IS - R - C

- 1 - Mr. Conrad
- 1 - Mr. DeLoach
- DATE: August 28, 1964
- 1 - Mr. Sullivan
- 1 - Mr. Trotter
- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. Shroder
- 1 - Mr. Rogge

Viper
 Tamm
 DeLoach
 Mohr
 Bishop
 Casper
 Callahan
 Conrad
 Felt
 Gale
 Rosen
 Sullivan
 Tavel
 Trotter
 Tele. Room
 Holmes
 Gandy

Associations of President Kennedy

At the request of J. Lee Rankin, General Counsel, President's Commission, Mr. Sebastian F. Latona, Latent Fingerprint Section, Identification Division, and Malley met with Mr. Rankin, Mr. James Wesley Liebeler and Mr. Burt Griffin at the Commission office today.

Mr. Rankin advised that the members of the President's Commission were rather anxious to try to resolve a question that existed relative to the palm prints and latent fingerprints that had been developed on four cartons that were located on the sixth floor of the Texas School Book Depository Building in the area of the window from which it is believed Oswald shot President Kennedy.

Mr. Rankin advised that the Commission had received a number of pieces of correspondence concerning this matter wherein it was set forth that Oswald's prints had been found among the latent fingerprints and palm prints located on the cartons but they were concerned over the identity of the latent prints which had not been identified. He commented that the Bureau had obtained prints from the Bureau for elimination purposes from the employees of the Texas School Book Depository Building which Mr. Truly, the manager, believed might logically have a reason to have been in the area of these boxes. Mr. Rankin commented that Truly had strenuously objected to all of his personnel being printed at that time due to the loss of work being sustained by his company.

Mr. Rankin stated that the situation now exists where the Commission has not resolved the identity of these prints and it leaves room for the allegation and speculation that Oswald had a co-conspirator in killing President Kennedy. For this reason Mr. Rankin desired the Bureau to attempt to resolve this issue by whatever additional investigation was necessary, fully realizing the scope of the investigation that might be necessary. *62-109060*

Mr. Rankin stated that he would appreciate the Bureau's making an effort to obtain Mr. Truly's permission to print all of the employees of his company for elimination purposes. He advised that in the event there were any objections on Mr. Truly's part he would appreciate being told so that either he, Mr. Rankin,

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COPY SENT TO MR. TOLSON

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Re: LEE HARVEY OSWALD

or Chief Justice Warren could contact Mr. Truly to advise him of the importance of this matter to the Commission in order to obtain his full cooperation.

A detailed letter is being prepared by Mr. Rankin's office outlining the investigation that is desired and will be sent to the Bureau as soon as it is ready. In the meantime, the Dallas Office has been filled in concerning the request of the President's Commission in order that they could get started on this rather large request for additional investigation.

In addition to the foregoing, Mr. Rankin requested relative to the latent fingerprint and palm print impressions that a chart be made visually demonstrating the location of the latent fingerprints and palm prints developed on the four cartons. He stated that he would appreciate it if this chart would show the latent finger and palm prints that actually belonged to Oswald as well as the other impressions that were developed and remain unidentified. He stated he would appreciate these being numbered in such a manner that it would be easy for the Commission members or anyone else reviewing this matter at a subsequent date to follow the complete picture relating to these latent prints. Mr. Latona is proceeding with the preparation of the chart as requested.

Request for Additional Data Re Palm Print on Barrel of Assassination Rifle

Mr. Rankin advised several questions had been raised relative to the palm print found on the barrel of the assassination rifle located on the portion of the barrel which was attached to the wooden foregrip of the rifle. Mr. Rankin stated as he understood the matter the palm print located on the rifle barrel had been located by Lieutenant Day of the Dallas Police Department and had been lifted from the rifle by Lieutenant Day. He noted that the Dallas Police Department made no mention of this latent palm print for a number of days following the assassination. He commented that on November 23, the day following the assassination, Chief of Police Curry, when questioned by news media, answered that fingerprints had been found and when asked further questions about identification stated the rifle had been forwarded to the FBI Laboratory. On Sunday, November 24, District Attorney Henry Wade, when questioned before news media, made the statement that a palm print had been found. Mr. Rankin states that based on the information made available to the Commission the existence of this palm print was not volunteered to the Bureau until a specific request was made of the Dallas Police Department.

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Mr. Rankin further advised that when Lieutenant Day testified before the President's Commission he stated on finding the print he considered photographing it and had intended to do so and then lifted the latent palm impression. The Commission testimony does not show whether Lieutenant Day did or did not photograph the palm impression that he located prior to lifting the palm print impression.

In view of the foregoing, Mr. Rankin desired that Lieutenant Day of the Dallas Police Department be contacted to ascertain from him whether or not he did or did not make photographs of the latent palm impression that he found on the rifle barrel and if he did, in fact, make photographs to obtain such photographs and make them available to the President's Commission.

Mr. Rankin advised because of the circumstances that now exist there was a serious question in the minds of the Commission as to whether or not the palm impression that has been obtained from the Dallas Police Department is a legitimate latent palm impression removed from the rifle barrel or whether it was obtained from some other source and that for this reason this matter needs to be resolved.

During this discussion about the location of this latent palm impression there was considerable conversation about the use of fingerprint dusting powder, the procedure used by Mr. Latona in his examination of the rifle, and Mr. Rankin requested that an examination be made even at this late date to determine if any trace of a dusting powder other than that used by Mr. Latona could be located on the wooden foregrip of the assassination rifle. The Laboratory has been advised and is handling the requested examination.

Submitted for information.

Handwritten signatures and initials:
A large, stylized signature, possibly "Rankin", is written in the center. To its left are the initials "J.B.". To its right is another signature, possibly "V. H. ...".



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

September 4, 1964

By Courier Service

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

Dear Mr. Rankin:

Reference is made to your letter dated September 1, 1964, concerning a palm print which Lieutenant J. C. Day of the Dallas Police Department testified he lifted from the barrel of the assassination weapon, Commission Number 139.

This palm print lift has been compared with the assassination rifle in the FBI Laboratory. The Laboratory examiners were able to positively identify this lift as having come from the assassination rifle in the area of the wooden foregrip. This conclusion is based on a comparison of irregularities in the surface of the metal of the barrel with the impressions of these irregularities as shown in the lift.

A photograph marked to show several of the irregularities referred to is attached.

The results of the other investigation requested in your letter will be subsequently furnished.

Sincerely yours,

J. Edgar Hoover

Enclosure

COMMISSION EXHIBIT No. 2637

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