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Chapter 12

Corruption and Control.

The Warren Commission, Zapruder & His Film.

When on December 5, 1963, the seven members of the President's Commission on the Assassination of President Kennedy gathered for their first meeting they took upon themselves heavy duties laden with grave responsibilities for the nation. The standards of conduct they assumed with their oath traced back 175 years to an origin in civil upheaval and revolution against Great Britain where the integrity and defense of the commonweal, the public or people's government, became the paramount and blessed duty of every official, politician, and lowest clerk of the government. Although not immediately apparent to the average citizen caught up in the trauma of President Kennedy's death at stake from the start of the commissioners' inquiry was the integrity of that distinctive and celebrated successful American political system erected on the ashes of the failed old world one.

An ordinary citizen would unquestionably assume that these eminent individuals fortuitously endowed by leading their life in such an enlightened nation, a pure spot in an unclean world, would fully utilize in their inquiry their key piece of photographic evidence, the Zapruder film. They did not. Instead these distinguished members--Earl

Warren, Gerald Ford, Hale Boggs, Richard Russell, John Sherman Cooper, Allen Dulles, and John McCloy and their eighty-four member staff with the aid of the FBI and CIA-- behind the veil of needless secrecy deliberately corrupted and carefully manipulated the evidence held by those uncommon vital motion picture frames in order to maintain control over their pre-determined solution of a lone, single assassin.

1. National imperative. The investigation of an assassination.

a. And national institutions.

The murder of a president is not an ordinary crime. It is also a political act.

Being a criminal as well as a political act led the evolving English language of the later Middle Ages ultimately to adopt the word assassination to address that distinctive blow

against the state. In the United States the assassination of JFK certainly fulfilled the terms of the definition ^{use them} for not only did it pose a criminal problem to be solved but also it ruptured the process embedded in the Constitution by the first generation of Americans

whereby the people, in free and open assemblage, vote on the president. An assassination denies the will of the people, ^{and nullifies our system. It is the most subversive of crimes.}

But in addition to violating constitutional process while it denies popular will, assassination ^{is} also effects a political act change of the first order. The violent death of ^{the dove} JFK brought President Lyndon B. Johnson into the White House. ^{the hawk, and to set national policy.} The shots in Dallas ^{made President} meant a politician with a different outlook on life, with an array of different priorities and different ways to evaluate ^{and} or judge men and situations assumed the mantle of executive power. This change does not have to be for the good or for the bad necessarily, but it is the naked reality of human and political life: a new mind replaced Kennedy's, ^{and different} and with ^{IT made policies other than JFK's the nations policies.}

In the dark world of the ^{that period was introduced} 1950s and 60s yet another critical ^{issue -} dimension must be added to the constitutional and political ones. This is the nuclear issue. ^{of de} President Kennedy by virtue of office controlled the nuclear arsenal of the United States ^{He then} and was the most powerful human being ^{who} that had ever lived. ^{(the devastating power of} All the weapons ever fired in wars ^{all the} since the beginning of time could not equal the destructive force in one bomb. ^{thermonuclear} ~~Yet~~ ^{of them} America had tens of thousands of ^{hidden} thermonuclear bombs in missiles dug into the earth around the world; in missile ^{hiding} armed submarines ^{hiding} under the seas ready to fire; in airplanes kept in constant flight; ^{and in weapons of shorter range, in place and ready to be fired} and in shells of cannon stationed on three continents. ~~a~~ ^{would char the planet and radiate after all the life it had} mere fraction of them fired ^{between dawn and breakfast} would mark quietus to the ^{not and} human race while it ~~charred the planet into a lifeless rock to float forever in eternity.~~ ^{change} To strike President Kennedy dead was to shake the hand on the nuclear trigger and to rattle the nuclear arsenal. ^{off} Could any murder investigation in all of history be more important?

b. The Warren Commission's duties and powers.

In the history of the republic there has never been a peacetime federal commission or committee with the power and funds that a grieving America heaped upon the Warren Commission. The official documents establishing the Commission set it on its grim course with explicit instructions.¹ ^{the} By terms of the executive order establishing the Commission it had "to ascertain, evaluate and report upon the facts relating to the assassination and the subsequent violent death of the man charged with the assassination".² The purpose of the Commission was "to examine the evidence" already developed and all other evidence "that may hereafter come to light" and "to make such

¹Report of the President's Commission on the Assassination of President Kennedy (Washington: GPO, 1964), ix-xiii. The Warren Report.
²Ex. Order 11130, November 30, 1963.

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^{could} further investigation" as it finds desirable".³ It received full powers of ^{subpoena} subpoena, to compel ^{appearance} appearance testimony, and to ^{the production of} compel persons to produce records, ~~to accomplish this~~.⁴ Further, it could utilize ~~at its discretion~~ any resources the executive departments of the federal government possessed in order to achieve its ends⁵, an extraordinary component of its inquiry.

2. Stepchild. Public knowledge makes the Zapruder film unavoidable.

It is ~~probably~~ a valid supposition that without the Zapruder film the Warren Commission's framing of Lee Harvey Oswald would have been ^{more} very difficult to refute ~~effectively by ordinary methods~~. ~~Perhaps in the hands of competent critics the medical and ballistics and scene of the crime matter would have sufficed to refute the case presented by the Commission, but inherent problems with these and the cold manipulation of them by the government casts doubt on their ability to carry alone an effective dissent.~~ ^{But the evidence in Zapruder's} Since in its pristine format with all of its evidentiary values intact the film posed a major barrier to the federal authorities' efforts to impose their preconceived ^{would as the} solution of a lone Oswald assassin a questioning mind might ask why the Zapruder film appeared in the evidentiary base at all. Other mitigating evidence, ballistic, medical, film, witness, certainly went into oblivion. The short answer is officials could not avoid it and ~~perforce had to deal with it in an alternative manner~~.

a. Stepchildren.

One does not have to work long in the assassination record base to discover the Commission used precious few of the films and photographs available to it. Moreover, strange as it may be in the mass of records one finds no census or definitive list of films

³Ibid.

⁴Public Law 88-202. 88 Cong., S. J. Res. 137, Dec. 13, 1963.

own case structure

taken on Dealey Plaza November 22. The Commission, its staff, and the FBI treated the photographic base with a curious studied disdain only fully explainable when one understands that these knowledgeable investigators did not want and would not seek evidence that might jeopardize ~~the~~ ^{their preconceived} solution of the crime ~~agreed upon among them before~~ ^{hit Oswald alone} they ~~began their investigation:~~ Oswald killed Kennedy.

i. Photographic base of the assassination investigation.

In another time in American history, the pre-Cold War years or the aftermath of World War I, the deliberate and sustained corruption of film evidence by a federal commission investigating a presidential assassination would have been a great scandal and led to resignations, impeachments and criminal sentences. In 1964 not a single questioning word was raised in the establishment media, press, by academics, lawyers, or congressmen. With no official system to identify, record, and make available for study the films and photographs of the assassination the public had to rely upon the energies of the critics and private citizens to perform this essential task. Unfortunately they possessed neither access mechanisms to most records, had limited resources, and lacked a central depository or other professionally managed facility to receive what film and information they had found. The citizen scholars and critics further learned in bruising, usually losing, battles that federal judges, officials and bureaucrats had enlisted as dedicated opponents to their efforts. As a consequence ^{inadequate, incomplete and} the record of film is imperfect, the films themselves scattered, many are lost, and with the passage of ^{more than three} almost two decades ^{these losses are permanent.} ~~generations now perhaps this will always be.~~

As a rough rule of thumb the critics identified it seems over 500 films and photographs of all types, including Polaroid, motion picture, television, slides, black and

⁵11130, op. cit.

white, and color associated with that day in Dallas.⁶ The Commission examined only about sixty photographs and films and brought into evidence about thirty. It is a further really inconceivable fact but a fact nevertheless that not a single piece of utilized film was printed or used with fidelity.

ii. Ignored & misrepresented films.

Some of the film ignored included ^{on video} the Bronson motion picture ^{and stills} of the

assassination. Its fate can typify the destiny of other important films. Bronson had come

to Dealey Plaza with his wife to film the president. ^{has 8 mm motion picture} He took still photographs and then, ^{standing}

The grass and facing the actual killing, took his 35 mm slides. When he left this film stood on the interior grass to take a motion picture. Afterwards he dropped the roll off at the Eastman Kodak, he said it included the assassination and that the FBI would have a processing plant to be developed along with a note that it was of the assassination and

~~he would appreciate expedited handling.~~ The plant manager telephoned the FBI and then

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~~notified Bronson to pick up the film.~~ Two FBI agents ^{went to} met Bronson and the manager at the plant and viewed the film. ^{they} The agents reported there was nothing there to interest

them, as the film did not show the [assassination?]. Years later critics uncovered

information about the film's existence and tracked it down. They discovered the film

shows the Texas School Book Depository on ^{about a hundred} 92 frames with JFK's limousine shown on

the street below. Oswald is not in the sixth floor window! ^{in the Bronson movie taken} It also appears that two other

~~figures are in the window and a third in suit squatted in the third window west but this~~

~~requires further technical study.~~

you really need to see the Bronson reports' words

⁶While this based partially on my own rack the following discuss the number: Richard B. Trask, *Pictures of the Pain. Photography and the Assassination of President Kennedy* (Danvers, Mass: Yeoman Press, 1994) ; Richard E. Sprague, "The Assassination of President John F. Kennedy: The Application of Computers to the Photographic Evidence," *Computers and Automation* (May, 1970); Richard K. Van Der Karr, "How Dallas TV Stations Covered Kennedy Shooting," *Journalism Quarterly* (1965); Harold Weisberg, *Photographic Whitewash: Suppressed Kennedy Assassination Pictures*, 2nd edition (Frederick, MD: by the author, 1976).

The Bronson film shameful history typifies the fate of many photographs. Other films got into the Commission's hands only because they could not avoid them, such as ^{the} Altgens and Willis' pictures. The Ike Altgen's photograph of the front of the Depository building snapped from south of Elm Street at ^{Zapruder} frame 255 became part of the Commission's record when it appeared on the front page of newspapers. It posed a difficult problem for it shows what almost certainly is Oswald standing with other spectators on the steps of the Depository watching the motorcade pass when, of course, he was supposed to have been on the sixth floor shooting JFK. ^{Some of} Phil Willis' slides ^{only} became part of the official case when he started to sell them commercially.

When the FBI did obtain film it could not avoid, it ^{sometimes} altered ^{any} portion of it that ~~conflicted with the lone assassin theory~~. As severe an indictment of the Bureau's investigation as that statement may appear to the uninitiated no exception is known. The Robert Hughes film ^{for example} is a case instance. Hughes stood on the corner of Houston and Commerce and took a motion picture showing the south face of the TSBD with the presidential ^{in front of} limousine beneath it. No Oswald and no rifle appears in the sixth floor easternmost window and no three ^{TSBD employees} Negroes appear ^{beneath} in the windows on the fifth. ^{you now think FBI did admit my?} The FBI baldly edited and blatantly misrepresented it to make it appear to have been taken prior to the motorcade.⁷

b. A pearl of great price.

If Zapruder's film had not come to public notice in such stark and dramatic fashion it is ~~almost certain~~ ^{might} the Commission would have been able to avoid it. Zapruder came to reporters' attention almost immediately. Within ^{an} the hour Secret Service Agent ^{Forrest} Sorrels visited his office. Zapruder appeared on television a few minutes later describing

the murder scene and mentioning his picture. The next day Zapruder ^{showed} screened it in his office and sold it ^{to Life magazine} at a type of auction with his office literally packed with shouting and bidding press and media reporters. The national radio systems broadcast the fact and CBS ran a dramatic verbal description of what ^{Don Pether said} the film showed. ^{and it did not show}

After the initial spate of information on the film ^{assume} Life magazine sealed public awareness ^{prints enlarged} by running the series of stunning black and white pictures taken from the film in its November 29th edition. ^{This added to the nation's shock} It shocked the nation. Everyone knew about the Zapruder film ^{then.} and what it had captured. In such public circumstances the federal investigation of the murder could hardly avoid the film with the concomitant cocklebur problem as shown in its subsequent history of devising a way to control its information.

of the Zapruder film
is need writing at your hands

3. Federal masking of Zapruder & his film's evidence: control (1)

a. Private ownership of public evidence.

In an ordinary murder investigation crucial evidence connected with the crime is ^{to prevent misuse of it, and to assure that it is not tainted and can be used as} typically acquired or seized by authorities and becomes the property of the people for the ^{about Warren} ~~course of the investigation and afterwards.~~ ^{need} Before a trial the local D. A. does not permit the murder weapon in a local murder to be sold to a private firm or fingerprints to be purchased by a goulsh citizen for his collection or photographs of the murder to be seized, hawked, and displayed by mammon's devotees. Central to the public ^{need} consideration is the ^{But} sure control of the evidence in a case. While this is the known and ~~essential component of the investigation of a high crime~~ it is the bald fact that neither the Warren Commission nor the federal investigative agencies operated to this standard, commonsense, and indeed imperative manner with the Zapruder film. The Commission never acquired the original film or even a full set of slides of each frame made from it.

⁷FBI Exhibit 29, CD 1; PW, 57-58, 278-281, 283; PM, 80.

FBI and the

only

Until then the Commission had decided that three shots had been fired and all had hit their marks on the President and the Governor. None had missed. One hit JFK and caused his neck wound, one hit Connally and caused his wounds, and the last one killed JFK. The members of the staff, the FBI, the Secret Service, other federal agencies, and

the commissioners had viewed the film of course and they were acutely aware of what it

The Commission's files hold

depicted and the implications, Several memorandums, reports, and meetings discussed the film.

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report to Sanders it became impossible to continue to ignore the "missed" shot

With the Dillard ~~question~~ officials not connected with the murder inquiry became

not sharply wounded James aware of the Tague shot. The Commission had no recourse except to account for damage which it and the FBI know.

but to acknowledge it and the

to the curb. The damage could only be accounted for by one of the three bullets. It could

not be caused by the first bullet alleged to have been recovered in pristine condition in the hospital. It consequently turned to the speculations of its assistant counsel, Arlen Specter

one of

who had devised a scheme, not a theory for it had no factual foundation, that one bullet

inflicted all non fatal wounds on both men, a second missed, and the third killed JFK.

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This speculation, which is the subject of another chapter on the single bullet conjecture, enabled the Commission to argue either the second or a fragment of the third shot caused

the damage to the curbstone, and to Tague

But going with this resolution carried a price. The Commission had to call a

number of witnesses central to the single bullet theory and associated with the Tague shot. Since Zapruder's film would be a central component in the single bullet invention

he had to be deposed in order to establish a record and secure credibility with readers of its forthcoming Report.

c. "Shot down like a dog."

At 1:00 P.M. on July 22, 1964, behind the closed doors of the office of the United States attorney, room 301 of the Post Office Building at Bryan and Ervay Streets, Dallas, assistant counsel of the President's Commission Wesley J. Liebeler deposed Abraham Zapruder.⁸ Liebeler was a thirty-three year old lawyer six years out of the University of Chicago Law School, one of the most prestigious schools in America. He was a member of a major New York City law firm with a lucrative salary and was a type of wunderkind of the law, ~~lacking only patriotism and ethics in his professional composition.~~ Zapruder was almost twice his age. He had been born in Russia, suffered from the ravages of pogroms and immigration displacement, but had found a golden life in America. He spoke with ^{slight} ~~an~~ accent.

Zapruder was no ordinary witness. ~~Not only was he~~ ^{He was one of} the most important of the ~~552~~ ^{witnesses}

~~women and men to be~~ ^{and} deposed by the Warren Commission he also possessed a keen ^{and of all the} ~~memory.~~ ^{view of the assassination that was enlarged by his telephoto lens, he} He had ~~the best view of anyone in Dealey Plaza.~~ ^{He had perched on the four} ~~foot square, four foot high concrete abutment at the south end of the pergola below the~~ ^{stand on the}

~~brow of the grassy knoll where he filmed the presidential motorcade from its appearance~~ ^{when} ~~at the entrance onto the east end of Elm Street until the limousine sped away under the~~ ^{ed at the Plaza} ~~underpass carrying its gruesome cargo.~~ ^{disappeared} ~~With his eye on his magnifying lens ever on JFK~~ ^{triple}

and the limousine he viewed the assassination. ^{as he filmed it.}

The Commission of course had carefully thought out how it would treat Zapruder. Nothing was happenstance. It waited until the last minute to call him to testify and then ^{eliminated any alternative,} only when circumstances beyond its control forced the meeting. His was to be a pro forma deposition. Liebeler had an exceptionally busy day on the 22nd grinding out

several important witnesses throughout the morning and afternoon in a weird type of mass production; ^{name them and cite importance of each - all delayed} in a normal investigation each of them should have taken half a day in ~~themselves.~~

^{Like} When one reads through the transcript of ^{Zapruder's} his testimony a number of peculiarities appear. The location offers an initial surprise. Liebeler deposed him in Dallas not ^{before the} Washington and with only himself, a recording secretary, and Zapruder present in the ^{only Zapruder, the court reported} ~~room.~~ ^{were} ^a ^{who} ^{an} Here was ~~the best witness of the criminal act that~~ ^{an} the intense concern of the seven commissioners, yet they spurned him. In addition to location peculiarities the time frame is odd, eight months after the crime when even the best of memories fade or lose their sharpness. The memory also was influenced by 240 days of hundreds of press and television stories hammering on the consciousness until it tends to become confused, unwittingly subject to overlaying later impressions. ^{Excluding Washington and adding one} ~~Joining Dallas and~~ a weakening recollection ^{is} another unusual character of the ^{deposition. His} ~~interview with Zapruder.~~ ^{takes} The testimony ~~fills~~ only seven and one half pages of the seventh volume of hearings! About one page is devoted to housekeeping matters, name, addresses, legal notices, and the like, leaving only six and one half pages for the ^{not much of it was volunteered. much of} ~~testimony.~~ ^{had not insisted on what he volunteered} It would have been shorter but Zapruder pushed in to add comments Liebeler ^{ed and} had to permit.

Perhaps the brevity should be put in context with some examples of testimony of length. Mary Bledsoe, one of Oswald's landlady's in Dallas, occupied 28 pages of the printed transcripts.⁹ And her importance? It was very minimum. She often answered sophisticated questions in unintelligible grunts of "Uh-huh" and had no awareness of

⁸7H469.

⁹6H400-427.

many items, often having to read her answers from a prepared script provided by her attorney--"he looked awful". They used three assistant counsels to depose her.

along with his dubious identification of Oswald as his passenger that led the staff to see that staff saw
Cab driver William Whaley took eighteen pages to print his rambling, confused, and ignorant testimony to provide factually erroneous statements and perjury, but the staff saw he got a trip to Washington to poison the minds of the full Commission.¹⁰ Cecil

McWatters the bus driver whose bus Oswald allegedly rode briefly right after the assassination got thirty pages and a trip to Washington with Whaley.¹¹ His is bumbling from a confused mind who picked for the esteemed commissioners a regular rider, a teenage troublemaker, as his choice of the assassin. That these peripheral figures could have received a royal reception and Zapruder a backwater quick run through is a patent proof that the purpose of his deposition was not to elicit information on the crime but was political, to have deposed the cameraman for the record.

emphasize that as of the long delayed time when Zapruder was deposed the Commission had reached and was formulating its conclusions. If secret and at a time when the Commission had already set the basic facts of the assassination in its institutional mind. Secrecy is a corrosive acid on truth. If pulled into

we did not
the public spotlight Liebeler could not have gotten away with his tactic. How too it must be asked could the Commission really hope to utilize any information and guidance from Zapruder? How could they over turn what they had come to fix as the facts for their forthcoming report after eight months of official life and inquiry?

Nowhere in the testimony of Zapruder does Liebeler elicit from him basic, defining facts ^{no} about ^{his} film and camera. We do not know from the record what exact type of camera was used, what type of film he used, the camera speed he set it on, the type and

¹⁰2H253-262, 292-294; 6H428-434.
¹¹2H262-292.

magnifying qualities of the lens, how the film was developed, the chain of possession, the terms of sale to Time, Inc., and ^{many} other questions ^{relating} connected to the process of filming that day and to the chain of possession. ^{of the original and of the copies made from it,}
^{In deposing Zapruder} ^{FBI} Liebeler used the book of black and white ^{prints of some of the color pictures,} photographs to depose Zapruder.

Zapruder commented on their poor quality: "... you take an 8 millimeter and you enlarge it in color or in black and white, you lose a lot detail. I wish I had an enlarger here for you."¹² Perhaps it is good to recall that excellent exhibits were prepared for other aspects of the Commission's investigation. For example, the FBI constructed a full-scale model of Dealey Plaza. The FBI performed an extensive examination of Oswald's public hairs complete with line drawing illustrations, which were included in the Report, and which were irrelevant. Staff director J. Lee Rankin had a large poster size blow-up of Oswald standing in the doorway of the Depository made from the Ike Altgens photograph.

When from time to time Zapruder offered answers that included important information, Liebeler cut him off and changed the subject. One was particularly important. Critic Harold Weisberg described the background to it and the responses.

The middle of three large signs on the north side of Elm Street was between Zapruder and the President for about 20 frames, from about 205 to 225. Because of the downward grade to the underpass, at the beginning of the sequence, only part of the President's head is still visible over the top of this sign. The Commission's entire case is predicated upon the assumption that the first shot could not have been fired prior to frame 210, for that is the portion of the film in which, even on a still day, the President first became a clear shot from the sixth-floor window.

Zapruder was explaining how he took his pictures. "I was shooting through a telephoto lens . . . and as it (the Presidential car) reached about--I imagine it was around here--I heard the first shot and I saw the President lean over and grab himself . . ." (7H571).¹³

¹²7H573.

¹³Harold Weisberg, *Whitewash* (New York: Dell, 1966), 103-104.

"Here" refers to a frame of the portfolio pictures, but Liebeler incredibly does not ask questions of Zapruder to have him identify the frame he referred to, nor does he himself insert it. This is a lawyer's device to obfuscate information he did not want on

the record. If there had been an adversarial attorney or a responsible judge present, ~~it~~ ^{it might} ~~had been done in public where attention would be given~~ ^{had been done in public where attention would be given} the absence, it would have been ~~inserted into the record.~~ ^{ignored Zapruder's testimony that he} Zapruder saw the first shot ^{hit} strike JFK and described his reaction ^{earlier than is in the official account.}

to it. With the sign obscuring his view of the President's body and hands from 205 to 225 this means Zapruder saw a shot strike prior to frame 210 and prior to frame 205 (where only the head is visible).

A few minutes later Zapruder called Liebeler's attention once again to that spot on the film. Liebeler turned over to "picture 207" and remarked "It appears that a sign starts to come in the picture . . . [and] was in the way."¹⁴ Zapruder replied, "Yes; but I must have neglected one part--I know what has happened--I think this was after that happened--something had happened."¹⁵ Liebeler quickly changed the subject with a question that cut off Zapruder's information. Zapruder was explaining that JFK had been shot already by frame 207, which would have been before frame 210 of course and impossible for Oswald to have fired it.¹⁶

We shall show in a chapter on "Willis No. 5" that the fifth slide snapped by Phil Willis, that corresponds to frame 202, shows the President has been hit. We further show that this shot came just before frame 190. When one examines the film at frame 190 it suddenly becomes fuzzy, a condition that could only be caused by Zapruder's emotions

¹⁴Ibid.

¹⁵Ibid.

¹⁶Whitewash,, 104.

imparting a slight physical reaction to the film.¹⁷ This glares out at any viewer. Liebeler though, in his short session, blocked examination of the time of the first shot and chose to chase the trivial and expedite Zapruder through his deposition rather than look at the evidence.

A final observation on Zapruder's testimony relates to the source of the shots. In the course of questioning Liebeler asked him if he had not originally thought the shots had come from behind him, the grassy knoll? Zapruder expressed confusion and replied he had because police were "running back of me". "But," said Liebeler, "you didn't form any opinion at that time as to what direction the shots did come from actually?" To which, Zapruder replied, "No."¹⁸ But this is the sour fruit of ^{-chase} eight months ^{of delay} wait to testify. On the day of the assassination Zapruder had told the Secret Service that the death shot ^{came from behind him,}¹⁹ *from over his shoulder.*

At the end of his testimony Zapruder commented on what he had seen. "... I know very few people who had seen it like that --it was an awful thing and I loved the President, and to see that happen before my eyes--his head just opened up and shot down like a dog--it leaves a very, very deep sentimental impression with you; it's terrible."²⁰

d. Control of Sitzman.

When Zapruder stood on the abutment his secretary Marilyn Sitzman stood with him and watched the assassination scene. An intelligent and articulate person her view of the scene was second only to Zapruder's. No investigators interviewed her and she was not called as a witness. In 1967 critic Josiah Thompson interviewed her. She said they

¹⁷Ibid.

¹⁸7H572.

¹⁹SS Forest Sorrels to Inspector Kelley, January 1, 1964. CO 2-34-030.

²⁰7H576.

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saw the bullet hit "on the side of his face . . . above the ear and to the front."²¹ No wonder she was not called to testify.

4. Reichshistorian.

The Commission and the future use of the film: control (2)

Wherever we read of totalitarian political systems we discern that one of their cardinal principles is to control access to their historical records. An imperative seems to drive them to regulate this dimension of their existence. A sound survival instinct lies at the heart of this effort. History has as its unique content the definition of the past in future terms. Totalitarians see history as a mechanism to dictate the emerging picture of the state as well as to bolster as it enhances their current political stability.

In examining the manner in which the Warren Commission sought to restrict and regulate public knowledge of the evidentiary worth of the Zapruder film its tactics smack of the application of the cardinal rule of a reactionary state. The Commission carefully controlled future knowledge of the Zapruder film and frames and photographs.

a. The Portfolio & the 26 volumes of evidence.

about two months
~~Within a few days~~ after the issuance of the Warren Report the Commission published ^{its} twenty-six volumes of hearings and exhibits, totaling *an estimated 10 million words* 10,000 pages of matter.

Copies of 160 Zapruder film frames appeared in volume 18, Commission Exhibit 885.²² *Because the printing did not include color, the black and white copies are less clear than the color copies made for the commission by Time, Inc.*
~~From the incomplete and poor nature of the reproduction the only reasonable conclusion to draw from the Commission's effort is it wanted to discourage scholarship and weaken any future scholarly examination of its work.~~

²¹Tape of Marilyn Sitzman, AARC Washington, D. C.

²²18H1-80.

~~Our attention is first drawn to the number of the frames and omissions within the sequence. For reasons that must remain a mystery to us²³ the FBI made black and white copies of frames 171-207, 212-334²⁴ of the 169 color 35-mm slides, frames 171-207, 212-343, *Life* magazine furnished to the Commission as per its request²⁵. The Bureau then printed them two pictures to a page to form a bound portfolio volume²⁶, used by staff members in examination of witnesses, that the Commission printed as Exhibit 885 in volume 18, pages 1-80, of its *Hearings and Exhibits*.²⁷~~

The omission of frames, as we have previously discussed, relates to the missing frames. *Life* did not provide the Commission with frames 208-211. While no mention of the missing frames is in the official records and no question was ever asked about them by the Commission or *Life*, later the news magazine claimed they had been destroyed in routine handling in their film laboratory. This was all an act of public diversion. *Life*, the FBI, and the Secret Service possessed a complete film made from the original before Zapruder sold it to *Life*, which could have been used to print copies. Moreover, *Life* had actually furnished 35-mm slides of 169 to frame 343, but 335-343 were not copied nor printed for reasons never mentioned.

The refusal to print all the frames roots in politics not science. It is immaterial what "*Life*" did or did not do with respect to furnishing Zapruder frames. The question of requesting *Life* to provide 169 frames or even one frame is an elaborate charade to provide the Commission a public fig leave for not printing all the frames. Imagine only one third of the most important single piece of evidence in the investigation is printed in

²³No documentation appears in the FBI or Commission files.

²⁴PM, 173.

²⁵J Edgar Hoover to J. Lee Rankin, letter, April 21, 1964, NA, PW, 143.

²⁶NA.

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the twenty-six volume giant appendix that included full reporting on such stellar items as dock loadings in Algiers, a discussion of Oswald's pubic hairs, and material on 1929 New Orleans dime stores. Why frames 1-170 and frames 343-486 were not provided or printed is not known. An inference can be drawn why they were ^{not asked for} omitted. This relates to the information they held. In an April 14, 1964, meeting of Commission staff and FBI and Secret Service agents they discussed the possibility of a first shot being fired at frame 163.²⁸ A shot at that frame would have excluded Oswald and would have destroyed the Report.

The film was evidence in a criminal investigation and in that capacity belonged to the people of the United States to use as it would or willed. The Commission not only had the power to compel the production of evidence, but also the duty. All the frames should have been printed, as they are the best evidence in the murder investigation and were carefully viewed by Commission members, staff, several investigative agencies assisting the Commission, as well as *Life* magazine editors, staff, executives, clerks, and janitors--thousands saw it. The only segment of American society chosen by the Commission not to view them were the public and future scholars, the latter an especial worry.

The copies printed as CE885 contain errors. Frame 283 is printed twice, once as 284, which is not printed.²⁹ Frames 314 and 315 are reversed. These frames are crucial ones. They come right after the terrible head shot at frame 313, which gave the Commission staff much trepidation. Oswald we recall was to the rear of JFK and high meaning that if he was the assassin a bullet striking JFK would propel the head forward.

²⁷18H1-80.

²⁸PM, 89-91, Eisenberg Memo, 501-502.

Witnesses, however, described JFK's head snapping violent backward and to the left, which would orient the death shot to the grassy knoll.³⁰ For example, from the film the FBI described the head as: "The President's head snaps to the left".³¹ James W. Altgen ^{at} an AP photographer standing on the south curb of Elm Street recalled that "Pieces of flesh and blood and bones appeared to fly from the right side of the President's head and pass in front of Mrs. Kennedy to the left of the Presidential limousine"³². By printing 313 and 314 in reverse order the head's snap back and left--the two directions are clear--is softened and the illusion promoted that the head shot came from the rear consistent with a Depository assassin.

Frames 207 and 212 have been altered. A line of cement, quite glaring in 212, crudely runs horizontally across the frames. Much later and from private sources information surfaced that they had been damaged in *Life's* handling of the original and were repaired, 212 being composed of the lower half of 212 and the upper half of 208. No information is provided in the records of the Commission to note this; let alone explain the damage.

In addition to the snares imposed by omissions, misprints, alterations, and reversals a general problem arises over the quality of the reproductions. ^{unprinted} The black and

^{question on printing} white copies are three generations removed from the original with the resultant loss of ^{clarity} focus and information. This is made striking for the viewer when they are compared with first generation color frames. Black and ^{necessarily resulted} white copies result in loss of vital detail and ^{clarity}

²⁹18H55; PW, 25, 145.

³⁰WWII, 221-222.

³¹PM, 80.

³²PW, 70, 203; PM, 61.

By printing the
 information. ~~The reproduction process also printed the frames two ^{to a} per page, the smaller~~
resulted in added loss of clarity
 size introducing another constraint against full and reasonable use of the evidence.

at greater cost, and they seen with each
full frame given
~~The frames could have easily been reproduced in color and should have, each~~
~~frame filling a page, with the copy made from the original.~~ The Government Printing
 Office that year printed color volumes on trees in national parks, on airplanes and of
 cooking recipes with the reproduced frames certainly not posing a printing problem and
 certainly as important to the nation as how to make gravy. Nor was expense a pertinent
 issue.

b. The Warren Report.

In September 1964 the Commission issued its 912 page Report. When
 redundancies, irrelevancies, and blank pages are stripped out leaving only the material
 addressing the crime itself, about ninety pages remain. A discussion utilizing the
 Zapruder film or frames from fills about fifteen pages or sixteen percent of the ninety.

On one page the Report derives the speed of the limousine from the film.³³ On
 another page it establishes that foliage blocked a view of the limousine from the sixth
 floor window from frames 166 to 209 and that a sign blocked the camera's view of JFK
 from frames 210 to 225.³⁴ The single bullet scheme appears on three pages with a
 discussion of the last shot on two pages.³⁵ A page orients the Ike Altgens picture snapped
 at frame 255 from the south side of Elm and Phil Willis' fifth slide.³⁶

On page 63 Howard Brennan, the steam fitter who sat on a small ledge across
 from the Depository and claimed to have seen Oswald in the window, "identified himself

³³WR, 49.

³⁴WR, 98.

³⁵WR, 98, 115, and 109-110.

³⁶WR, 112.

in the Zapruder movie".³⁷ But what the federal authors omitted was Brennan is in fact seen with his head on his left shoulder watching the limousine go down Elm Street until frame 206 and at frame 207 his head whips to the right shoulder. He had been startled by a shot and turned toward that, which from his head's direction would be from across Houston Street. He also is not viewing the sixth-floor window, which the Commission asserts he was and with that helped hang Oswald. That is before frame 210 and could not be Oswald making the disturbance. On page 97 the Report falsely states "individual 35-millimeter slides were made of each motion picture frame".³⁸ As we have seen the Commission got only 169 slides, about one third of the total, which information apparently embarrassed them and they lied about it. On page 453 it uses the film to describe Secret Service Clinton Hill's run to the limousine to climb aboard.³⁹

On six pages it reproduces six frames, 166, 186, 210, 225, 313, and 255,⁴⁰ coupled with photographs taken of the same frames during the reenactment in May. On another full page a photograph depicts a FBI agent taking the reenactment photographs with the rifle, a camera attached, standing on a tripod.⁴¹ The reenactment procedures corrupted the evidence and the pictures are false to the facts of November 22. The lower window is open to the sash enabling the simulation weapon to aim, achieve the proper angle of deflection to see the limousine on the street below. On November 22, the sash was closed almost to the sill at the time of the shooting, making it impossible to shoot JFK except by firing through a double pane of glass. The glass was not broken. Additionally, the shrubs and trees have been trimmed, the street markings repainted, the

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³⁷WR, 63.

³⁸WR, 97.

³⁹WR, 453.

⁴⁰WR, 100, 101, 102, 103, 108, 114.

signs moved, rendering the claim it is a reenactment not true and its portrayal as accurate deliberate. Thus every reproduced frame in the Report series is false.

In addition to overcoming physical impossibilities by simply ignoring them, the Commission included frame 186, which in another chapter we have discussed. The frame is alleged to have been taken at the only break in the foliage before frame 210 where a shot could have been taken. But this the reader is not told is based on a May reenactment, not November 22, taken after the trees have been trimmed and the wind is not blowing as it was on November 22. Further, in addition to this false representation of November reality there is ^{original} no frame 210 in the Commission files, it was destroyed by *Life* in processing, as we noted elsewhere. The Report is silent on this fact. While frame 313 is of the death shot, a proper relation of it would include several frames immediately afterwards to show how the head snaps backward and to the left in violation of the Commission's conclusions the shot was from the rear.

5. Schutzstaffel

Protectors of the Warren Commission's corruption: control (3)

One of the major components of the Warren Commission's success in promoting its Report as a valid document is the help provided by a group of major newspapers, television stations, intellectuals, and publishers who have sustained its findings with a dedication akin to following the dictates of a sacred text. In all the literature and media supporting the Warren Commission there is not a single sentence that relates the Zapruder film's misuse and its corruption. In this respect they function as Order Police.

⁴¹WR, 99.