Post-assassination Credibility Chasm

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The Autopsy Photographs

Jenner: "Some members of the Commission saw both the film—the color photographs and the X-rays. . . . We of the staff saw them, ourselves. . . . We could not see that anything would be gained by putting into the record these perfectly horrible color photographs of the late President, taken during the course of this autopsy. We felt . . . that we should not expose to . . . viewing by morbid people, those photographs, and they were surrendered to the Kennedy family, and they have now been placed in Archives."

Comment: Jenner's assertion that the autopsy photographs were seen by some members of the Warren Commission and its staff is the first such indication and stands in contradiction to the statements of other Commission counsel. Arlen Specter has said that the complete set of autopsy photographs was not made available to the Commission or to him; that to the best of his knowledge, the Commission did not see any photographs or X-rays; and that the Commission decided that it would not press for those photographs, or the X-rays, because it had concluded that they were not indispensable (*U.S. News & World Report*, Oct. 10, 1966, p. 53).

Wesley J. Liebeler said in a public discussion on September 30, 1966 that he agreed with his colleague, Burt Griffin, that the Commission "should have looked at them/the autopsy photographs/but they didn't . . . because for some reason or other, the Chief Justice didn't want to see them" (WBAI radio, New York, Dec. 30, 1966).

Richard J. Whalen wrote that "Arlen Specter had begged and pleaded for the Commission to examine the autopsy photographs" and that general counsel J. Lee Rankin "at length informed Specter that the Commission had decided not to 'press' for the photographs" (*The Saturday Evening Post*, Jan. 14, 1967, p. 69).

Jenner's wholly contradictory version of the accessibility of the autopsy photographs was made in response to questions from two reporters, one from the *Chicago Daily News* and the other from WGN (Chicago) news. Neither the two reporters nor the moderator of the discussion confronted Jenner with the contradictory statements of his colleagues. Either Jenner has misinformed the public, or his colleagues have done so.

The Source of the Shots

Jenner: "One of the photographers in the car . . . saw on the fifth floor, right under the sixth floor window, two men glancing upward . . . and he snapped a picture right at the time. . . . All three men testified that . . . they looked up and they heard the hulls fall on the floor."

Jenner: "There was a motorcycle policeman . . . he looked up, and he saw pigeons rising. . . . The policeman wanted to get up to the sixth floor, to that corner . . . he had reached the conclusion, as a trained man, that those shots . . . had come from that window."

Comment: The motorcycle policeman, M. L. Baker, testified, "I had it in mind that the shots came from the top of this building" (3H 248); "My intention was to go all the way to the top where I thought the shots had come from" (3H 250); "We walked up the flight of stairs to the top. . . . We went out on the roof" (3H 259). Again, Jenner's assertions are completely incorrect.

Jenner: "Oswald . . . had jimmied the elevator door on the sixth floor by sticking a stick in it, to hold it back so as to disengage the electrical impulses, and that held the elevator up there on the sixth floor."

Comment: The assertion that Oswald had interfered with an elevator so as to keep it on the sixth floor appears to be a total invention. There is nothing in the Warren Report or the 26 volumes of Hearings and Exhibits to suggest any such thing. On the contrary, the Report indicates that one of the two elevators was on the fifth floor when the policeman, Baker, and the superintendent, Roy Truly, reached that floor by the stairs; the other elevator had been used by an employee named Dougherty, after the shots were fired, to go from the fifth to the first floor (WR 153).

Jenner: "Roy Truly . . . and the policeman with his gun drawn rushed up . . . they reached the second floor, who was the first man this policeman saw, was Oswald *with a bottle of coke.*" (Italics added)

Comments: Here, at last, is an assertion that appears to be accurate. The Warren Report, however, insists that Oswald, when Baker and Truly encountered him on the second floor, "had nothing in his hands" (WR 151). According to the report by Captain Fritz on his interrogation of Oswald shortly after he was brought to police headquarters, "he said he was on the second floor *drinking a coca cola* when the officer came in" (WR 600). The policeman, Baker, testified that Oswald had nothing in his hands when Baker approached him; but six months later, in a statement to the FBI dated Sept. 23, 1964, Baker said, "I saw a man standing in the lunch room *drinking a coke*"; the words "drinking a coke" have been crossed out and initialed by Baker (CE 3076). Jenner, like Baker, when off guard suggests that Oswald *was*, as he said himself, drinking a coke when Baker confronted him.

The pivotal importance of that allegation becomes manifest from the data which was established in reenactment tests conducted by the Commission, in which Baker's run to the second floor was timed first at 1 minute 30 seconds and then at 1 minute 15 seconds, while Oswald's alleged run from the sixth to the second floor and into the lunchroom was timed first at 1 minute 18 seconds and then 1 minute 14 seconds. If Baker's 1 minute 15 seconds is combined with Oswald's 1 minute 18 seconds, Oswald has a clear alibi—he could not have been shooting anyone from the sixth floor. But even if Baker's 1 minute 30 seconds is used, Oswald had only 12 to 16 seconds' margin. Under a third combination (1 minute 15 seconds for Baker vs. 1 minute 14 seconds for Oswald) he has a margin of only *one second.*

Not even the maximum margin of 16 seconds would provide sufficient time for Oswald to find a dime in his pockets, insert the coin in the coke machine, wait for the bottle to appear, remove the cap, and stand holding the bottle in his hand when Baker approached him. Jenner's assertion therefore reinforces the alibi of which Oswald was deprived when the Warren Commission stated that he "had nothing in his hands."

Evidence Incriminating Oswald

Jenner: "The police . . . found palmprints on the underneath (*sic*) side of the rifle itself . . . the pistol which he employed to murder officer Tippit . . . had his fingerprints on it in generous proportions. We found that on the Mannlicher-Carcano rifle were threads from the jacket he wore that particular day."

Comment: The palmprint on the underside of the rifle barrel did not come to light for a week after the assassination, because of a strange combination of circumstances described somewhat incompletely in the Warren Report (WR 122-124). The Commission failed to confront the paradox of the disappearance of fingerprint powder from the site of the lifted palmprint under the rifle stock, where it was protected from disturbance even by air, and the adherence of powder in profusion to the external surface of the weapon when it arrived at the FBI Laboratory (4H 81). Nor has the Commission provided satisfactory explanations for other anomalies attaching to this palmprint.

As to the alleged presence of fingerprints "in generous proportions" on the revolver, the Warren Report mentions nothing about fingerprints on that weapon (WR 171-174) nor do the Hearings and Exhibits. Jenner's facile pronouncement is irresponsible and completely divorced from fact.

As to threads, the Warren Report indicates that several cotton fibers of dark-blue, gray-black, and orange-yellow shades were found in a crevice of the rifle, and that those fibers *could have come* (not did come) from the shirt Oswald was wearing when he was arrested (WR 124)—not from "the jacket."

For Jenner to complain that "none of these affirmative things" are acknowledged in various books criticizing or challenging the Warren Report is a reduction-to-absurdity of frustrating proportions.