

I. Tests and Items of Evidence:

1. Neither the Warren Commission nor CBS were able to <sup>DUPLICATE</sup> ~~reproduce~~ ~~any~~ ~~of~~ ~~the~~ ~~bullet~~ ~~fragments~~ ~~recovered~~ ~~from~~ ~~the~~ ~~assassination~~ ~~of~~ ~~President~~ ~~John~~ ~~F.~~ ~~Kennedy~~ ~~on~~ ~~November~~ ~~22,~~ ~~1963.~~ Convincingly convincingly ~~documented~~ Oswald's supposed feat in Dealy Plaza. ~~There~~ ~~is~~ ~~still~~ ~~some~~ ~~doubt~~ ~~as~~ ~~to~~ ~~whether~~ ~~or~~ ~~not~~ ~~he~~ ~~could~~ ~~have~~ ~~done~~ ~~this~~ ~~under~~ ~~the~~ ~~same~~ ~~conditions~~ ~~as~~ ~~those~~ ~~which~~ ~~actually~~ ~~obtained~~ ~~in~~ ~~the~~ ~~Warren~~ ~~Commission~~ ~~report~~ ~~is~~ ~~that~~ ~~the~~ ~~Warren~~ ~~Commission~~ ~~didn't~~ ~~even~~ ~~try~~, though it ~~attempted~~ ~~to~~ ~~create~~ ~~the~~ ~~impression~~ ~~that~~ ~~it~~ ~~had~~. In fact, it had three master riflemen in its tests, and failed to use targets that moved. Proposal: Create the conditions to allow riflemen of Oswald's ability to <sup>attempt</sup> ~~reproduce~~ the assassination shots as described in the Warren Commission under the same circumstances as those which applied on November 22, 1963.

2. Though the fact is nowhere mentioned in the Warren Report or ~~any~~ ~~of~~ ~~the~~ ~~published~~ ~~Exhibits~~, a Neutron Activation Analysis was conducted on bullet fragments recovered by the Commission, to determine if the bullets all came from the same stock. If they did not, it is likely that ~~the~~ ~~bullets~~ ~~recovered~~ ~~from~~ ~~the~~ ~~assassination~~ ~~of~~ ~~President~~ ~~John~~ ~~F.~~ ~~Kennedy~~ ~~on~~ ~~November~~ ~~22,~~ ~~1963.~~ were fired by <sup>more than one</sup> ~~the~~ ~~same~~ ~~rifle~~. Proposal: All results from the neutron activation tests ~~should~~ ~~be~~ ~~made~~ ~~public~~ ~~for~~ ~~careful~~ ~~examination~~. New tests should be undertaken if the evidence suggests that they could add useful ~~in~~ ~~additional~~ ~~information~~.

3. Marina Oswald admitted that she had <sup>misled</sup> ~~misled~~ the FBI, and repeatedly gave inconsistent and contradictory testimony. Many central questions of the case depend <sup>solely</sup> ~~on~~ ~~her~~ ~~accounts~~. According to Warren Commission Counsel Norman Redlich: "Marina has repeatedly lied to the Secret Service, the FBI and this Commission on matters which are of vital concern." Both she and Oswald's brother, moreover, stated that she was advised during some of her questioning that non-cooperation ~~with~~ ~~questioners~~ might risk her deportation from the United States. Proposal: Marina Oswald's testimony should be reviewed and its value reassessed, particularly ~~in~~ ~~cases~~ ~~where~~ ~~independent~~ ~~corroboration~~ ~~is~~ ~~absent~~. If possible, she should be questioned again under oath and given a lie-detector test.

4. Tests for the Authenticity of Oswald's palm print. No conclusive evidence was ever produced by the Warren Commission to show ~~that~~ <sup>that</sup> a palm-print of Oswald's, ~~XXXXXXXXXX~~ supplied by the Dallas police under curious circumstances, was taken, as alleged, from the barrel of the Mannlicher-Carcano rifle. A procedure known as a Mercator Test (used to determine the shapes of objects from which impressions are taken), and ~~any~~ any other available methods should be employed to attempt to clarify this issue.

5. According to the Warren Report, Commission Exhibit 399, the "single bullet" transited Kennedy's neck and Connally's back and wrist and lodged in Connally's thigh, shattering two bones and causing seven separate wounds. It did this, according to the Commission, while retaining over 98% of its original weight and suffering almost no physical deformation in the process. Bullets tested by the Warren Commission, however, proved much less impervious to damage. Proposal: Conduct new tests to determine whether one bullet could conceivably have created such damage while emerging ~~EM~~ ~~EM~~ nearly ~~unscathed~~ unscathed itself.

6. Key witnesses never questioned by the Warren Commission. The Warren Commission asserts that Oswald and Tippit never saw each other before Tippit's death on November 22, 1963. However, Mary Bowling, a waitress at a restaurant reputedly patronized by both men, stated that Oswald and Tippit were in the restaurant at the same time only two days before the assassination. She was never called before the commission. According to a police log of ~~EM~~ November 22, 1963, officer R.C. Nelson was dispatched to the Oak Cliff section of Dallas after the assassination, at the same time as ~~EM~~ <sup>Tippit</sup> ~~EM~~. He proceeded in an entirely ~~EM~~ different direction, however, and was never questioned by the Commission as to whether such an order was ~~EM~~ received, or whether he simply disobeyed it.

R.W. Westphal of the Dallas police force helped prepare reports immediately after the assassination which included an address for Oswald which was ~~EM~~ <sup>by then obsolete</sup> ~~EM~~. Although the Dallas police claimed ~~EM~~ <sup>they</sup> had no previous record of Oswald and although Commissioner Allen Dulles asked and was promised information on the source of the earlier address, no explanation of this was ever given. <sup>\*</sup> Westphal was not called as a witness. Alonzo Hudkins, who was also not called as a witness, was a reporter for the Houston Post who gave the Secret Ser-

vice information suggesting that Oswald had been an FBI informer for over a year, paid \$200 a month, and holding the # assigned number S172. Nor were Assistant Dallas District Attorney William Alexander, who supported this possibility, nor was Allan Sweatt, Chief of the Criminal Division of the Dallas Sheriff's office, who was quoted in a Warren Commission document (unpublished) as also holding this belief.

## II. Warren Report Omissions.

7. Possible Suspects Near the Crime Scene. An <sup>un-identified</sup> ~~man~~ was picked up in the Dal-Tex building ~~after the assassination~~ after the assassination, who had been there, according to a police report, "without any good excuse." Though he was taken to the sheriff's offices, neither his name <sup>nor</sup> any further word of him ever appeared <sup>in the Warren Commission volumes or elsewhere.</sup> Similarly, when the School Book Depository was sealed off after the shooting, one of the men "trapped inside" was James W. Powell, an army intelligence agent. According to their testimony, Dallas police officers J.M. Smith, Seymour Weitzman, and D.V. Harkness, in attempting to locate possible suspects, encountered men on the grassy knoll and behind the book depository immediately following the shooting, who identified themselves as secret service agents. According to the Warren Report and an independent check, no legitimate secret service agents could then have been present in that area. There is no indication that the problems suggested by this discrepancy were ever considered by the Commission.

8. Conspiracy Potential. Two weeks before the assassination, a warning was received and taped by the Miami, Florida Police, in which the murder of the President was predicted in circumstances similar or identical to those which later occurred. Although this warning resulted in a radical revision of Kennedy's Miami schedule, it was ignored in the planning for the Dallas trip, was nowhere mentioned in the Warren Report or Exhibits, and apparently was never considered by the Warren Commission itself.

9. Oswald and Intelligence Links. A poorly educated high-school dropout, Lee Harvey Oswald ~~was~~ <sup>recruited</sup> without formal instruction, became fluent in Russian prior to his defection to the Soviet Union. As a teenager in the Marine Corps he was first assigned to a CIA base in Japan and later to a highly sensitive installation in California. Following his defec-

tion to the Soviet Union, and at other points, no "lookout card" was prepared for him, as was normal ~~MM~~ procedure in much less serious cases. When he applied to return to the U.S., having threatened to divulge American military secrets, and married the niece of a Soviet secret police official, not only was Oswald readily furnished with a U.S. passport, but the government aided him in financing his trip. The Warren Commission regarded these and similar events with a <sup>numerous</sup> scepticism and inquisitiveness which <sup>has been criticized as</sup> ~~was~~ insufficient.

~~XXXXXXXXXX~~ 10. Oswald and the FBI. On June 2, 1960, J. Edgar Hoover wrote ~~XXXXXX~~ a memorandum to the State Department <sup>expressing</sup> ~~XXXXXX~~ concern ~~XXXXXX~~ that an imposter might be <sup>posing as</sup> ~~XXXXXX~~ Lee Harvey Oswald. (This memorandum and two related ones were ~~not~~ included in the Warren Report and published documents.) In April of 1964, Hoover testified that the FBI had no information that Oswald was capable of violence, though <sup>FBI</sup> information of this or graver import ~~XXXXXX~~ had in fact been <sup>purposely</sup> destroyed on the weekend after the assassination. The former police chief of Dallas has recently stated that he retracted - at the request of the head of the Dallas FBI - information he had given the press, and which he still believes, concerning FBI knowledge of Lee Harvey Oswald. According to the Warren Commission, however, there are no significant links between Oswald and the FBI.

11. Background and connections of Jack Ruby. According to the Warren Commission, it ~~XXXXXX~~ "found no evidence of any suspicious relationships between Ruby and any police officer." It is true nonetheless that Ruby was known by an astonishing proportion of the Dallas Police Force, including more than half of the policemen present when Oswald was shot, the man to whom he was handcuffed, and three of the four other policemen accompanying him. The report made no mention that at least one Dallas police officer identified Ruby as an informer, and the Commission failed to question another officer who <sup>also</sup> reportedly received Ruby's tips. It dismissed the independent accounts of two witnesses that Ruby was at ~~XXXXXX~~ <sup>of his press</sup> Parkland hospital about an hour after Kennedy was shot, and downplayed reports ~~XXXXXX~~ <sup>Friday, and on Sat-</sup> ~~XXXXXX~~ at police headquarters before 11:00 p.m. on ~~XXXXXX~~ <sup>Monday afternoon.</sup> It discounted strong evidence of ~~XXXXXX~~ <sup>XXXXXX</sup> evidence of Ruby relationships with organized crime in Chicago and probably in Dallas, including a statement connecting Ruby with a Chicago-based attempt a former Dallas sheriff. Its exploration of possible Ruby involv

~~XXXXXXXXXXXXXXXXXXXX~~ illegal arms smuggling to Cuba, or indications of his connections with the narcotics trade were half-hearted. It ignored the difficulties encountered by some of the victims of Ruby's violence, whose attempts at redress were frustrated by his connections in the Dallas police force, and neglected to note his lenient treatment by the police on some of his eight arrests since 1949. When ~~X~~ witness W.W. Litchfield indicated he thought he had seen Lee Oswald in Ruby's Carousel Club, he was reportedly informed by the federal agents interviewing him: "You know, if you say you are positive and it wasn't him, it's a federal charge." ~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXX~~ The witness was dismissed as unreliable, and ~~XXXX~~ <sup>this</sup> ~~XXXX~~ possible lead was never carefully pursued.

### III. Warren Report Misstatements and Problems

12. Where was Oswald at the time Kennedy was shot? At the time of the shooting, the Warren Commission places Lee Harvey Oswald on the sixth floor of the Texas School Book Depository. As he was located shortly thereafter on the second floor, the Commission suggests that he raced down the back stairs in a little over a minute, a ~~XXXXXXXXXXXX~~ <sup>fact which is open to question.</sup> The person they identify as "the last known employee to see Oswald inside the building prior to the assassination" was Charles Givens, an employee who said he saw Oswald on the sixth floor at around 11:55. Yet three other Warren Commission witnesses said that they saw Oswald on the first floor either immediately before or after Givens said he saw him on the sixth. William Shelley saw him at about 11:50, Eddie Piper saw him at ~~FBI~~ 12:00, and Carolyn Arnold saw a man she thought was Oswald shortly before 12:15. Moreover, Givens first mentioned seeing Oswald on the sixth floor ~~4 1/2~~ months later, in a statement that contradicted the report of ~~XXXX~~ <sup>his</sup> ~~XXXX~~ FBI <sup>interview</sup> on November 22. Although it was already on record that, according to a Dallas police lieutenant, Givens "would change his story for money," he was not even challenged, when questioned in April, on his apparent change of testimony.

13. Where was Oswald when Walker was shot? The Warren Commission concludes that Oswald attempted to murder General Edwin Walker using ~~XXXXXXXXXX~~ the Mannlicher-Carcano rifle, in April, 1963. Not only, however, was the bullet recovered from the ~~XXXXXXXXXX~~ attempt a steel-jacketed ~~XXXX~~ (as opposed to the copper-jacketed bullets later linked to Oswald by the Warren Commission)

but it was first reported to be a 30.06 caliber, a size too large to enable it's firing by any Mannlicher-Carcano ~~bullet~~. Moreover, not just one man but two were reported leaving the scene of the Walker ~~What Walker's bullet~~ shooting.

14. What was the flight-path of the first bullet? According to the reports of five autopsy witnesses, the bullet which first struck the President entered in his back. This is in agreement with the autopsy sketch at the time, with the FBI report, and with photographs ~~in~~ (not published by the Commission) showing bullet holes in Kennedy's coat and shirt, approximately 5½ inches below the collar. In addition it was also the concern of chief Warren Commission counsel J. Lee Rankin during the Commission meeting on January 27, 1964, (the transcript of which was only recently released) and the conclusion of the death certificate signed by Admiral George Burkley, the President's personal physician. Now, then, while Kennedy sat upright, could a bullet entering several inches below his neck have exited his throat as the Warren Commission concludes?

15. Did Oswald engage in target practice? While the Warren Report quotes Marina Oswald's statement that Oswald had engaged in target practice, it neglects to mention that she had previously denied this in ~~the~~ <sup>interviews.</sup> ~~the~~ FBI and Secret Service. Nor does it mention the failure of a thorough investigation of possible practice locations ~~in~~ in Dallas and Irving to turn up either evidence <sup>of an</sup> Oswald <sup>visit</sup> ~~or~~ or ~~a~~ any ~~bullet~~ shells from the Mannlicher-Carcano rifle alleged to have belonged to Oswald. <sup>Target</sup> ~~the~~ practice would have been essential had Oswald actually used the Mannlicher-Carcano to shoot President Kennedy.

16. Was Oswald's palm-print recovered from the Mannlicher-Carcano rifle? The Mannlicher-Carcano rifle said to have killed President Kennedy has been linked to Oswald on the basis of a print of Oswald's right palm allegedly lifted from it by Dallas Police Lieutenant J.C. Day on Friday, ~~1963~~ November 22. When the FBI received the weapon later that day, however, they found no trace of a palm-print or lift (and received no notification that a lift had been done until seven days later). Though Day had photographed two fingerprint traces found on the rifle and then covered them with cellophane, the alleged palm-print was neither photographed nor covered, and was not even mentioned by Day when he turned

the weapon over to FBI agent Vincent E. Drains. Day claims to ~~have~~ have told Chief Curry and Captain Fritz of the lift, but in the next two days they recited an abundance of evidence against Oswald without ever mentioning ~~it~~ <sup>it</sup>. Although District Attorney Henry Wade says that he was told of the print ~~late~~ <sup>late</sup> Friday night, he ~~failed to~~ <sup>failed to</sup> mention it even when asked about fingerprints during two television interviews on Friday and Saturday nights.

17. Did Oswald Own Any Mannlicher-Carcano ammunition? Contrary to the Warren Commission statement that "the ammunition used in the (Mannlicher-Carcano) rifle was American ammunition recently made by the ~~Western~~ Western Cartridge Company, which manufactures such ammunition currently," in fact no such ammunition had been manufactured for several years before 1963. While only two dealers in the Dallas area had ever handled Western Cartridge Company 6.5 mm. ammunition, both said they were certain that they had never seen or sold ammunition to Oswald. After attempting unsuccessfully to trace Oswald's purchase of ammunition, the ~~Warren~~ Commission made no mention of this failure in its report. Moreover, ~~although~~ <sup>although</sup> ~~ammunition~~ <sup>ammunition</sup> is seldom sold in quantities ~~as small as~~ <sup>tiny</sup> ~~one or two~~, and the Commission is able to account for only five 6.5 mm. cartridges from the scene, and no ammunition was found on Oswald ~~at the time of his arrest~~. This problem, likewise, is not mentioned in the Warren Report.

18. What proof exists that Oswald killed Tippit? Six witnesses are cited by Warren Commission ~~Commission~~ Counsel David Belin to link Oswald directly with the murder of Officer Tippit. Four of these were not eyewitnesses to the shooting at all, but only the the flight from the scene of a man identified as Oswald. (The testimony of one of these, moreover, is open to question.) Another witness, W.W. Scoggins, did not, as claimed by Belin, "see the murder", but saw only a man described as Oswald fleeing. And Helen Markham, who, according to Belin, "witnessed the murder from across the street" first told the Warren Commission that, "I had never seen none of them, none of these men," but a moment later, when her attention was directed specifically to Oswald ~~at the time of his arrest~~, recalled that "when I saw this man, I wasn't sure, but I had cold chills just run all over me." (She was later described by Commission Counsel Joseph Ball, as a "man utter



screwball.") In fact, Domingo Benavides, the man with the closest view of the murder could not identify Oswald as the killer ~~either~~ either at the time or when questioned by the Commission later.

19. How did Ruby gain access to Oswald? Jack Ruby, who murdered Lee Harvey Oswald at 11:20 a.m. on November 24, is said to have arrived in the Police Department basement by accident at almost precisely the time (80 minutes behind schedule) that Oswald was about to be exposed in transit. Apart from ~~the fact that~~ Ruby's <sup>likely</sup> presence in the police station early Friday evening and Saturday afternoon, four witnesses testified to seeing ~~him near~~ <sup>him near</sup> the police building between 8:00 and 11:00 that morning. One of these, Ray Rushing, who said he had ~~spoken~~ spoken with Ruby in ~~an elevator in the building~~ <sup>an elevator in the building</sup> at 9:30 a.m., was not <sup>even</sup> interviewed - either by the Commission, the FBI, or the Secret Service. Though the Commission concludes that Ruby gained entrance via the Main Street Ramp, ~~neither~~ <sup>moreover</sup> neither the ~~officer~~ <sup>police</sup> officer guarding that location nor three other ~~officers~~ <sup>police</sup> of two additional persons in the vicinity ~~say~~ say that they saw him. How then did Ruby gain entrance unnoticed by a single guard or witness?

20. Other miscellaneous inaccuracies: What accounts for the following Warren Commission errors and similar ones on issues of verifiable fact?

A. The claim that Oswald "flew to Helsinki... on the same day" he arrived in England in 1959: October 9. (WR, p. 690.) In fact, his passport, from the Commission Exhibits, shows that he left on October 10.

B. The claim that "the three doctors who attended Governor Connally at Parkland Hospital expressed independently their opinion that a single bullet had... caused all the governor's wounds"? (WR, pp. 94-96.) In fact, Dr. Shaw and Dr. Gregory, <sup>the two Connally doctors who</sup> testified again after seeing the Zapruder film and the alleged Connally bullet completely retracted that initial judgement - which was also challenged by two of the Kennedy autopsy surgeons.

C. The claim that Captain Westbrook ~~discovered~~ ~~the~~ discarded zipper jacket said to be Oswald's. (WR p. 175) Not only did Westbrook himself ~~deny~~ deny that he had found it, but it was apparently first encountered more than 15 minutes before Westbrook allegedly saw it by an unidentified policeman who radioed in,



and whom the Warren Commission made not attempt to locate or ~~IDENTIFY~~ identify.

D. The claim that Robert Adrian Taylor retracted "upon reflection" his earlier identification of Oswald as the man who sold him a rifle in March or April, 1963. (WR, p. 318.) Taylor never did so.

---

\*(In another case, an unidentified police officer supplied the true Oswald address to a Dallas police captain, although there is no clear way that he could have obtained it either.)