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Date 11/22/63

At about 1:25 p.m., while at the Texas School Book Depository Building, 411 Elm Street, Dallas, Texas, I, SA ROBERT M. BARRETT, heard a radio broadcast on a police car radio that a police officer had been shot in the 400 block of East Jefferson Street and that a suspect had been observed fleeing from the area. I proceeded immediately to the area and learned that the shooting had actually taken place in the 400 block of East 10th Street. While there I overheard police officers interviewing the female witness who stated that she had first observed a young white male about 27 years of age leaning on the front door of the passenger side of a Dallas police car, talking to the police officer through the open window. The officer got out of the car, according to this witness, and walked around the back of the car. As he did so, the young man stepped back, took a gun from his shirt, fired twice at the officer hitting him. The woman ran to the aid of the officer and was told by the gunman to leave him alone or he would shoot her. According to this witness, the gunman then fled in a westerly direction.

I noted, however, that the blood from the fatally wounded officer was near the left front fender of the squad car, indicating that he had walked around the front of the car. I also learned that the first report of this shooting had been received by the police dispatcher at 1:19 p.m.

At approximately 2:00 p.m. I heard a police broadcast from one of the nearby squad cars advising that the suspect had possibly been sighted at the Texas Theater in the 200 block of West Jefferson. I proceeded immediately to this area and along with numerous other law enforcement officers entered the theater to assist in the search for the suspect. As I entered the seating area on the main floor, I heard a police officer, later identified as M. N. MC DONALD, shout "Here he is". At this time about 12 police officers converged on this area. I observed Officer MC DONALD, along with Detective BOB CARROLL, Captain W. R. WESTBROOK, and numerous other officers, struggling with a young man, later identified as LEE HARVEY OSWALD. I heard OSWALD yell in a loud voice, "kill all the sons of bitches".

5/84

on 11/22/63 at Dallas, Texas File # DL 89-43

by Special Agent ROBERT M. BARRETT/jt Date dictated 11/22/63

One of the officers took a .38 caliber snub-nose revolver out of OSWALD's right hand and handed it to Detective CARROLL. I then heard OSWALD yell, "I'm not resisting arrest, I'm not resisting". The officers then led OSWALD from the theater after handcuffing him, and as they did so OSWALD started yelling, "They are violating my civil rights".

At no time did I observe any officer strike OSWALD, abuse him, or use any more force than was necessary in subduing and handcuffing him in view of his resistance and the fact that he had a weapon in his possession.

Later at police headquarters, I observed the .38 snub-nose revolver and noted that it was a Smith and Wesson, Serial Number 510210. On the chamber hinge was the number 65248. I was also shown the six cartridges taken from the weapon and noted that one of them had an indentation on the primer. I was told by Officer MC DONALD that when he first approached OSWALD, the subject attempted to pull the weapon from his shirt, at which time MC DONALD grabbed the gun with both of his hands. MC DONALD stated that OSWALD did pull the trigger once, but that the gun did not fire. MC DONALD also stated that when he was holding onto the gun, OSWALD hit MC DONALD in the face with his fist, knocking MC DONALD against the seat and causing him to receive a scratch on his face.

5/85

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## FEDERAL BUREAU OF INVESTIGATION

Date 11/23/631

At approximately 2 p.m., November 22, 1963, I was informed by an unidentified policeman of the Dallas Police Department that a suspect had been seen entering the back door of the Texas Theater.

I immediately proceeded to the Texas Theater, 231 West Jefferson, and entered the front door and stood in the lobby to see that no one left the theater, since there were no officers on guard there. A minute or two after arriving in the lobby, a Dallas County Deputy Sheriff ran by me from inside the theater stating "they have him", and within a minute thereafter, I observed a young man with his hands cuffed behind him in the midst of a group of Dallas police officers being hustled out the front door of the theater. As he passed through the lobby he shouted "police brutality".

This man was a white male, age about 22, 5' 8", 160 pounds, brown hair, and was wearing a white shirt, dark trousers, and a reddish brown jacket with zipper open all the way in front.

From photographs observed later in the day on November 22, 1963, I identified this individual as LEE OSWALD.

5/86

on 11/22/63 at Dallas, Texas File # DL 89-43

by Special Agent BARDWELL D. ODUM <sup>DDO</sup> /vwm Date dictated 11/23/63

jlc

DL 89-43

JWB:tjd

On November 29, 1963, Det. C. W. BROWN, Homicide and Robbery Bureau, Dallas Police Department, advised SA JAMES W. BOOKHOUT that the following are the Dallas Police Department officers who first arrested LEE HARVEY OSWALD at the Texas Theater, November 22, 1963. BROWN stated that personal contact with OSWALD was made by said officers in the order listed below:

1. M. N. MC DONALD, uniformed officer, Radio Patrol Division
2. T. A. HUTSON, uniformed officer, Traffic Division
3. C. T. WALKER, uniformed officer, Traffic Division
4. RAY HAWKINS, uniformed officer, Traffic Division.

5/87

## FEDERAL BUREAU OF INVESTIGATION

Date 11/29/631

WILLIAM J. LOWERY, Manager, Shoshaven, Oak Cliff Section, Dallas, Texas, advised that on November 22, 1963, he was listening to Radio Station KLIF concerning reports of the assassination of former PRESIDENT JOHN F. KENNEDY. All during the afternoon the KLIF announcer was quoting Dallas police officers who arrested OSWALD as having said OSWALD made the statement when arrested, "I've killed the President, I've killed a cop, now I've got two more to kill." Mr. LOWERY advised at approximately 6 P.M. when he was driving home and listening to Radio Station KLIF the announcer stated that this statement by OSWALD could not be confirmed, since the official police report did not have this statement in it.

5/88on 11/29/63 at Dallas, Texas File # DL 89-43by Special Agent JAMES P. HOSTY, JR. (RM) Date dictated 11/29/63SS