

NOT SENT

16 August 1969

⊗ Day definitely indicated that all the cartons were dusted for prints (4H 265 and 269).

Dear David,

I don't know whether or not you are dealing in your manuscript with the fingerprint evidence. If you are, here are some thoughts on the prints found on the four cartons at the southeast corner window.

Within about 2 hours of the assassination, Lt. Day dusted the cartons for prints. The very fact that he used fingerprint powder is contrary to FBI practice, which according to Latona is not to use powder on paper, cardboard, or cloth (4H 4). Day should have known that, since he took an advanced latent print course given by the FBI (4H 250) and other such courses.

In any case, Day raised from carton D, the "seat" carton, a palmprint which he cut out of the carton and took to the police lab, and which subsequently was identified as Oswald's. He left the four cartons on the sixth floor because there were no prints on them other than the one he cut out of carton D (CD 1546 page 47). ⊗

The cartons remained on the sixth floor until 11/25/63, when they were picked up by Day and Studebaker and turned over to the FBI. They were examined by the FBI laboratory, first by Wittmus and then by Latona, on or after they were received on 11/27/63 (4H 37), using chemicals rather than dusting powder. They discovered on carton A (the small rolling reader box resting on the larger 55-pound carton on the floor at the window) a fingerprint and a palmprint identified as Oswald's.

They also discovered 19 fingerprints and 6 palmprints on the four cartons which were identifiable but had not been identified as of the time that Latona gave his testimony (4/2/64). In September 1964, 24 of the 25 prints were identified.

Of these, 18 prints on three cartons were those of Studebaker, while 6 prints on four cartons were those of FBI clerk Lucy. Oswald had left only 3 prints on two cartons, and no prints on the other two cartons, one of which was a small one (rolling readers) and the other a large one, about 55 pounds.

One identifiable palmprint remains unidentified to this day.

No fingerprints were found of any other Depository employees, although two of the four cartons had been handled by the floor-laying crew (WR 249).

Studebaker's 18 prints had been left on the cartons at least 2 days before they were raised by chemical tests by the FBI. Therefore, Oswald's fingerprint and palmprint on carton A were at least 5 days old and possibly much older. The palmprint on carton D, on the other hand, having been raised by powder, had to be recent in relation to the dusting of the carton, according to Latona (4H 39) within a maximum of 24 hours.

If Oswald handled all four cartons while making a "gun rest" and the cartons were dusted within three hours, far more than one print should have been elicited, and on all four cartons, since the prints would have been fresh and recent. But even if the prints had been absorbed within the three hours, numerous prints on all four cartons should have been found by chemical tests, which elicited only 2 prints on one box. When this is compared to the number and distribution of prints left by Studebaker and Lucy, considerable doubt arises that Oswald could have arranged the four cartons as a "gun rest" or handled them repeatedly at any time on 11/22/63.

I don't know if this reasoning stands up under scrutiny by a fingerprint expert--Latona testified that it was common to find only one identifiable print on an object which a person had touched many times (4H 40).

Sylvia