

WHO KILLED TIPPIT — AND WHY ?

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LESS THAN 45 MINUTES AFTER the assassination of President Kennedy, Dallas policeman J. D. Tippit was shot to death. The Warren Commission concluded that both the assassination and Tippit's murder were committed by the same person—Lee Harvey Oswald—and substantiated this conclusion with a mass of evidence which is quantitatively impressive but which, as we shall see, is far from conclusive. Not only did the Warren Commission fail to answer adequately the question "Who killed Tippit?" it provided no satisfactory answers to a very significant corollary question "Why was Tippit killed?"

Murders may be reduced to two situational types, in the first of which, the murderer is acquainted with the victim, and his motive stems from their relationship.¹ In the second type, the murderer is not acquainted with the victim, and his motive stems from spontaneous circumstances. The Warren Commission, in all its 26 volumes of hearings, has given no consideration to the first possibility, that Oswald and Tippit may somehow have been acquainted, and has axiomatically accepted the second possibility, that the murder was the product of spontaneous circumstances. Yet despite the fact that the Warren Commission has conspicuously avoided exploring the possibility that Tippit and Oswald knew one another, it may prove interesting to reconsider the Tippit murder with a mind open to both possibilities.

In doing so, because space limitations prevent a thorough analysis of all the evidence, we shall tentatively accept the Warren Commission's conclusions that Oswald and Tippit were together at 1:15 P. M. and that subsequently Oswald shot Tippit and fled the scene.

THE WITNESSES

The Warren Commission has produced nine eye-witnesses who place Oswald near the scene of the Tippit murder, but only three witnesses were in a position to have witnessed the murder itself. These three were William Scoggins, Domingo Benavides, and Helen Louise Markham.

Scoggins, having lunch in his parked cab, noticed a police car stopping by a man in what he recalled as a light-colored jacket. His view, however, was obscured by shrubbery, and he looked away. A few minutes later he heard shots. Scoggins thus did not witness the murder but was able to identify Oswald (in a four-man line-up, probably after seeing Oswald on television) as the man running away from the scene.² Domingo Benavides, driving a pick-up truck in the opposite direction, noticed a policeman talking to another man on the right side of the police car. He heard three shots, saw the policeman fall, and saw the other man run away. However, Benavides, stated positively that he could not identify the other man, and therefore he was not even brought to the police line-up to see Oswald.³

The Warren Commission was thus able to produce only one witness who claims to have seen what actually happened between Oswald and Tippit, Helen Louise Markham. Mrs. Markham, according to her testimony, was about 50 feet from Oswald when a police car slowly approached him from the rear and stopped alongside him. She then saw Oswald walk to the right window of the police car, lean both arms on the window, and talk to the policeman. The policeman "calmly opened the door" and very slowly got out and walked to the front of the car.⁴ Mrs. Markham then heard three shots and saw the policeman fall to the ground. Mrs. Markham later identified Oswald from a four-man police lineup (composed of Oswald, two 18-year old youths, and a Mexican).⁵

* * *

THERE IS NOTHING in Mrs. Markham's testimony which precludes the possibility that Tippit and Oswald knew each other. The fact that Tippit was able to recognize Oswald from the rear, and the fact that Oswald immediately approached the car and leaned in the window, suggest the possibility that the two men were acquainted.

However, we have a number of reasons to doubt the credibility of Mrs. Markham's account. Mrs. Markham claimed that Tippit was shot at 1:08 P.M., that she alone remained with Tippit until the ambulance arrived 20 minutes later, and that Tippit talked to her while he was dying. But the Warren Commission concluded that Tippit was shot at 1:16 P.M., that the ambulance arrived within minutes, and that Tippit died instantly. Furthermore, Mrs. Markham claimed that she was alone with Tippit from the time of the shooting until the ambulance arrived. However, we know that Domingo Benavides used Tippit's car radio to report the shooting and that the shots produced a crowd immediately. Also casting doubt on Mrs. Markham's reliability as a witness is the fact that she had told Mark Lane that the killer was "short, a little on the heavy side" with "somewhat bushy" hair. She admitted that the

conversation did take place only when confronted with a tape recording of the conversation. The Commission itself admits that "in her various statements and in her testimony, Mrs. Markham was uncertain and inconsistent in her recollections."⁶ The Commission was thus unable to produce any witnesses who could describe accurately what happened between Tippit and Oswald.

The Warren Commission, however, was selective in its choice of witnesses, omitting those whose testimony might tend to confuse or undermine its case. For example, Frank Wright was never called as a witness although the first report of the shooting emanated from him. Mr. Wright, who summoned the ambulance at 1:18 P.M., lives in a ground-floor apartment about a half-block from the murder site.⁷ Mr. Wright stated that he heard shots and ran out the door. He saw a police car on the next block and a man who had apparently just fallen down by the front fender of the car.⁸ Mr. Wright said:

I saw a man standing right in front of the car. He was looking towards the man on the ground... The man ... was about medium height. He had on a long coat. It ended just above his hands. I didn't see any gun. He ran around on the passenger side of the police car.⁹

So far, Mr. Wright's account is in agreement with the testimonies of other witnesses; however, he continued:

He ran as fast as he could go and got into his car. His car was a grey, little old coupe. It was about a 1950-1951 maybe a Plymouth. It was a grey car, parked on the same side of the street as the police car but beyond it from me. (West). He drove down 10th Street...¹⁰ (*italics mine*)

Mr. Wright's account, if accurate, may explain some of the inconsistencies which the Warren Commission found in Mrs. Markham's testimony. Immediately after he came out of his house, Mr. Wright saw Mrs. Markham come down from her porch and he observed:

Just as the man in the car pulled away she came towards the police car and then she stepped back. I heard her shout, "Oh, he's been shot!" throwing up her hands. Then she went back up towards the house.¹¹ (*italics mine*)

This statement would explain why Mrs. Markham did not see Domingo Benavides use the car radio, or the crowd of about 20 persons which immediately gathered at the scene. However, Mr. Wright's account does not preclude the possibility that Mrs. Markham saw from her porch the police car stop by a man, or the possibility that, after the shots, Oswald did, in fact, run

← This is not a reference to Markham. - Mr. Wright's Garden text

past her.¹² The account does, however, suggest the possibility that a third man was present at the scene of the murder.

Another "uncalled" witness, Mrs. Aquilla Clemmons, claims to have seen two men near the police car in addition to Tippit.¹³ Although admittedly her recollection of the event is vague, and thus of dubious value, it would tend to corroborate Mr. Wright's account.¹⁴

THE THIRD MAN

We thus have the distinct possibility that there was a third man at the murder scene. Witness Benavides states he could not identify the man with Tippit. And witness Scoggins was able to identify Oswald only as the man whom he had seen running past him. Mrs. Markham's account is, at best, confused and questionable. The witnesses' testimonies therefore do not preclude the possibility that there was a third person standing by the car, and that when Oswald shot Tippit, both Oswald and the third man fled.

However, if the man standing by Tippit's car, with his arms in the window, was not Oswald, and if we accept the Warren Commission's conclusion that Oswald shot Tippit, then we are faced with the intriguing possibility that Oswald was inside the police car with Tippit.

This hypothesis, as speculative as it may be, would help to explain Oswald's extreme accuracy--four hits out of four shots--with a revolver. As none of the witnesses saw the man outside the police car take deliberate aim with the revolver, the man necessarily would have had to fire "from the hip," an extremely inaccurate position. If, however, the shots were fired inside the police car, the killer would be at extremely close range, and it would be relatively easy for him to shoot Tippit in the head. If Oswald was already inside Tippit's car, then the third man may have been either an innocent bystander (who possibly distracted Tippit) or someone who had a reason for approaching Tippit's car. If the third man was an innocent bystander, we would expect the Warren Commission to have produced him as an eye-witness (unless there were reasons for not producing him). If, however, the third man was involved with Oswald or Tippit, this fact might explain another mysterious circumstance of the Tippit murder--the fifth bullet.

THE FIFTH BULLET

The Warren Commission was unable to prove through ballistic tests that the bullets recovered from Tippit's body were fired from Oswald's revolver, or even from a single revolver.¹⁵ The Commission did, however, determine that the four cartridge cases found near the murder scene were fired from Oswald's revolver.¹⁶ The only problem, but one which the Warren Commission never

resolved, is that the cartridge cases do not match the bullets recovered from Tippit's body.

Three of the bullets recovered from Tippit's body were manufactured by Winchester-Western and the fourth by Remington-Peters. However, only two of the four discarded cartridge cases were of Winchester-Western manufacture; thus the third Winchester-Western bullet found in Tippit's body is unaccounted for. There are only two possibilities which would account for the third Winchester-Western bullet: either another gun fired one Winchester-Western bullet into Tippit, or there was a fifth cartridge case which was never recovered. The Commission accepted the latter possibility, but the evidence definitely does not preclude the possibility that a second gun fired the third Winchester-Western bullet.

The remaining two discarded cartridge cases were of Remington-Peters manufacture, but only one bullet recovered from Tippit's body was of Remington-Peters manufacture. There is thus the problem of an extra Remington-Peters cartridge case fired from Oswald's revolver.¹⁷ This means either that Oswald's revolver contained at least one empty shell from a previous firing, or that Oswald fired five times and one bullet was not recovered.

* * *

CONTRARY TO THE testimony of the witnesses at the murder scene who stated they heard two to four shots, the Warren Commission concluded that Oswald fired five times, and that one Winchester-Western cartridge case and one Remington-Peters bullet were never recovered. However, from the evidence recovered, it is logical to consider the possibility that two separate revolvers fired four bullets into Tippit's body. The Warren Commission's conclusions are predicated on non-existent evidence (i.e. the missing Winchester case and Remington bullet, and the unheard fifth shot) derived circularly from the assumption that Oswald alone killed Tippit.

The Warren Commission thus failed to consider two distinct possibilities suggested by the witnesses and the evidence. First, there is the possibility that there was a third man with Oswald and Tippit and that two persons fled the murder scene, Oswald on foot and the third man in a grey coupe. Secondly, there is the possibility that two guns, and thus two killers, were involved in the murder of Tippit.¹⁸ If it was the third man, and not Oswald, who the witnesses saw standing by the police car, and if Oswald fired at least two bullets into Tippit, as the cartridge case evidence indicates, then it would seem probable that Oswald was inside the police car with Officer Tippit.

If, as our hypothesis suggests, Oswald was inside Tippit's police car, the next question which presents itself is how long

were Oswald and Tippit together? In order to attempt to answer this crucial question, we must retrace Oswald's steps.

THE POLICE CAR

According to the Warren Commission, Oswald returned to his roominghouse at about 1 P.M. Mrs. Earlene Roberts, the housekeeper at the roominghouse, testified that she saw Oswald rush in, go to his room, and leave a few minutes later.¹⁹ While Oswald was in his room, according to Mrs. Roberts' testimony, "a Dallas police car drove slowly by the front of the 1026 North Beckely premises (the roominghouse) and stopped momentarily."²⁰ Mrs. Roberts then stated that she heard the police car blow its horn several times. Although the occupants of the police car were unknown to her, Mrs. Roberts testified that she thought the number on the side of the police car was 106 or 107.²¹

The Warren Commission, however, disregarded this portion of her testimony because "investigation has not produced any evidence that there was a police vehicle in the area ... at about 1 P.M."²² If the "investigation" was thorough, we can assume that the investigators interviewed all the drivers of police cars who could have possibly been in the Oak Cliff area at 1 P.M.²³ and thus eliminated the possibility that a police car stopped in front of Oswald's house. However, there was one, and only one, police car driver who the investigators could not eliminate in this manner - Officer J. D. Tippit. Furthermore, there was a police car in the area of Oswald's house at about 1 P.M. The Warren Commission, in direct contradiction to its assertion that there was no "evidence" of a police car in the area of Oswald's roominghouse, stated earlier in the report:

At 12:54 p.m. Tippit reported that he was in the central Oak Cliff area at Lancaster and Eighth.²⁴

Tippit thus had left his assigned district, number 78, and proceeded without explanation to a point which was within sighting distance of Oswald's block. There was then "evidence" that a police car was in the area at about 1 p.m. Furthermore, the next time Tippit was seen, at about 1:15 p.m.²⁵ he was definitely with Oswald. During the intervening period, no one saw either Oswald or Tippit; we therefore have no reason to preclude the possibility that they were together for this period. We can only conclude that if Mrs. Robert's testimony was accurate, and that if the subsequent investigation was thorough and thus eliminated all other possible police cars from the area, it could only have been Tippit's car which stopped in front of Oswald's roominghouse and signalled with its horn.

* * *

MRS. ROBERTS THOUGHT the number on the police car was either 106 or 107. She was definite on the first two digits -

10 - and indefinite on the third digit. Tippit's car number was 10. As the only police car number familiar to Mrs. Roberts contained three digits, it seems quite possible that she unconsciously assumed that all Dallas police car numbers contained three digits, and therefore attempted to recall a third digit which she may not have seen. In any case, the fact that the first two digits described by Mrs. Roberts exactly coincided with the two digits of Tippit's police car number strongly suggests that Mrs. Roberts saw Tippit's car in front of her roominghouse at about the time Oswald hurriedly departed.²

There is thus a third distinct possibility which the Warren Commission failed to consider, and that is the possibility that Tippit waited for Oswald to return home, signalled him with the car horn, and drove him to the murder scene.

THE MEETING

Although this possibility is speculative, the explanation posited by the Warren Commission is equally speculative. The Commission conjectured that Oswald walked unobserved nearly a mile to the murder scene where Tippit, also unobserved for the 15 minute period,²⁷ slowly approached Oswald from the rear.

The Commission further conjectured that Tippit heard the 12:45 police broadcast, which described the suspect as "white male, approximately 30, slender build, 5 foot 10 inches, weight 165 pounds," and on the basis of this vague description, the Commission speculated that Tippit was able to recognize Oswald from the rear. However, this description would probably fit one out of every three men in Dallas as well as it fitted Oswald and, in the half-hour between when the description was first sent out and the time when Tippit approached Oswald, we would expect that Tippit questioned other persons who fitted this description. Yet the Warren Commission has produced no evidence that Tippit stopped any other person, and we can only assume that Oswald was the first and only person Tippit recognized as fitting the description.

* * *

THE WARREN COMMISSION'S explanation of the meeting between Tippit and Oswald is not derived from evidence, but from an assumption. Given: Oswald was alone in the assassination; therefore he could not have been involved with Tippit; ergo Tippit could only have stopped Oswald because he recognized him from his description. This hypothesis, however, does not explain how he recognized Oswald from the rear, why he did not radio in, per police instructions, that he had spotted a suspect, or why he was in the Oak Cliff area in the first place. Nor does it account for the curious circumstances surrounding the shooting.

TIPPIT AND OSWALD

Adding to the mystery is the fact that the Warren Commission has conspicuously avoided pursuing any lines which may have suggested Tippit's involvement with Oswald. For example, Julie Postal, the cashier at the movie theatre where Oswald was apprehended, testified that Tippit had worked at the theatre.²⁸ As Oswald had apparently known how to sneak into the theatre, there is a possibility that Tippit's former employment with the theatre may have been relevant. Yet, the Commission asked Mrs. Postal no further questions about Tippit.

Also, despite the rumors that Tippit knew Ruby, the Warren Commission never called Mrs. J. D. Tippit as a witness. It is conceivable that Mrs. Tippit might have known something of Tippit's whereabouts on November 22nd, and she may have had some relevant information about Tippit's acquaintances. The Commission was not concerned with any of Tippit's moonlighting activities,²⁹ nor did they bother to analyze his finances nor call any of his friends as witnesses. The Warren Commission apparently felt, as if contemplating a Pandora's box, that it was unwise to open up the mystery of J. D. Tippit.

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1. 90% of the murders in America are of this first type.
 2. The Witnesses. N.Y. Times (Ed.) Bantom Books. 1964.
p. 109.
 3. Report of the Warren Commission. N.Y. Times Edition,
p. 156.
 4. Ibid.
 5. Ibid.
 6. Warren Report.
 7. The Wright testimony is taken from an article in The New Leader, Oct. 12, 1964, p. 6, by George and Patricia Nash, "The Other Witnesses." They had no problems in locating the Wrights. They simply went to the Ambulance Dispatching Station (and funeral home) and received the address of the Wrights as the people who phoned in the first report.
 8. George and Patricia Nash. "The Other Witnesses" New Leader. Oct. 12, 1964, pp. 6-9.
 9. Ibid., p. 7.
 10. Ibid.
 11. Ibid., p. 8.
 12. This is the only part of her testimony which the Commission finds reliable.
 13. Ibid., p. 9.
 14. Mr. Wright's account is partially corroborated by his wife's statement and by the time clock of the funeral home which registered their call at 1:18 P.M.
 15. Ibid., p. 160. Note: Ballistics were impossible, according to the Commission, because the bullets were mutilated. This was because the bullets were the wrong size for the

revolver. This brings up the interesting question of whether both the Winchester and Remington were incorrect? And why someone would buy the wrong sizes, mix bullets, etc.?

16. Ibid., p. 161.

17. Ibid.

18. This hypothesis is reinforced by early reports over the police radio that an automatic was the murder weapon, and automatic cartridges had been found.

19. Ibid., p. 235.

20. Ibid., p. 235.

21. Ibid.

22. Ibid.

23. This would be relatively simple since most of the police cars had rushed to the Texas Book Depository on a code three alert at 12:40 p.m.

24. Ibid., p. 154.

25. According to Mrs. Markham, they were together at 1:08 p.m.; other witnesses place them together between 1:14 and 1:18 p.m.

26. As Mrs. Roberts stated she did not know the occupants of the mystery police car, and as only Tippit's car could have been in the district, it seems strange the Commission did not show Mrs. Roberts photographs of Tippit, or pursue the point. But this is part of the pattern of ceasing and desisting whenever the possibility arises that Tippit may be involved.

27. Tippit was actually unobserved all day, but he radioed in at 12:54. However, he was 8 blocks (2 minutes) from the murder scene, and this leaves about 19 minutes unaccounted for.

28. Appendix. Jule Postal's testimony.

29. His moonlighting activity included working in a restaurant owned by a John Birch member, and working as a movie usher. Moonlighting activities may indicate a policeman is willing to take on additional jobs.

Erratum: In note 15 and those following, "Ibid." refers to the Warren Report.