

THE FBI AND THE ASSASSINATION OF PRESIDENT KENNEDY

-A Catalog of Horrors Long Forgotten,
Perhaps Never Really Noticed-

A. The FBI Dominated The Investigation; Did It Do Its Job Well?

1. Assigned by President Johnson to conduct a "full and thorough" investigation of the assassination [1], the FBI produced a Summary Report [2], complete with embossed cover and plastic binder, barely two weeks after the murder and before the Warren Commission could even organize its staff or appoint its Chief Counsel [3]. That report, and a similarly glossy FBI Supplementary Report [4] dated January 13, 1964, contained details of medical findings and other basic evidence that were later found to be in irreconcilable conflict with the Commission's own findings on the same evidence. Nevertheless, these premature FBI reports committed the Warren Commission to its ultimate conclusions before a single hearing had been held. The FBI's errors on the evidence - if that is what they were - were so embarrassing to the Commission that it was necessary to suppress all references to these FBI reports in the Commission's own Report and in the 26 volumes of Hearings and Exhibits [5]. The very existence of these two seriously defective FBI reports was not disclosed until 1966[6], and their contents were little noted through the indolence of the news media and the complacency (by then) of the public.

2. While Oswald was in the custody of the Dallas Police, the FBI participated in the violation of his constitutional rights to such an extent that, had Oswald lived to be tried, a conviction might not have been possible. The Dallas Police seized some items of evidence without a search warrant [7], and the FBI knew this and made use of such evidence. They assisted in round-the-clock interrogations of Oswald [8], knowing full well that he had repeatedly requested counsel but had not been able to obtain it.[9]

3. The FBI withheld much pertinent information from the Warren Commission, or procrastinated for long periods in investigating and reporting it. They refused (and still refuse) to supply essential details of spectrographic analyses of the bullets and bullet fragments, which data would have shown whether all the projectiles came from the same ammunition supply, but instead reported only that the compositions of these items were "similar." [10]

* Citations at end

They declined to undertake neutron activation analysis of the President's clothing near the bullet holes, which analysis might have resolved conclusively certain questions about the origin of the shots [11]. They delayed seven weeks in reporting the contents of selected pages from Oswald's notebook, which pages contained the name, address, phone number, and other data about FBI Agent James P. Hosty suggesting an informant relationship between the two men [12]. At the same time, they did not hesitate to swamp the Commission with time-consuming irrelevancies such as the dental charts of Jack Ruby's mother [13] and the subtle distinctions between Caucasian, Negroid, and Mongoloid hairs. [14]

4. The FBI altered or seriously damaged certain items of evidence. A brown paper bag allegedly used by Oswald to transport his rifle on the day of the assassination was so changed by FBI laboratory examinations that it had to be replaced by a "replica" for purposes of questioning witnesses [15]. A photograph of the home of Gen. Edwin Walker, said to have been taken by Oswald in preparation for shooting at Walker, developed a curious hole while in the FBI's possession right at the point where the license plate of an automobile would have appeared, thus preventing conclusive identification of the owner and possibly of the time when the picture was taken [16]. On the other hand, the FBI sometimes repaired evidence. The scope on Oswald's rifle was shimmed in order to permit FBI experts to hit their targets during tests [17]. A camera said to have been used by Oswald to have his picture taken holding the assassination weapon was fixed by the FBI prior to duplicating the photographs [18]. The original Oswald-with-rifle photographs themselves were belatedly examined for fingerprints by the FBI in 1968 while in the possession of the National Archives, and they are no longer in recognizable condition [19].

5. The FBI never interviewed or even identified all of the persons who were employed at the Texas School Book Depository at the time of the murder, although it is obvious that these persons are among the most important witnesses in the entire investigation. A letter from J. Edgar Hoover to the Commission, dated April 3, 1964, purported to forward statements "from each person known to have been in the Texas School Book Depository on November 22, 1963." The number of such statements forwarded is 73, and 3 other employees are named as being absent from work that day [20]. Yet the Secret Service had previously identified 80 employees on December 7, 1963 [21]. Another employee, Gordon Wayne Smith, who did work on

November 22, 1963 and was in the same group as Oswald, had been interviewed superficially by the FBI on November 27, 1963 [22], and was subsequently completely forgotten by both the Secret Service and the FBI. Scattered references in the testimony and various Commission exhibits establish that several other persons are known to have been in the TSBD on the morning of November 22, 1963, but some of these have not been identified to this day [23].

B. Oswald Took the Rap But Was He An FBI "Subject", An FBI "Informant", Or Both?

1. Texas Attorney General Waggoner Carr, based on information supplied him by Dallas District Attorney (and former FBI agent) Henry Wade and others, informed the Warren Commission in January, 1964, that there was evidence that Oswald had been an FBI informant [24]. This report occasioned an emergency meeting of the Warren Commission on January 22, 1964, of which the stenographic record was confiscated by the Commission and never written up [25]. Carr and Wade were then invited to Washington to testify in total secrecy before the Commission on January 24, at which time even the stenographic reporters were excluded [26]. The proceedings have never been divulged. No known investigation of the Carr-Wade allegation was made by the Commission after J. Edgar Hoover simply told the Commission that Oswald was not an FBI informant. The charge obviously should have been investigated, and not by the FBI.

2. After Oswald had been arrested in New Orleans on a charge involving his activities on behalf of the Fair Play for Cuba Committee, an organization suspected as subversive by the FBI, he strangely asked for and promptly got an FBI agent to interview him [27]. Would a "true" subversive seek an FBI interview upon being jailed? The FBI later explained to the Commission that Oswald was probably making a self-serving statement " [28], but they also charged that Oswald had told the agent numerous lies during the interview and they neglected to show how any of this served Oswald's supposed purposes.

3. At least seven different FBI agents are known to have been associated with the "Subect" (Oswald) during the year and a half after his return from Russia and before the assassination, several of them through personal interview of Oswald [29]. They include:

Arnold J. Brown
B. Tom Carter
Warren DeBrueys
John W. Fain
James P. Hosty
Milton R. Kaack
John L. Quigley

4. One agent, Warren DeBrueys, prepared a report dated October 25, 1963 concerning the Fair Play for Cuba Committee, New Orleans Division [30]. The report is said to be mostly about Oswald [31], although by then he had moved to Dallas a month previously and the FBI later claimed that the New Orleans FPCC had no other members but Oswald [32]. The DeBrueys report, while apparently made available to the Warren Commission, is not printed in the Volumes and has never been released to the public by the FBI.

5. FBI Director J. Edgar Hoover, in a letter to the Commission on May 4, 1964, submitted an itemized list of "the contents of the FBI headquarters file concerning Lee Harvey Oswald up to the time of the assassination...."[33]. The list contains no fewer than 69 items, but despite its length there are least two known FBI reports concerning Oswald, prepared prior to the assassination, which are not included [34]. Hoover's letter offered no explanation for such omissions.

6. FBI Director J. Edgar Hoover submitted a letter and affidavit to the Commission in February, 1964, in which he stated "categorically" that Oswald had never been an informant for the FBI [35]. However, the Commission published FBI reports of interviews of Oswald on June 26 and August 16, 1962 [36], and these reports state in plain English that Oswald had promised to cooperate with the FBI by reporting "any contacts, or attempted contacts, by the Soviets under suspicious circumstances or otherwise." One such contact, initiated by Oswald himself, had in fact been reported by him to the FBI [37]. The Commission charitably took no notice of these agreements between Oswald and the FBI, perhaps on the theory that an informant is not an informant when he is alleged to be an assassin of the President.

C. The FBI "Solved" The Crime; But Could They Have Prevented It?

1. The FBI James P. Hosty, the Dallas agent in charge of "investigating" Oswald prior to the assassination, asserted to a Dallas Police Detective on the afternoon of the murder that the FBI was aware of Oswald and that they had had information that Oswald "was capable of committing the assassination of President Kennedy" [38]. Hosty later denied making any such statement, against convincing evidence that he had [39].

2. FBI Director J. Edgar Hoover defended Hosty and claimed that the FBI did not have "any indication that this man was a dangerous character..." and that there had been no information to justify referral to the Secret Service [40]. The Commission disagreed, and after recounting Oswald's history of hostile and erratic behavior, all of which was well known to the FBI, observed: "All this does seem to amount to enough to have induced an alert agency, such as the FBI, possessed of this information, to list Oswald as a potential threat to the safety of the President " [41].

3. The Oswalds lived at the residence of Michael and Ruth Paine in Irving, Texas for some weeks prior to the assassination. Oswald is alleged to have stored his rifle in an open garage there. For reasons said to have been related to Oswald, the FBI initiated a full field investigation of the Paines in late October, 1963, actually visiting the Paine residence on November 1 and 5, 1963 [42]. FBI Agent Hosty claims that he learned of the Oswalds' cohabitation with the Paines only after learning of a change of address filed by Oswald in New Orleans [43].

4. Numerous FBI reports, some only recently declassified, establish conclusively that Oswald's correspondence with certain organizations was being intercepted and read by confidential informers to the FBI. One such report cites the contents of an Oswald letter to the FPCC in April, 1963, the source being described as "Dallas confidential informant T-2 " [44]. A New York informer reported an Oswald letter to The Worker in June, 1963 [45]. Another FBI report shows awareness of Oswald correspondence with the Soviet Embassy in Washington in August, 1962 [46]. The FBI neither admitted nor denied operating a mail cover on Oswald (a simple and logical extension of the FBI's investigation of him), but if they had a mail cover on him in March, 1963 they must have known of Oswald's receipt by mail of the rifle with which he

allegedly assassinated the President and of the revolver with which he supposedly murdered Police Officer Tippit. Knowledge of Oswald's receipt of these weapons would clearly have signalled his "capability" for violence which the FBI claimed was unknown.

5. The FBI possessed a massive dossier on Oswald and his activities for several years [47]. FBI Agent James P. Hosty, who knew intimately of Oswald's past and his place of employment at the TSBD, claimed to have been totally unconcerned about Oswald as a threat to the President [48]. Yet this same Hosty said he took it upon himself on November 21, 1963, to inform the Secret Service of certain right-wing activities and threats to the President in Dallas [49], proving that there was no lack of opportunity for the FBI to have warned about Oswald.

D. The Aftermath: How The FBI Treats Its Bosses

Years later, the FBI misled top Government officials about the nature and results of its investigation. In one instance, former U.S. Attorney General Ramsey Clark was badly embarrassed as the result of FBI misrepresentations.

This episode transpired the day after District Attorney Jim Garrison arrested New Orleans businessman Clay Shaw and charged him with having conspired to murder President Kennedy. Clark, who was in the midst of Senate proceedings to confirm him as Attorney General, issued a statement saying that the FBI had already investigated and cleared Shaw of any part in the assassination. The Attorney General, relying on the FBI, asserted that the FBI had included Shaw in an investigation into the assassination it made in November and December of 1963; he then claimed: "On the evidence that the FBI has, there was no connection found." [50]

Three months later the Justice Department was compelled to issue another statement which proclaimed that Clark's earlier statements were in error and admitted that the FBI did not investigate Shaw during its probe of President Kennedy's assassination [51].

J. Edgar Hoover has recently asserted that Ramsey Clark, whom he misled, was a "jellyfish"-- the worst Attorney General he had ever served under. "He was worse than Bobby," Hoover said [52].

CITATIONS

Explanation of abbreviations used in citations:

- WR = Warren Report
 CE = Commission Exhibit (Printed in one or another of the 26 volumes of Hearings and Exhibits; these can be located by exhibit number.)
 CD = Commission Document (These are not printed but are available for examination at the National Archives, provided they are not still classified.)

Certain exhibits, e.g., Gallagher Exhibit 1, are referred to by the name of the person testifying at the time they were introduced; these are printed in the 26 volumes and can be located by name and number in the appropriate volume as identified by the binder.

Testimony is cited by volume and page number, followed in parenthesis by the name of the person testifying, e.g., "5H100 (J. Edgar Hoover)" means volume 5, page 100, testimony of J. Edgar Hoover. In a few instances involving references to lengthy exhibits, this same notation is used to specify a particular volume and page number to facilitate the location of the information being cited.

1. 5H100 (J. Edgar Hoover)
2. CD 1
3. WR, pp. x-xi
4. CB 107 and 107.1
5. No part of CD 1, 107, or 107.1 is printed in the Report or Volumes. Neither J. Edgar Hoover nor Alan Belmont (Asst. to Hoover) refer to them in testimony.
6. "List of Basic Source Materials", National Archives, released to public in 1966. See also Sylvia Meagher, Accessories After The Fact, Bobbs-Merrill, 1967, pp. 147-148.
7. CE 2003, p. 294; CD 2973
8. WR, pp. 199-200
9. WR, pp. 200-201
10. 5H67 (Frazier)
11. Gallagher Exhibit 1
12. CD 833, p. 15; 5H112 (Hoover); the actual entries may be seen in CE 18 (16H64).

13. CE 1281 (22H395)
14. CE 668 through 670
15. WR, p. 136; CD 2723
16. 11H294-295 (Marina Oswald)
17. 3H444 (Ronald Simmons); 3H411-412 (Robert A. Frazier)
18. 4H284 (Shaneyfelt)
19. Information from the National Archives
20. CE 1381
21. CD 87, SS #491
22. CD 5, p. 375; see also CE 1949 (23H751)
23. For example, see 6H366-367 (Danny Arce); Decker Exhibit 5323 (19H511, re a "Joe Loraine"); CD 897, pp. 35-36 (re a Mr. & Mrs. Hawkins)
24. Congressman Gerald R. Ford, Portrait of the Assassin, pp. 13-25.
25. Records of Ward & Paul, Court Reporters, Washington, D.C., 1964
26. Ibid (no entry); the meeting itself is described by Ford, op. cit., pp. 13-14.
27. WR, pp. 436-437; CE 833, p. 7
28. CE 833, p. 10; see also 5H11 (Alan Belmont)
29. CD 821 through 824, 826, 829, and 833.
30. CE 833, pp. 7 & 9
31. Ibid
32. CE 833, p. 11
33. CE 834
34. Known to be in existence but not included in Hoover's list are the Fain report of 5/12/60 (see CE 821) and the DeBrueys report of 10/25/63 (see CE 833, pp. 7 & 9). See also 5H26 (Alan Belmont) re certain Hosty notes or reports in Oct-Nov, 1963.
35. CE 825 and 835
36. CE 823, p. 13; CE 824, pp. 1 & 6
37. CE 823, p. 12; CE 824, pp. 1 & 4
38. WR, p. 441
39. WR, pp. 441-442; CE 709 & 711
40. WR, pp. 442-443; CE 833, p. 2 of cover letter
41. WR, p. 443
42. CE 830; CE 833, pp. 12 & 13; 4H446-448 (James P. Hosty); 5H26 (Alan Belmont)
43. 4H447 (Hosty); CE 833, p. 13
44. CE 829, p. 2; CE 833, p. 5
45. CE 833, p. 6; see also CD 28, pp. 3-4; CD 75, pp. 672-673 (declassified 1970)
46. CE 824, pp. 1 & 4
47. WR, pp. 433-440
48. 4H460 (Hosty)
49. Ibid
50. New York Times, March 2, 1967, p. 22
51. Ibid, June 3, 1967, p. 64
52. Washington Post, November 17, 1970, p. 1