

Statement of Witnesses - Charles Douglas GIVENS <sup>(6</sup> (H 345-56), Apr. 8, 1964

This deposition is more remarkable for what it doesn't say, for what it suppressed, than for what it does say.

Givens is described by the police as a former narcotics case. He has been an off-and-on employee of the Texas School Book Depository for several years. He had a 2-year service in the Navy, from which he said he got an honorable discharge. This is a rather unusual period of enlistment, I believe, and should have had further explanation. When he got out of the Navy, he worked for a lumber company for a while. Asked what he did then:

"Mr. Givens. One time I got into a little difficulty. Got in a little trouble.

Mr. Belin. You got in a little trouble?

Mr. Givens. Yes.

Mr. Belin. All right, you were not working for a while?

Mr. Givens. Yes, sir.

Mr. Belin. About how long was that?

Mr. Givens. About 13 months." (p.347)

There is no indication here of any criminal record. The criminal record was well known to the Commission. It was testified to by the police. By avoiding it, Belin is seeking to validate the testimony of a man that would otherwise be subject to very serious question. (p.347)

Without establishing what time Givens went into the so-called domino room, the employees' lunchroom, Belin gets Givens to say that Givens left at 8 o'clock and had not seen Oswald in the domino room that morning. In reading this testimony, Belin has succeeded in giving the impression that, so far as Givens as a witness is concerned, it was not possible that Oswald was in the domino room that morning. <sup>Aside</sup> ~~Resides~~ from questions of how well or accurate<sup>ly</sup> Givens recalls, Belin has not

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established the time of Givens' arrival in that room. He established only the time of his departure. (P.348)

Givens said he saw Oswald about 8:30 filling orders from some bins, but the floor is not established.

Asked where he next saw Oswald:

"Mr. Givens. Well, it was about a quarter till 12, we were on our way downstairs, and we passed him, and he was standing at the gate on the fifth floor.

I came downstairs, and I discovered I left my cigarettes in my jacket pocket upstairs, and I took the elevator back upstairs to get my jacket with my cigarettes in it. When I got back upstairs, he was on the sixth floor in that vicinity, coming from that way.

Mr. Belin. Coming from what way?

Mr. Givens. Toward the window up front where the shots were fired from." (p.349)

The time Givens returns to get his jacket is referred to later. Belin then goes over it again:

"Mr. Belin. Now, did you notice whether or not there were any cartons stacked up around the southeast corner of that sixth floor)

Mr. Givens. Well, I didn't pay any attention about any being stacked, because we had taken all that stock from that side of the building and ran it down that side.

Mr. Belin. You had taken stock down from the west part of the sixth floor where you were working and put it there?

Mr. Givens. Yes; ran it down the wide right in front of the window.

Mr. Belin. Was he between that stock and the window, coming towards the elevators?

Mr. Givens. He was between the stock and the window, coming towards the elevators.

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Mr. Belin. Coming towards the elevators?

Mr. Givens. Yes, sir.

Mr. Belin. Did you see all of his body or not?

Mr. Givens. Yes, sir; he had his clipboard in his hand." (p.350)

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"Mr. Belin. Where did you see him walking? What direction did you see him walking in?

Mr. Givens. He was coming towards the elevators.

Mr. Belin. From the Elm Street side of the building?

Mr. Givens. Yes, sir.

Mr. Belin. So that would be walking in a northerly direction?

Mr. Givens. Yes, sir.

Mr. Belin. Now, you said that he had a clipboard in his hand?

Mr. Givens. Yes; he had his board with his orders on it.

Mr. Belin. Did you see the orders on the board?

Mr. Givens. Well, yes, sir; he had it in his hand." (p.350)

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"Mr. Belin. Did you watch where he walked to?

Mr. Givens. Well, no, sir; I didn't pay much attention. I was getting ready to get on the elevator, and I say, 'Boy, are you going downstairs?'

Mr. Belin. What did he say to you? (p.350)

Mr. Givens. I say, 'It's near lunch time.'

He said, 'No, sir. When you get downstairs, close the gate to the elevator.'

That meant the elevator on the west side, you can pull both gates down and it will come up by itself.

Mr. Belin. What else did he say?

Mr. Givens. That is all." (p.351)

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When he got down to the first floor: "When I got down to the first ~~first~~ floor Harold Norman, James Jarman and myself, we stood over by the window, and then we said we was going outside and watch the parade, so we walked out and we stood there a while, and then I said, 'I believe I will walk up to the parking lot.' I had a friend that worked on the parking lot, right on Elm and Record." (p.351)

Thereafter, Givens went to Elm and Record, about a block east, to visit at a parking lot with two friends. They watched; the motorcade together. Givens said he ate lunch standing outside in front of the Book Depository Building. (p.351)

Belin retraces part of this story and asks Givens if he saw Oswald anywhere in or around the domino room "between 11:30 and 12 or 12:30?" to which Mr. Givens replied, "No." But in view of the fact that Givens had left the building at 12, how could he have seen Oswald between 12 and 12:30? Givens then testifies that usually in the morning Oswald in the domino room would read the previous day's paper that someone else had brought in. Asked if he ever knew Oswald to buy his own newspaper, Givens replied, he had never seen Oswald buy one. (p.352)

Once again, Belin returns to the sixth floor encounter:

"Mr. Belin. Did you see him anywhere on the sixth floor when you were walking off the elevator to pick up your jacket?"

Mr. Givens. No, sir; I didn't see him until I got back along here, about in front of the elevator, fixing to get on.

Mr. Belin. As you were <sup>w</sup>alking to the first spot, which we will describe as somewhat east of the east elevator, were you standing or about to get on the elevator, or what?

Mr. Givens. Yes; I was fixing to get on.

Mr. Belin. You were fixing to get on? The elevator was still

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there where you left it when you came up?

Mr. Givens. Yes, sir.

Mr. Belin. As you were starting to get on the elevator or were turning to get on it, you saw Lee Oswald walking with his clipboard?

Mr. Givens. Yes, sir.

Mr. Belin. Now, was he walking in a diagonal direction directly toward you and the elevator, or was he walking more in a direction parallel to the east wall here?

Mr. Givens. Well, I would say yes, sir; he was going like this.

Mr. Belin. He was going?

Mr. Givens. Coming down the aisle.

Mr. Belin. Coming down the aisle straight?

Mr. Givens. Yes, sir.

Mr. Belin. Anything else in his hand other than a clipboard? Did he have a pencil in his hand?

Mr. Givens. No, sir; I didn't pay any attention to him." (p.353)

Belin then returns to what happened when Givens heard the shots when he was at Elm and Record and started to run to the Book Depository.

"Mr. Givens. ... And we asked - I asked someone - some white fellow there, 'What happened?' And he said, 'Somebody shot the President.' Like that. So I stood there for a while, and I went over to try to get to the building after they found out the shots came from there, and when I went over to try to get back in the officer at the door wouldn't let me in.

Mr. Belin. Did you tell him you worked there?

Mr. Givens. Yes; but he still wouldn't let me in. He told me he wouldn't let no one in." (p.355)

By allowing the indefiniteness in Givens' testimony, Belin is

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making him part of a deception. Because Belin knew what happened, this cannot be regarded as an oversight or an accident. When Givens said, "So I stood there for a while," he doesn't indicate what "a while" is in time, nor is he asked. But the mere fact that he couldn't gain access to the building on his return indicates it was more than a minute or two. It was well after 12:45 before the front door was secured.

(See summary on Insp. Sawyer)

This then follows:

"Mr. Belin. This was the front of Elm Street?

Mr. Givens. Yes, ~~So~~ So I goes back over <sup>to</sup> the parking lot and I wait until I seen Junior.

Mr. Belin. Is that Jarman?

Mr. Givens. Yes. They were on their way home, and they told me that they let them all go home for the evening, and I said, 'I'd better go back and get my hat and coat.' So I started over there to pick up my hat and coat, and Officer Dawson saw me and he called me and asked me was my name Charles Givens, and I said, 'Yes'. And he said, 'We want you to go downtown and make a statement.' And he puts me in the car and takes me down to the city hall and I made a statement to Will Fritz down there." (p.355)

Now there is no excuse for not having times in here. Givens was picked up by the police and there was an available police record. It was not immediately. The time at which the employees were dismissed for the rest of the day is also a matter ~~of~~ easily established, and well known to the Commission.

And if he made a statement, as he said, to Will Fritz, it must have been pretty late in the day from Fritz's account of his own activities on that day. Again, there should be a record of the time.

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Belin has tried to make it seem that all of this happened immediately, whereas it may have been strung out over the entire afternoon.

This kind of testimony doesn't add anything to the record except prejudicial misinformation. Givens was a narcotics case. He was immediately suspected as a potential assassin by the police. He establishes that Oswald intended to leave the sixth floor about noon. (And so did the other Negroes who had been on the fifth floor in their testimony.) The rest of it just doesn't mean a thing.

What is significant is the Commission's suppression of Givens' criminal record, especially when it is of a nature that bears on his credibility as a witness. What is important is the deliberate distortion by the Commission of what happened to Givens and what he did after the shots.